



This Week in the Senate

March 26-March 30

FY 13 Budget Passes

Sen. Jack Hill (R-Reidsville) presented the State Fiscal Year July 1, 2012 - June 30, 2013 budget on Tuesday. The budget is \$19.2 billion with \$575 million or 55% going to cover population growth and shortfalls in Medicaid, K-12 Education, Regents, and TCSG, among other areas and \$231 million or 22% went to cover increases in state employee and teacher health benefits, retirement obligations, unemployment insurance, liability insurance and other administrative items. –**HB 742**

State Charter Schools Commission

Senate Majority Leader Chip Rogers (R-Woodstock) presented legislation that would create the State Charter Schools Commission as a state-level authorizing entity that would have the power to approve or deny petitions for state charter schools and renew, not renew, or terminate state charter school petitions. The bill passed 38-14 on Monday. –**HB 797**

Falsified Evaluations Resulting in a Bonus or Salary Increase

The Georgia Senate passed HB 692 Monday by a vote of 52 to 0. Sponsored by Rep. Billy Mitchell in the House and carried in the Senate by Sen. John Albers (R-Roswell), this legislation outlines a greater measure of accountability for teachers found guilty of falsifying student assessment results. Under this legislation, if a teacher knowingly falsifies student assessment results or standardized test scores, and as a result, receives a bonus or salary increase, then the teacher is automatically required to forfeit and repay all bonus money. –**HB 692**

Fetal Pain Bill

HB 954, carried by President Pro Tempore Tommie Williams (R-Lyons), this bill prohibits abortions in cases in which the probable gestational age of the unborn child has been determined to be 20 weeks or more, unless the pregnancy is diagnosed as medically futile or in reasonable medical judgment the abortion is necessary for one of the following reasons: to avert the death of the pregnant woman or to avert serious risk of substantial and irreversible physical impairment to a major bodily function of the pregnant woman. A claim of a mental or emotional condition or that the pregnant woman will harm herself does not satisfy this provision; or to preserve the life of an unborn child. After having been disagreed to by the House, HB 954 saw final passage after a House and Senate Conference Committee on Day 40. -**HB954**

Workers' Compensation

On Monday, Sen. Tim Golden (R-Valdosta) carried legislation that would exclude individuals who are parties to a franchise agreement from workers' compensation coverage. The bill passed 44-0. -**HB 548**

Macon Water Commissioners – Pension Plan

Sen. Cecil Staton (R-Macon) carried HB 635 on Monday. The bill closes the Macon Water Commission Pension Plan and establishes a new defined contribution component for new hires.

This bill would exclude individuals whose date of hire is on or after July 1, 2012 from entering the Macon Water Commissioners Pension Plan. Existing participants would have the right to elect participation in a new plan established by the Board. The bill passed 48-0. –**HB 635**

Georgia Judicial Retirement System Survivor's Benefits

Sen. Charlie Bethel (R-Dalton) carried HB 250 on Monday which passed 44-1. This legislation would provide for a refund of accumulated contributions if the total value of benefits paid out to a Judicial Retirement System (“JRS”) member and the designated survivor do not equal or exceed the member’s accumulated contributions at the time of his or her retirement.–**HB250**

Incorporating the City of Brookhaven in DeKalb County

Sen. Fran Millar (R- Atlanta) carried HB 636 on Monday, which passed 36-14. This bill creates the charter for the city of Brookhaven in DeKalb County. It provides for the city’s powers, construction, responsibilities, elections for office holders, a transition task force, a municipal court and judges, taxation authority, licensing authority, and various other responsibilities. –**HB 636**

Dangerous and Vicious Dogs

Sen. Bill Hamrick (R-Carrollton) carried HB 685 on Monday. This bill creates the Responsible Dog Ownership Law and requires the classification of dogs as dangerous or vicious. The bill also provides for the regulation of those dogs. The bill passed 50-1. –**HB 685**

License Plates

Sen. John Bulloch(R-Ochlocknee) carried HB 732 on Monday which amends several provisions related to license plates, including transporter and disabled veterans license plates. The bill passed 53-0. –**HB 732**

Georgia Commission on Family Violence

Sen. Rick Jeffares (R-Locust Grove) carried a bill that provides for the addition of holdover provisions for appointees of the Georgia Commission on Family Violence. Members will serve until the date their successor is appointed. The bill passed Monday with a vote of 50-0. –**HB 733**

Consumers’ Utility Counsel Division: Filings to Public Service Commission

House Bill 769, carried by Sen. Frank Ginn (R- Danielsville), would no longer require the consumers’ utility counsel division to provide filings to the Public Service Commission until the division is funded by an Appropriations Act. This bill passed Monday, 47-1. –**HB 769**

Nonpublic Postsecondary Educational Institutions and Authorizations to Operate

Sen. Barry Loudermilk (R-Cassville) carried legislation that would allow nonpublic postsecondary institutions to apply for operating authorization by meeting certain requirements rather than applying through their catalog or other written description. The bill passed the Senate by substitute on Monday by a 46-5 vote, however it failed to receive the House vote. - **HB792**

All Terrain Vehicles

This legislation, carried by Sen. Jack Murphy (R- Cumming), redefines and updates certain terms related to All Terrain Vehicles (ATVs). The bill passed Monday, 52-0. -**HB 795**

Department of Transportation Housekeeping Bill

On Monday, Sen. Steve Gooch (R-Dahlonega) carried HB 817. This bill makes several changes to Title 32 related to the Department of Transportation. The multiple changes will be implemented July 1, 2012. The bill passed 51-0. –**HB 817**

Quality Basic Education (QBE)

Legislation carried by President Pro Tempore Tommie Williams (R- Lyons) would re-calculate equalization grants and add eligibility requirements for the QBE. Specifically, this bill would re-define key terms in calculating equalization grants, and in doing so; change the grant amount some school districts receive. This bill passed Monday 49-4. –**HB 824**

Georgia Motor Carrier Act of 2012

This bill, carried by Sen. Don Balfour (R-Snellville), establishes a Motor Carrier Compliance Division within the Department of Public Safety (Department) that will consist of two sections, the Motor Carrier Compliance Enforcement Section and the Motor Carrier Regulation Compliance Section. This bill passed 49-3 on Monday. –**HB 865**

Department of Natural Resources: Saltwater Fishing Bill

Sen. Ross Tolleson (R- Perry) carried HB 869 on Monday, which passed 51-0. This bill will extensively revise various provisions relative to salt water fisheries management. For purposes of establishing violations of rules and regulations promulgated by the Board of Natural Resources (Board), provides that the term “rules and regulations” means those rules and regulations in effect on January 1, 2012. –**HB 869**

Grandparent Visitation Rights

HB1198, carried by Sen. Charlie Bethel (R-Dalton), provides for factors a court must consider in determining whether a child’s health and welfare would be harmed in the absence of grandparent visitation. Additionally, it permits a court to award grandparent visitation where the parent is deceased, incapacitated, or incarcerated. Custodial parents may be required to notify grandparents of the child’s public performances. It passed with a vote of 39-1. -**HB1198**

Official Code of Georgia General Revisions

Carried by Sen. Bill Hamrick (R-Carrollton), HB942 revises, modernizes, and corrects errors or omissions in the Official Code of Georgia. This follows the recommendation of the Code Revision Commission and repeals portions of the Code which have become obsolete, have been declared unconstitutional, or have been preempted or superseded by subsequent laws. It passed with a vote of 50-0. -**HB942**

Covenants Running with the Land

HB728 was carried by Sen. Steve Gooch (R-Dahlonega) and passed with a vote of 48-1. It clarifies the law’s treatment of covenants “running with the land” (remaining the same regardless of transfer of property) created prior to zoning laws. If a zoning ordinance expressly acknowledges the continuing application of a restrictive covenant upon the ordinance’s initial enactment, the covenant will be effective until it expires on its own terms. This applies to covenants created before the county or municipality adopted zoning laws. –**HB728**

Child-only Health Insurance Policies

On Monday, Sen. William Ligon (R-Brunswick) carried HB1166, which requires insurers issuing individual health policies to offer at least one child-only policy. A "child-only policy" means individual health insurance coverage for children less than 19 years of age. The policy does not include dependent health insurance for a child under another person's health insurance. The bill passed with a vote of 42-2. **-HB1166**

Deletion of Telegraph References

HB1115, carried by Sen. Barry Loudermilk (R-Cassville) on Monday, deletes references to telegraph services from the Official Code of Georgia. Included in these existing requirements include deregulation and tariff reports to the Legislature and live access operators. Carrier of last resort obligations and purview by the Public Service Commission for AT& T (elects alternative regulation and does not receive sums from the Universal Access Fund) are severed. The legislation passed with a vote of 45-0. **-HB1115**

Emergency and Rescue Legislation

Sen. John Albers (R-Roswell) carried HB 1080, which passed with a vote of 46-0. This legislation incorporates language from SB 345. It would eliminate both the 9-1-1 Advisory Committee and the Georgia licensing requirements for all nongovernmental rescue organizations. Also, it would extend coverage to emergency management professionals under the Georgia State Indemnification Fund who are killed or permanently disabled in the line of duty. **-HB1080**

MARTA

Carried by Sen. Jeff Mullis (R-Chickamauga), HB 1051 would repeal the three-year suspension of the restrictions on MARTA's use of tax proceeds, as well as the current membership of MARTA Board of Directors. The bill passed with a vote of 50-0. **-HB1051**

MARTA

Sen. Jeff Mullis (R-Chickamauga) carried HB 1052 which reconstitutes the Board of Directors of MARTA, allows nonparticipating counties to join MARTA and temporarily suspends current restriction on MARTA's use of sales and use tax proceeds. This bill passed Monday, 46-2. **-HB 1052**

Vacancy in the Office of the Sheriff

HB 991, carried by Sen. Jack Murphy (R-Cumming), revises and streamlines how a sheriff's vacancy is to be filled. The bill passed with a vote of 49-0. **-HB991**

Code Revision Commission

HB 944 was sponsored by Sen. Charlie Bethel (R-Dalton). This legislation revises, modernizes, and corrects errors or omissions in Title 47 of the O.C.G.A. This legislation will only take effect if there are no conflicts between this legislation and any other legislation enacted during the 2012 session of the General Assembly. This bill is a nonfiscal retirement bill as defined in the Public Retirement Systems Standards Law. It passed with a vote of 51-0. **-HB944**

Conservation Use Properties

HB916, carried by Sen. John Bulloch (R-Ochlocknee), passed with a vote of 49-1. This legislation makes exclusions for determining the value of the conservation use property to include the "underlying property" on which the residence is located; whereby its minimum lot size is governed

by local zoning ordinances or two acres—whichever is less. However, this exclusion will not apply for existing covenants until they come up for renewal. —**HB916**

Georgia Merchant Acquirer Limited Purpose Bank Act

HB 898, carried by Sen. Jeff Mullis (R-Chickamauga) would enact the Georgia Merchant Acquirer Limited Purpose Bank Act. Also, it will provide requirements for chartering a merchant acquirer limited purpose bank in Georgia. The vote passed with a vote of 44-0.—**HB898**

Regulated Metals; Certificates of Title: Cancellation—Scrap Vehicles/Parts

HB 872 was carried in the Senate by Sen. Renee Unterman (R-Buford). This legislation would place additional requirements on metal recyclers and sellers —particularly the recycling of copper — to curb metal theft in Georgia. The passage of HB 872 marks the third time in five years the Georgia legislature has addressed the ongoing issue of metal theft. It passed by a vote of 43- 4. —**HB 872**

Senate Passes Bill Clarifying Funeral and Cremation Services

Carried by Sen. Butch Miller (R-Gainesville), HB 933 passed Monday by a vote of 47-0. This legislation clarifies existing procedures as it relates to burial escrow accounts and expands legal procedures for funeral and cremation services. In addition, this legislation authorizes bio-cremation services. These services are known to be an environmentally-friendly cremation alternative. This bill also allows apprentices who are seeking to pursue a career in funeral services to earn hours while attending college. —**HB933**

Georgia Government Accountability Act

Sen. Judson Hill (R-Marietta) carried legislation that creates the Georgia Government Accountability Act. This is the exact same language as the Conference Committee Report for SB 223, with the exception of providing an effective date of upon Governor’s approval, or when it becomes law without such approval. The bill passed 38-6. —**HB 456**

Elections

Sen. Charlie Bethel (R-Dalton) carried HB 899 on Tuesday. This bill would make various revisions to Georgia election law, provide for the establishment of online voter registration, and revise requirements for when the Governor must call a special election to fill a vacancy in the General Assembly. The bill failed by a vote of 23-19. —**HB 899**

Peace Officers’ Annuity and Benefit Fund Board Hearing Officers

HB 928, carried by Sen. Charlie Bethel, would authorize the POAB Board to appoint and compensate a hearing officer in any contested case, not just disability benefits cases. The bill passed Tuesday, 49-0. —**HB 928**

Office of Assistant District Attorney in Judicial Circuits

This bill, carried by Sen. Ross Tolleson (R-Perry), repeals an Act creating the office of assistant district attorney in those judicial circuits having a population of not less than 103,000, and not more than 135,000, according the U.S. decennial census of 1970 or any future census. HB 929 passed Thursday, 52-0. —**HB 929**

Supplemental Expense Allowances for Judges of the Superior Courts in Each Judicial Circuit

Sen. Ross Tolleson (R-Perry) carried HB 930 on Tuesday. This bill, which passed 49-0, repeals an Act providing for a supplemental expense allowance for the judges of superior courts of each judicial circuit having a population of not less than 103, 000 and not more than 135,000 according to the U.S. decennial census of 1970 or any future census. –**HB 930**

The “Nonresident Contractor” Withholding

Sen. Hardie Davis (D- Augusta) carried legislation that will lower the rate of withholding for sales and use tax taken from the contract of a nonresident contractor from four to two percent. This bill passed on Thursday, 49-0. –**HB 932**

Issuance of Non-Cash Shares and Certain Dividends

HB 945 would allow banks to sell shares for less than par, upon Department approval and allow banks to pay dividends from sources other than retained earnings, upon Department approval. Sen. Jack Murphy (R-Cumming) carried the bill on Tuesday, and passed 50-1. –**HB 945**

Delay for Fiduciaries to File Estimated Tax Return

Sen. Ronnie Chance (R-Tyrone) carried HB 965 on Tuesday which passed 51-0. Currently, under OCGA § 48-7-114, fiduciaries of decedent’s estates or of a testamentary trust must comply with all requirements above. This legislation would delay the filing an estimated return by fiduciaries for two (2) years after the death of the deceased. –**HB 965**

Workers' Compensation

Sen. Charlie Bethel (R-Dalton) carried a Workers' compensation housekeeping bill on Tuesday. This legislation makes numerous revisions and updates to the worker's compensation statute. The bill passed 48-0. –**HB 971**

Georgia Pain Management Clinic Act

This bill, carried by Sen. Buddy Carter (R-Pooler) requires all pain management clinics in Georgia on or after July 1, 2013, to be licensed by the Georgia Composite Medical Board (“the board”). Licenses expire biennially unless renewed. The bill passed Tuesday 49-3. –**HB 972**

Peace Officers’ Annuity and Benefit Fund Member Change of Employment

This legislation would require a member of the Peace Officers’ Annuity and Benefit Fund (“POAB”) to notify the Board immediately if he or she has a change in employment or in job description that no longer qualifies him or her as a “peace officer” as defined in O.C.G.A. Sen. Charlie Bethel (R-Dalton) carried the bill on Tuesday and passed 48-0. –**HB 987**

Municipal Control over Parks and Fire Stations; Special Districts divided into Noncontiguous Areas

Sen. John Albers (R-Roswell) carried a bill that addresses issues following the incorporation of new cities in DeKalb and Fulton Counties. Current law says where an area was part of a special district in an unincorporated area subsequently incorporated, leaving the special district divided into two or more noncontiguous areas, proceeds from the special district collected must continue to be used for services only in that area. HB 990 strengthens these aforementioned requirements,

and further requires that the county continue disbursing excess proceeds to the new cities so long as the county receives them. The bill passed Tuesday, 39-10. –**HB 990**

False Lien Statements against Public Officers or Employees

Tuesday, Sen. John Albers (R-Roswell) carried HB 997. This legislation would create the criminal offense of filing a false lien statement against public officers or public employees. This crime is punishable by imprisonment for one to ten years, a maximum fine of \$10,000, or both. The bill passed 43-3. –**HB 997**

Repeals an Act creating a Budget Commission for Certain Counties

This legislation, carried by Sen. Butch Miller (R-Gainesville), repeals an Act creating a Budget Commission for Certain Counties having a population of 600,000 based on the census of 1930. The bill passed Tuesday, 34-15. –**HB 1024**

Law Enforcement Contracts with Certain Municipalities

Currently, Sheriffs are allowed to contract with certain municipalities for law enforcement services with written consent of the governing authority of their county. However, this provision does not apply to counties with a population of 800,000 or more, according to the 2000 U.S. decennial census. This bill changes the county population threshold to 900,000 or more, according to the 2010 U.S. decennial census, or any future census. Sen. Renee Unterman (R-Buford) carried the bill Tuesday and passed 45-1. –**HB1026**

Tax Credits for Georgia Film Production

Senate Majority Leader, Chip Rogers (R-Woodstock) carried HB 1027 on Tuesday. This legislation revises the existing tax credits for Georgia film production by contracting it to de-qualify an interactive entertainment production company. It does not encompass local interest programming or instruction videos or projects created, shot or recorded in Georgia. The bill passed 46-0. –**HB 1027**

Who May Serve Process

Sen. Charlie Bethel (R-Dalton) carried legislation that imposes a filing fee of \$58 on applications for appointment as a certified process server. The bill passed Tuesday 47-3. –**HB 1048**

The 9-1-1 Service Act of 1977: Prepaid Wireless Services and VoIP Service Supplier

Carried by Sen. Frank Ginn (R-Danielsville), HB 1049 would re-define “prepaid wireless services,” require Voice over Internet Protocol service supplier, like other telecommunication service suppliers, to provide certain information to the Director of Emergency Management, and prohibit wireless service supplier from recovering costs per 9-1-1 call on prepaid wireless services. This bill passed on Tuesday 37-11. –**HB 1049**

Alcohol Beverage Licenses and Regulation: Distilled Spirits, Beer, and Wine

HB 1066 states that alcohol licenses will expire annually commencing on July 1, 2013 and renewal applications should be made 60 to 90 days prior to expiration of the licenses. Sen. David Shafer (R-Duluth) carried this legislation which passed the Senate 51-1 on Thursday. –**HB 1066**

Portable Electronics Insurance Policies

Sen. Charlie Bethel (R-Dalton) carried HB 1067 which passed the Senate 46-3 on Thursday. This legislation authorizes the Insurance Commissioner to issue to retail vendors of portable electronics a limited license to sell portable electronics insurance policies. –**HB 1067**

Tobacco Excise Tax

Sen. Lindsey Tippins (R-Marietta) carried HB 1071 on Tuesday. This legislation amends laws relating to tobacco excise taxes—specifically cigars—in an effort to minimize fraudulent activities. The definition for cigar is expanded to include little cigars (weighing less than three pounds per thousand). The bill passed 41-11. –**HB 1071**

Zoning Proposal Review Procedures

This bill repeals Chapter 67 of Title 36, relating to zoning proposal review procedures. Originally, these zoning proposal review procedures, which were established in and around 1985, were intended for Fulton and DeKalb counties. The population bracket the procedures were based on have not been updated in 25 years and are now affecting other counties such as Gwinnett and Cobb. Sen. Judson Hill (R-Marietta) carried the legislation which passed 48-4 on Tuesday. –**HB 1089**

Store Postings Regarding Removal of Shopping Carts

Sen. Bill Hamrick (R-Carrollton) carried HB 1093 on Tuesday, which passed 50-0. This legislation would no longer require the posting of the Code section criminalizing the removal of shopping carts be posted on store premises in order for any person to be guilty of committing that offense. –**HB 1093**

Prohibition of Assisted Suicide

Sen. William Ligon (R-Brunswick) carried a bill that prohibits assisted suicide and makes it a felony punishable by imprisonment for one to ten years. This bill passed on Tuesday 48-1. –**HB 1114**

Elections for the Approval of Bonded Debt

Sen. Don Balfour (R- Snellville) carried HB 1117 on Tuesday. Current law requires that for all counties with a population of 800,000 or more, according to the 2000 U.S. decennial census, must hold elections for approval of bonded debt on the November general elections. This bill changes the population threshold to counties of 900,000 or more, according to the U.S. decennial census of 2010. This bill passed 47-1. –**HB 1117**

Tax Returns: Penalties and Deadline

The legislation removes two current provisions from OCGA: Currently, a county board of tax assessors adds a ten-percent penalty on all outstanding taxes on properties whose values have not been returned by their owners; this provision is deleted. Second, the current code specifies that the above provision applies only to counties with a population of 600,000 or greater according to the 1970 US Census. Sen. David Shafer (R-Duluth) carried the bill, which passed Tuesday 49-0. –**HB 1165**

Bills Having Significant Fiscal Impact on Revenues and Expenditures – Fiscal Notes

This bill, carried by Sen. Charlie Bethel (R-Dalton), requires that for bills having a significant impact on the anticipated revenue or expenditure level of the Department of Education because of

creating a new program or funding category, the fiscal note must include a ten-year projection of the costs. The bill passed 53-0 on Tuesday. –**HB 1178**

ESPLOST: LOCAL DISTRIBUTION FORMULAS: Constitutional Amendment

This constitutional amendment would strike language that permits local distribution formulas unless the independent school system has less than 3000 FTE students. Sen. Lindsey Tippins (R-Marietta) carried the bill, which passed 47-1 on Tuesday. –**HR 1150**

Joint Human Trafficking Study Commission

Sen. Renee Unterman (R-Buford) carried HR 1151 on Tuesday which passed 47-1. This resolution creates a Joint Human Trafficking Study Commission (“Commission”) to examine issues related to the problem of human trafficking in Georgia. –**HR 1151**

Road and Bridge Dedications

Sen. Jeff Mullis (R-Chickamauga) carried HR 1177 on Tuesday. This bill dedicates roads and bridges in honor of certain people and passed 45-3. –**HR 1177**

Lease of State-Owned Real Property in Baldwin County

Sen. Johnny Grant (R-Milledgeville) carried a bill that authorizes the modification of a lease of state-owned real property in Baldwin County, and the conveyance of certain state-owned property in various other counties. This resolution provides approval by the General Assembly for the modification of a lease of land in Baldwin County, and for the conveyance of land in various other counties. The bill passed 47-0. –**HR 1376**

Georgia Tax Tribunal

HB100, carried by Sen. Bill Cowsert (R-Athens), would create the Georgia Tax Tribunal and provide for its application in certain cases, procedure, and appeal procedure. The intent of this legislation is to respond to the need for an independent, specialized agency separate from the Department of Revenue to resolve taxpayer disputes in an efficient and cost-effective manner. The Tax Tribunal (“tribunal”) is created as an independent and autonomous division within the Office of State Administrative Hearings. For administrative purposes, the tribunal is assigned to the Department of Administrative Services and will be funded through their appropriations. The tribunal must set rules and regulations regarding its operation. The bill passed with a vote of 45-0. –**HB100**

Extended Sunset Dates for Property Filing Fees in Superior Court

HB198, carried by Sen. John Crosby (R-Tifton), passed Tuesday with a vote of 42-4. This bill would repeal the sunset date for superior court fees related to real estate and personal property. –**HB198**

Firefighters/ Emergency Medical Services Personnel

Legislation passed by Sen. Jeff Mullis (R-Chickamauga) would require that a certified firefighter’s certification be revoked if the firefighter is convicted of a felony. Additionally, this bill would revise criminal background check requirements for emergency medical services personnel. The bill passed with a vote of 50-0. –**HB247**.

Sales Tax Exemption: Food Donations to Nonprofit Agencies; Kidney Dialysis; and Eligible Foods to a Qualified Food Bank

Carried by Sen. John Albers (R-Roswell), HB318 passed Tuesday by a vote of 34 to 0. This legislation renews an existing sales tax exemption on food that is donated to a qualified nonprofit agency. Under current Georgia code, the sales tax exemption for businesses and individuals who donate to one of Georgia's many nonprofit agencies or food banks expired on June 30, 2011. According to HB 318, this exemption would be renewed from July 1, 2012 to June 30, 2015. If enacted, recent projections estimate the total state revenue impact at \$3.8 million through Fiscal Year 2014. In addition, HB 318, which was merged with the original language from HB 334 in the Senate Finance Committee, added language clarifying durable medical equipment to specifically include kidney dialysis. –**HB318**

Universal Service Fund Surcharges

Sen. David Shafer (R-Duluth) carried HB332 on Tuesday. This legislation would require local exchange carriers to obtain approval from the Georgia Public Service Commission (PSC) to collect surcharges by showing that it will not result in an increase in service fees --unless the charge is a separate line item or required under state or federal law. This bill passed with a vote of 48-3. - **HB332**

Alternative Homestead Option Sales Tax

HB334, carried by Sen. Chip Rogers (R-Woodstock), contains the same language as Sen. Rogers' SB496. This legislation would authorize an Alternative Homestead Option Sales Tax (AHOST) for counties for the purpose of replacing lost local revenue due to ongoing homestead exemptions. This special sales tax will apply to motor fuels prepaid and groceries which is similar to other existing special local option sales taxes administered by local governments. The AHOST can be initiated by local act, resolution, and voter referendum. The election must occur when a schedule vote regarding a homestead exemption has been scheduled. The bill passed with a vote of 47-2. – **HB334**

Sheriffs' Retirement Fund of Georgia

Carried by Sen. Freddie Powell Sims (D-Dawson), HB337 would allow a retired member who had elected spouses' benefits to revoke such election in the event of a divorce. If the member remarries at a later time, the member would be authorized to reinstate spouses' benefits. The benefit to be paid to the member would be adjusted actuarially based on the age of the member and the new spouse. The bill passed 51-0.–**HB337**

Unemployment Insurance

HB347, carried by Sen. Charlie Bethel (R-Dalton), would increase the taxable wage base from \$8,500 to \$9,500 for unemployment insurance, suspend the Statewide Reserve Ratio Surcharge under certain conditions, reduce the maximum number of weeks a claimant may receive benefits from 26 to 20, and impose a one-week delay in receiving benefits. Having been disagreed to by the House, HB 347 saw final passage after a House and Senate Conference Committee on Day 40. – **HB347**

Fines Paid to the Judges of the Probate Courts Retirement Fund of Georgia

On Tuesday, Sen. Charlie Bethel (R-Dalton) carried HB351. Currently, the portion of fines paid in criminal and quasi-criminal cases to the Judges of the Probate Courts Retirement Fund of Georgia

is based on a scale. This bill changes the portion of fines paid to a flat amount of \$3.00, provided the case was tried before a judge of the probate court. The money shall be collected by the judge, clerk of court or other collecting authority. It passed with a vote of 48-2.—**HB351**

Open Meetings Act Revision

HB397 was carried by Sen. Charlie Bethel (R-Dalton) passed with a vote of 46-0. This legislation simplifies the law regarding open meetings by eliminating ambiguities and incorporating judicial interpretations of the law. —**HB397**

Limited Insurance Agent License

Sen. Charlie Bethel (R-Dalton) carried HB463. This bill would allow self-service storage facilities to sell property insurance to their customers. The bill passed with a vote of 45-3.—**HB463**

Population Eligibility Requirements for Probate Courts

HB534, carried by Sen. John Crosby (R-Tifton), would adjust statutes affecting probate courts to reflect the 2010 census. In counties with populations exceeding 90,000 persons based on the 2010 census, probate judges must be at least 30 years old and have been admitted to practice law for at least seven years. In counties with populations exceeding 90,000 persons based on the 2010 census, the chief clerk or designated clerk may exercise the probate judge's jurisdiction in uncontested matters in the court. The legislation passed with a vote of 41-4. -**HB534**

Intimidation of Law Enforcement Officers

Sen. Cecil Staton (R-Macon) carried HB541, which passed with a vote of 43-3. This legislation would prohibit anyone from threatening or intimidating a law enforcement officer, outside the scope of the officer's course of employment, in retaliation to the officer's official duties. This protection would also extend to the officer's family. This felony offense is punishable by a maximum fine of \$5,000, one to five years imprisonment, or both. The current offense of intimidating or injuring a grand or trial juror or court officer is expanded to prohibit actions that intimidate, impede, or injure such persons. —**HB541**

Population Brackets and Installment Payments of Unpaid Ad Valorem Taxes

Sen. David Shafer (R-Duluth) carried HB634, which would revise the minimum county requirement to 900,000 as measured by the 2010 US Census. Currently, in counties the 2000 US Census counts a population of 800,000 or more, ad valorem taxes paid by installment bear interest until paid. HB 634 includes language from HB407 and HB289. The bill passed Tuesday 46-0. —**HB634**

Superior Court Clerks

Sen. Charlie Bethel (R-Dalton) carried HB 665, which will modernize provisions related to storage, collection, access, and transmittal of documents housed in superior court clerk offices. The bill passed with a vote of 43-0. —**HB665**

Change in Services: State Parks

Sen. George Hooks (D-Americus) carried HB684, which would require the Department of Natural Resources to notify local governing authorities before making significant change in services at state parks within the local authority's area. The bill passed with a vote of 49-0. —**HB684**

Voter Identification

Carried by Sen. Chip Rogers (R-Woodstock), HB707 would add student identification cards containing a photograph to the list of acceptable forms of identification under Georgia's voter identification law. This bill failed by a vote of 20-31. –**HB707**

Motor Fuel Excise Tax Exemption: Public and Campus Transportation

Sen. John Albers carried HB743 on Tuesday, which passed with a vote of 43-9. This legislation would extend an existing exemption from the motor fuel tax for public and campus transportation systems. It is set to expire on June 30, 2012, and will be extended through June 30, 2015. Further it would exempt jet fuel at Hartsfield-Jackson and packaging materials from local sales tax. –**HB743**

Uniform Partition of Heirs Property Act

HB744, carried by Sen. Bill Hamrick (R-Carrollton), would enact the Uniform Partition of Heirs Property Act, which lays out the means by which property shall be partitioned in a consistent and economically advantageous manner among heirs. The bill passed with a vote of 43-0. –**HB744**

Newborn Screenings for Congenital Heart Defects

Sen. Rick Jeffares (R-Locust Grove) carried HB 745, which would require the Department of Public Health to study whether pulse oximetry screening should be implemented as a standard test for newborns to detect congenital heart defects. The bill passed on Thursday with a vote of 50-2. –**HB745**

Commissioner's Authority in Final Agency Review and Reconsideration of a Final Decision

On Thursday, Sen. Frank Ginn (R-Danielsville) carried HB 746. This bill clarifies the timing of the Department of Agriculture Commissioner's final decision and reconsideration of the final decision related to hearings for individuals who are adversely affected. Under this bill, the Commissioner's final decision must be rendered not more than 30 days from the date of the filing of an application for final agency review. The bill passed with a vote of 52-0. –**HB746**

Foundations of American Law and Government Displays

Carried by Sen. Bill Heath (R-Bremen), HB766 would allow for displays of American law and history can be placed in any public building of the state. The bill passed with a vote of 41-9. –**HB766**

Insurance Rate Filings

Sen. David Shafer (R-Duluth) carried HB78, which passed with a vote of 44-1. Current law requires certain insurance rate filings to be filed with the Consumers' Insurance Advocate. This legislation suspends this requirement until the General Assembly appropriates funds for the Consumers' Insurance Advocate's Office. –**HB786**.

Income Tax Exclusion: Veteran Disability

Sen. John Albers (R-Roswell) carried HB808 on Tuesday. The legislation authorizes disability income received from the Veterans Affairs to be excluded from Georgia income tax liability. It is currently excluded from federal income tax liability. "Disabled veteran" is defined as a wartime

veteran honorably discharged with at least 90 percent disability and who is eligible due to loss of one or both feet, hands, or eyes. The bill passed with a vote of 43-0. –**HB808**

Income Tax Credit: Clean Energy Property

HB818, carried by Sen. Ross Tolleson (R-Perry), would add certain pump systems, natural gas trucks, busses, and taxis to items defined as “clean energy property”. Also, it lowers the ceiling for total amount of tax credits for clean energy property in calendar year 2014. The bill passed with a vote of 41-4. –**HB818**

Georgia Taxpayer Protection False Claims Act

Sen. William Ligon (R-Brunswick) carried HB822, which would establish civil penalties for fraud against a state and local government. Additionally, it allows private persons to bring civil actions against a person or entity for government fraud if approved by the Attorney General and gives the Attorney General the authority to intervene in such an action. Third, it gives the Attorney General authority to investigate alleged government fraud and bring a civil action, as well as the discretion to delegate the authority to investigate and to bring a civil action to a local government that has sustained damages because of such fraud. Last, it would update the State False Medicaid Claims Act. The bill passed with a vote of 42-0. –**HB822**

Editorial Corrections

Carried by Sen. Johnny Grant (R-Milledgeville), HB827 makes clarifying and editorial corrections to the statute addressing fleeing or attempting to elude a police vehicle or officer. It passed by a vote of 47-0. –**HB827**

Department Of Revenue Procedures

HB846, carried by Sen. Ronnie Chance (R-Tyrone), would authorize the DOR Commissioner to draft regulations regarding rulings. Rulings will hold no precedential value except for the applicable party involved in that said ruling. The Commissioner may sell or auction personal property to satisfy unpaid taxes; the auction may be conducted in public, online or via sealed bids, and the minimum bids may be set by the Commissioner. Payment requirements may be established by the Commissioner. Original or alias tax executions may be converted to electronic formats. The bill passed with a vote of 46-1. –**HB846**

Changed Population Brackets: Commission Payments

HB851, carried by Sen. John Albers (R-Roswell), would change population brackets for certain counties used to calculate the commissions of officers collecting taxes and count population using 2010 US Census rather than 2000 US Census. The bill passed with a vote of 46-0. –**HB851**

Social Responsibility and Accountability Act

HB861, carried by Sen. John Albers (R-Roswell), is the House version of the Social Responsibility and Accountability Act. It would require most applicants for TANF to take a drug test as a condition to receiving benefits. TANF applicants not on Medicaid would be responsible for the cost of the test but will be reimbursed for the cost if they test negative for drug use. TANF applicants who are enrolled in Medicaid will pay a \$17 application fee for the test. Further, it would require the Department of Human Services to adopt rules related to drug tests for benefits applicants and to follow certain standards. If possible, a swab test should be used in lieu of urinalysis. The bill passed with a vote of 36-15. –**HB861**

Privacy of Personal Information Maintained by the Department of Natural Resources

HB875, carried by Sen. John Bulloch (R-Ochlocknee) passed 50-1 on Thursday. This bill would exempt certain personal information maintained by the Department of Natural Resources from any open records requirement. –**HB875**

Esplot: Local Distribution Formulas

Sen. Lindsey Tippins (R-Marietta) carried HB896. Currently, OCGA § 48-8-3(2) provides for the distribution of sales tax proceeds for educational purposes, according to the distribution formula required by Article VIII, Section VI, Paragraph IV (g) of the Georgia Constitution. However, the statute also permits alternate distribution formulas enacted by “local Acts” to supersede the state formula. The bill would strike language that permits local legislation to be used in place of state law unless the independent school system has less than 3000 FTE students. The bill passed with a vote of 51-0. –**HB896**

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