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This Week in the Senate

March 9 - 13, 2015



A Message from Senate President Pro Tempore David Shafer

This week culminated with Crossover Day, the last day for Senate bills to be considered in our chamber and “cross over” to the House. For the remainder of the session, we will now exclusively focus on reviewing House bills that crossed over to us.

The Senate took up legislation this week to improve education. Senate Bill 132 will give students the chance to take post-secondary classes in high school for credit. Senate Resolution 80 deals with Advanced Placement standards for U.S. History, decrying attempts to re-write the history of our great nation.

Another bill passed this week will strengthen student understanding of the Declaration of Independence and the United States Constitution. Senate Bill 116 will bring at least three hours of social studies instruction on these important documents and set the week of September 17th as Celebrate Freedom Week.

Sen. John F. Kennedy (R – Macon), presented his first bill, Senate Bill 128, in the well this week. Sen. Ellis Black (R - Valdosta) also presented his first bill, Senate Bill 175. I am proud of all our freshman senators for their willingness to work hard while navigating the terrain of their first legislative session.

MONDAY, MARCH 9

Dual Enrollment Modification Act

Sponsored by Sen. Mike Dugan (R - Carrollton), Senate Bill 132 passed with a vote of 53 to 0. This legislation expands and modifies Georgia’s dual enrollment program, in which high school students are given the opportunity to take post-secondary classes for high school course credit. SB 132 will transfer oversight of the program to the Georgia Student Finance Commission and requires the Finance Commission to develop guidelines for the dual enrollment program. - **SB 132**

State Defense Force Receives Equal Service Rights

Senate Bill 69, sponsored by Sen. Judson Hill (R - Marietta), will grant members of the State Defense Force the same reemployment rights as members of the National Guard and Reserves. SB 69 will also remove restrictions regarding the rights of members to be absent for service and will allow the reemployment of former members. SB 69 passed with a vote of 51 to 0. - **SB 69**

New Requirements for Reporting Speeding Fines

Sen. Jesse Stone (R - Waynesboro) sponsored Senate Bill 134, which requires all speeding fine amounts be calculated to determine whether a law enforcement agency is using speed detection devices to raise revenue. SB 134 passed with a vote of 52 to 2. - **SB 134**

State Charter Schools Commission Authorized to Establish Nonprofit

Sponsored by Sen. Lindsey Tippins (R - Marietta), Senate Bill 156 passed with a vote of 44 to 9. This legislation will allow the State Charter Schools Commission to establish a nonprofit corporation. SB 156 will excuse the State of Georgia from any liability from the corporation and will also require the State Charter Schools Foundation to provide annual reporting of their requirements and procedures. - **SB 156**



The Old Governor's Mansion Becomes Official State Historic House

Senate Bill 168, sponsored by Burt Jones (R - Jackson), will designate the Old Governor's Mansion as the official state historic house. The Department of Economic Development and other tourism agencies will work together to advertise and educate Georgia citizens and tourists about the Old Governor's Mansion. SB 168 passed with a vote of 50 to 1. - **SB 168**



Inspection of Animals Entering Georgia

Sen. Ellis Black (R - Valdosta) sponsored Senate Bill 175, which will make it illegal to import horses, poultry, livestock or birds into Georgia without an official certificate of veterinary inspection. Furthermore, SB 175 will give the Georgia Commissioner of Agriculture the authority to determine if other animals pose a significant risk of carrying a disease. SB 175 passed unanimously. - **SB 175**

Official Code of Georgia Revised

House Bill 90, carried by Sen. Josh McKoon (R - Columbus) and sponsored by Rep. Wendell Willard (R - Sandy Springs), passed unanimously. HB 90 will incorporate several updates and corrections to the Official Code of Georgia. These revisions were recommended by the Georgia Code Revision Commission during their annual review. - **HB 90**



Georgia Residents Honored with Roadways

Sens. Steve Henson (D - Tucker), Mike Dugan (R - Carrollton) and Gloria S. Butler (D - Stone Mountain) sponsored Senate Resolution 296, which will rename certain roadways in honor of former Senator Lawrence Stumbaugh, news traffic reporter Captain Herb Emory and 108-year-old Runell Brooks Foster. The bridge on MARTA Indian Creek Station exit ramp will be named Senator Lawrence Stumbaugh Bridge. The flyover ramp on Interstate 85 and Georgia 400 will be named the Captain Herb Emory Flyover Ramp. The intersection of US Highway 78 and Rosebud Road will be named the Brooks-Foster Crossing. SR 296 passed with a vote of 52 to 0. - **SR 296**



Senate Commends the Georgia Inclusive Post-Secondary Education Consortium

Sponsored by Sen. Butch Miller (R - Gainesville), Senate Resolution 276 commended the Georgia Inclusive Post-Secondary Education Consortium on their work to provide students with intellectual or developmental disabilities access to post-secondary education. Kennesaw State University, Columbus State University and East Georgia State College offer the Georgia Inclusive Post-Secondary Education Consortium program. Sen. Miller's son, Charlie, spoke to the Senate about the positive impact the Consortium has had on his life. - **SR 276**



Commending Thomas E. Daniel

Senate Resolution 403, sponsored by Sen. Jack Hill (R - Reidsville), commended Thomas E. Daniel for 30 years of service to the state of Georgia. Daniel has been a long-time governmental affairs representative for the University System of Georgia. He was instrumental in the passing of the HOPE scholarship legislation in 1992 and also its redesign in 2011. As senior vice chancellor for external affairs for the Board of Regents, student enrollment has nearly doubled. - **SR 403**

St. Patrick's Day Parade Committee

Sen. Ben Watson (R - Savannah) sponsored Senate Resolution 390, which recognizes and honors the members of the St. Patrick's Day Parade Committee. Chairman Kevin Halligan and Grand Marshal Hugh Coleman spoke to the Senate about the upcoming St. Patrick's Day Parade in Savannah. - **SR 390**

WEDNESDAY, MARCH 11

Senate Urges Revision of the Advanced Placement U.S. History Course

Sen. William Ligon (R - Brunswick) sponsored Senate Resolution 80, which passed with a vote of 38 to 17. SR 80 urges the College Board to revise its new Advanced Placement U. S. History (APUSH) course framework, which differs from the social studies requirements under the Georgia Performance Standards. - **SR 80**



Conveyance of State-Owned Property

Senate Resolution 266, sponsored by Sen. Rick Jeffares (R - McDonough), passed in a vote of 53 to 0. SR 266 authorizes the conveyance of specific state-owned property in the counties of Appling, Cherokee, Douglas, Fulton, Gordon, Meriwether, Monroe, Paulding, Troup and Upson. - **SR 266**



Granting of Nonexclusive Easements

Sen. Rick Jeffares (R - McDonough) sponsored Senate Resolution 267, which passed with a 50 to 0 vote. SR 267 will grant access of state-owned property for construction, operation and maintenance. This legislation will take effect in Baldwin, Barrow, Bartow, Chatham, Clarke, Clayton, Cobb, DeKalb, Floyd, Fulton, Gordon, Houston, Laurens, Liberty, Lowndes, Macon, McIntosh, Meriwether, Newton, Polk, Richmond, Troup, Walton and Wayne counties. - **SR 267**



Directors and Officers of Business Corporations

Sponsored by Sen. John F. Kennedy (R - Macon), Senate Bill 128 passed in a unanimous vote of 54 to 0. SB 128 revises provisions in the Georgia Business Corporation Code (GBCC) relating to officers and directors to make them consistent with changes to Chapter 8 of the Model Business Corporation Act. - **SB 128**

Motorcycle Mobility Safety Act

Sponsored by Sen. Bill Jackson (R - Appling), Senate Bill 76 passed in a vote of 51 to 4. Under certain conditions, a stop light may fail to change to green because a motorcycle or bicycle does not trigger the light's sensor to change. SB 76 allows the operator to disregard or disobey a traffic signal if the person has reasonable belief that the signal is unresponsive due to the weight or design of the vehicle. - **SB 76**



Continuing Care at Home

Sponsored by Sen. Jesse Stone (R - Waynesboro), Senate Bill 111 expands the type of services that continuing care providers and facilities may perform. The bill will allow providers to offer continuing care at home services, including nursing care, assisted living care or personal care home services. Senate Bill 111 passed in a vote of 51 to 2. - **SB 111**

Senate Urges Congress For A Balanced Budget Amendment

Sponsored by Sen. Judson Hill (R - Marietta), Senate Resolution 155 encourages the United States Congress to adopt a balanced budget amendment to the U.S. Constitution. SR 155 passed in a vote of 37 to 17. - **SR 155**

Powers and Responsibilities Transferred from Governor's Office of Consumer Affairs

Senate Bill 148 transfers the powers and responsibilities of the Governor's Office of Consumer Affairs to the Attorney General's Office. Sponsored by Sen. John F. Kennedy (R - Macon), SB 148 passed in a vote of 48 to 5. - **SB 148**

Celebrate Freedom Week

Senate Bill 116 establishes the week of September 17th as Celebrate Freedom Week in Georgia Public Schools. The bill encourages at least three hours of instruction in social studies classes at each grade level to focus on the intent, meaning, and importance of the Declaration of Independence and the U.S. Constitution. Sponsored by Sen. William Ligon (R - Brunswick), Senate Bill 116 passed in a vote of 49 to 3. - **SB 116**

Remedies When a Judge Expresses an Opinion in a Criminal Case

Sponsored by Sen. John F. Kennedy (R - Macon), Senate Bill 99 passed in a vote of 39 to 16. SB 99 is a correction to Georgia law based on a dissenting opinion submitted by the Georgia Supreme Court. SB 99 would require the defense counsel to object to statements of fact in a timely manner during the case in question in order to be able to claim the error as a reason for appeal, mistrial or reversal. - **SB 99**

Revising Processes for Establishing Paternity of a Child

Sponsored by Sen. Chuck Hufstetler (R - Rome), Senate Bill 64 clarifies the procedures and requirements for hospital programs when establishing paternity of the father in cases where the mother is unmarried. SB 64 passed in a vote of 51 to 3. - **SB 64**

Expand Liability Protections for Livestock Activities

Sen. John Wilkinson (R - Toccoa) sponsored Senate Bill 183, which passed with a vote of 41 to 11. SB 183 expands current law to limit the liability of owners, professionals or sponsors of animals participating in livestock activities. Current law only protects horses and llama activities from being held liable when participants are injured. - **SB 183**

Regulations of Dogs Based on Breeds

Sponsored by Sen. Ellis Black (R - Valdosta), Senate Bill 184 passed in a vote of 42 to 11. SB 184 prohibits local governments from banning specific breeds of dogs and provides that breed regulation can be made by state law only. - **SB 184**

Bonds and Recognizances

Senate Bill 195 passed in a vote of 47 to 3. Sponsored by Sen. Michael Williams (R - Cumming), SB 195 doubles the maximum annual fee for continuing education programs for professional bondsmen from \$125.00 to \$250.00. - **SB 195**

Partnership for Public Facilities and Infrastructure Act

Senate Bill 59 passed in a unanimous vote of 51 to 0. Sponsored by Sen. Hunter Hill (R - Atlanta), SB 59 establishes a Partnership for Public Facilities and Infrastructure Act Guidelines Committee to prepare model guidelines for local governments to use throughout all stages of qualifying projects, including the acceptance of unsolicited bids. - **SB 59**



Senate Urges Congress to Enact the FairTax

Sponsored by Sen. Judson Hill (R - Marietta), Senate Resolution 350 urges the U.S. Congress to adopt the FairTax and subsequently repeal the Sixteenth Amendment. The FairTax is a national sales tax that would replace all federal, corporate and personal taxes with a single consumption tax on new goods and services purchased. SR 350 passed with a vote of 37 to 18. - **SR 350**

Cruelty to Children in the Third Degree

Sponsored by Sen. Donzella James (D - Atlanta), Senate Bill 35 unanimously passed in a vote of 50 to 0. SB 35 amends the charge of cruelty to a child in the third degree to include leaving a child under the age of six unattended in a car in circumstances that pose a risk to the child's health or safety. - **SB 35**



PBIS and RTI Programs

Sponsored by Sen. Emanuel Jones (D - Decatur), Senate Bill 164 authorizes the State Board of Education to provide funds, subject to appropriations by the General Assembly, to local school systems to support Positive Behavioral Interventions and Supports (PBIS) and Response to Intervention (RTI) programs, initiatives, and personnel. SB 164 passed unanimously in a 51 to 0 vote. - **SB 164**

Senate Welcomes Congressman Barry Loudermilk

Congressman Barry Loudermilk (GA - 11) appeared in the chamber to update the Senate on congressional endeavors in the U.S. House of Representatives. Congressman Loudermilk thanked members for their service to the state.



Senate Commends Coach Paul Johnson

Sponsored by Sen. Hunter Hill (R - Atlanta), Senate Resolution 349 commends Georgia Tech Football Head Coach Paul Johnson for being named 2014 Atlantic Coast Conference (ACC) Coach of the Year. Georgia Tech had an 11-3 record in the 2014 football season and played in the 2014 ACC Football Championship game. Coach Johnson thanked Senators for the recognition. - **SR 349**

FRIDAY, MARCH 13

Brewpubs and Growlers

Senate Bill 63, sponsored by Sen. Hunter Hill (R - Atlanta), expands limited exceptions to the state's current three-tier distribution system for alcohol. The legislation allows patrons to consume up to 36 ounces of beer per visitor on-site at licensed brewpubs, as well as take home up to 64 ounces of beer in a single container such as a growler. SB 63 passed in a vote of 51 to 5. - **SB 63**

Senate Expands the Use for Special Purpose Local Option Sales Tax Proceeds

Senate Bill 122, sponsored by Sen. Jeff Mullis (R - Chickamauga), will allow Special Purpose Local Option Sales Tax proceeds to be used for the repair of capital outlay projects. Such projects will include the repair of roads, streets and bridges that have been damaged or destroyed by natural disasters. SB 122 passed unanimously. - **SB 122**

Georgia Residents Honored with Roadways II

Sens. Steve Gooch (R - Dahlonega) and Jeff Mullis (R - Chickamauga) sponsored Senate Resolution 126 recognizing Bill T. Hardman, Frank L. Danchetz, Roger Dorsey, Paul V. Liles, Jr. and Donald E. Thurmond. State Route 400 in Dawson and Lumpkin Counties will be named the Bill T. Hardman Hospitality Highway. The Bypass from SR11 to US129 at Donald E. Thurmond Drive extending northwest to SR11/US129 at Hulsey Road will be named Appalachian Parkway. The intersection at State Route 341 and Mission Ridge Road in Walker County will be named E-4 Roger Dorsey, United States Navy, Memorial Intersection. A portion of State Route 306 from GA 400 to State Route 53 in Forsyth County will be named Frank L. Danchetz Highway. The bridge on State Route 8, over the Interstate 75 and 85 Connector in Fulton County, will be named the Paul V. Liles, Jr., Bridge. SR 126 passed with a vote of 54 to 0. - **SR 126**



Gladys Knight Highway

Sponsored by Sen. Donzella James (D - Atlanta), Senate Resolution 441 seeks to dedicate State Route 9 in Fulton County from its intersection with Peachtree Street to 14th Street as the Gladys Knight Highway. SR 441 passed with a vote of 53 to 0. - **SR 441**



Controlled Substances Therapeutic Research Act

Sponsored by Sen. Lindsey Tippins (R - Marietta), Senate Bill 185 passed in a vote of 54 to 1. SB 185 creates the Controlled Substances Therapeutic Research Act, which will allow clinical trials for cannabidiol (CBD) products to treat patients under the age of 21 who suffer from medication-resistant epilepsies. The bill also creates a pilot research program of CBD products that will be implemented by the Board of Regents of the University System of Georgia (USG). - **SB 185**



Georgia World War I Centennial Commission

Sponsored by Sen. Hunter Hill (R - Atlanta), Senate Bill 203 creates the Georgia World War I Centennial Commission. The Commission will consist of six members responsible for the planning, development, and execution of activities commemorating the centennial anniversary of World War I. The Commission will be abolished 30 days after the completion of activities or on July 28, 2019—whichever date is earlier. SB 203 passed in a vote of 53 to 0. - **SB 203**



Smokefree Cars for Children Act

Sponsored by Sen. Bruce Thompson (R - White), Senate Bill 130 makes it a misdemeanor offense to smoke in a car with a child under 15 years of age. It requires law enforcement to stop a driver for a primary offense first before charging the driver with a violation under this provision. Law enforcement would not be permitted to initiate a traffic stop solely for the purpose of charging a driver with a violation for smoking in a vehicle with a person under 15 years of age. SB 103 passed in a vote of 37 to 3. - **SB 130**



Law Enforcement Officials and Recording In Private Places

Sen. Jesse Stone (R - Waynesboro) sponsored Senate Bill 154, which states that it is illegal for any person to observe, photograph or record the activities of another in any private place without consent. This legislation will revise the definition of "private place" to mean a place where there is a reasonable expectation of privacy.

SB 154 will also allow law enforcement officials and other personnel to use recording devices while executing a lawful arrest or search warrant. SB 154 passed with a vote of 39 to 6. - **SB 154**

SHBP Participant on Board of Community Health

Sponsored by Sen. Josh McKoon (R - Columbus), Senate Bill 145 passed by a vote of 45 to 0. SB 145 amends Georgia Code to require that at least one member of the Board of Community Health is an active participant in the State Health Benefit Plan (SHBP). - **SB 145**

Georgia's Child Welfare System Reform

Sponsored by Sen. Butch Miller (R - Gainesville), Senate Bill 138 will create a Division of Family and Children Services state advisory board, regional advisory boards and county advisory boards. These boards will create one common protocol for all Division of Family and Children Services agencies to follow including how they share data. SB 138 passed with a vote of 41 to 3. - **SB 138**

Exemptions Made for Dialysis Kidney Products Distributors

Senate Bill 194, sponsored by Sen. Rick Jeffares (R - McDonough), will add a new Code section to the Georgia Pharmacy Practice Act to provide an exemption for facilities engaging solely in the distribution of certain home kidney dialysis products. Under this legislation, these facilities will be exempt from provisions that apply to pharmacists and pharmacies under the Georgia Pharmacy Practice Act. SB 194 passed with a vote of 43 to 0. - **SB 194**

Senate Prohibits Local Governing Authorities From Excavating Sites Near Utility Facilities

Sponsored by Sen. Lindsey Tippins (R - Marietta), Senate Bill 191 prohibits local governing authorities from adopting or enforcing any ordinance which requires the blasting or excavating of a site. SB 191 passed with a vote of 34 to 18. - **SB 191**

Persons Under 21 with Alcoholic Beverages

Senate Bill 160, sponsored by Sen. Michael Williams (R - Cumming), requires law enforcement to issue a citation, instead of making a custodial arrest, to anyone accused of being in possession of or attempting to purchase alcohol under the age of 21. SB 160 leaves an arrest to the officer's discretion. The bill passed with a vote 48 to 3. - **SB 160**

License Fees For Coin Operated Machines

Sen. Butch Miller (R - Gainesville) sponsored Senate Bill 190 which requires the payment of manufacturer and distributor license fees and license transfer fees of coin operated amusement machines. SB 190 authorizes Georgia Lottery Corporation to issue a certain number of Class B licenses through auction. SB 190 passed with a vote of 47 to 4. - **SB 190**

Underground Water Supply Protection Act of 2015

Sponsored by Sen. William Ligon (R - Brunswick), Senate Bill 36 requires the Board of Natural Resources to adopt rules and regulations to protect and preserve the Floridan aquifer by July 1, 2016. SB 36 passed with a vote 48 to 3. - **SB 36**

Distribution of Alternative Ad Valorem Tax Proceeds of Apportionable Vehicles

Senate Bill 82, sponsored by Sen. John Wilkinson (R - Toccoa), revises the distribution of alternative ad valorem tax proceeds of apportionable vehicles. An apportionable vehicle is any vehicle displaying restricted plates, city pickup and delivery vehicles, charter buses and government owned vehicles. SB 82 passed in vote of 47 to 4. - **SB 82**

Refund and Waiver of Fees and Penalties Incurred by Candidates for Local Offices

Senate Bill 127, sponsored by Sen. Rick Jeffares (R - McDonough), provides that candidates who paid late fees, fines or civil penalties to the Georgia Government Transparency and Campaign Finance Commission are able to

receive a refund or a waiver of fees for penalties incurred from the Commission. SB 127 passed with a vote of 48 to 4. - **SB 127**

Senate Approves the Use of Auto-Injectable Epinephrine by Medical Professionals

Sen. Chuck Hufstetler (R - Rome) sponsored Senate Bill 126, which will allow pharmacists to dispense auto-injectable epinephrine and authorize the prescription by medical professionals. This legislation will also establish secure Emergency Public Access Stations and permit authorized medical professionals to administer auto-injectable epinephrine in emergency situations. SB 126 passed unanimously. - **SB 126**

Revision of Title 32 of the Official Code of Georgia

Sponsored by Sen. Steve Gooch (R - Dahlongega), Senate Bill 169 revises various provisions relating to Department of Transportation. These provisions include acquisitions of right of way, disposal of acquired property, federal-aid funding and submissions of accident reports by law enforcement agencies. SB 169 passed with a vote of 48 to 6. - **SB 169**

State Health Benefit Plan to Provide Policyholders Access to Trauma Centers

Senate Bill 143, sponsored by Sen. Chuck Hufstetler (R - Rome), will require all plans offered through the State Health Benefit Plan provide access to all Level 1 trauma centers. This legislation will also allow hospitals and insurers who provide policies through the State Health Benefit Plan to appeal to the Commissioner of Community Health whenever the two entities cannot agree on the terms of a contract. SB 143 passed with a vote of 48 to 5. - **SB 143**

Deantre Gregory Turman Act

Senate Bill 176, sponsored by Sen. Donzella James (D - Atlanta), will strongly encourage gridiron football players to wear helmets that have at least a four star rating on the Virginia Tech Helmet Ratings scale at the time of participation. SB 176 passed with a vote of 41 to 1. - **SB 176**

Weapons Violations in School Safety Zones Designated as a Class B Felony

Sponsored by Sen. Emanuel Jones (D - Decatur), Senate Bill 141 establishes that carrying certain weapons within school safety zones, at school functions, or on transportation provided by a school by a child at least 13 years old shall be considered a Class B designated felony. SB 141 passed in a vote of 42 to 0. - **SB 141**

Physician Orders for Life-Sustaining Treatment (POLST) Forms

Sponsored by Sen. Nan Orrock (D - Atlanta), Senate Bill 109 clarifies the use and effectiveness of Physician Orders for Life-Sustaining Treatment (POLST) forms. A POLST form is a legally sufficient document that provides directions for a patient's end of life treatment. SB 109 passed in a vote of 44 to 0. - **SB 109**

Senate Welcomes Congressman Hank Johnson

Congressman Hank Johnson (GA - 04) addressed members of the Senate and commended them on their hard work during session. Congressman Johnson applauded the Senate for their ability to thoroughly debate topics while maintaining friendly relationships with each other.

Senate Welcomes Congressman Tom Price

U.S. Rep Tom Price (GA - 06) appeared in the chamber and spoke about lessening the role of the federal government on the lives of Georgians. He praised the Senate for their sound governing led by common sense, positive solutions that uphold the rule of law.

The Georgia State Senate will reconvene for **DAY 31
on Wednesday, March 18, at 10:00 a.m.**