



## Georgia Senate Press Office Staff

**Ines Owens**  
Acting Director

**Brittany Wagner**  
Communications Specialist

**Andrew Allison**  
Communications Associate

**Elisabeth Fletcher**  
Communications Associate

**Nick Seymour**  
2017 Legislative Aide


**Yaya Toussaint**  
2017 Legislative Intern

201 Coverdell Legislative Office Building  
18 Capitol Square S.W.  
Atlanta, GA 30334  
p: 404.656.0028

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# This Week in the Senate

## March 28 - March 30, 2017



### **Sine Die**

This week, at Friday morning at 12: 54 a.m., the Georgia Assembly adjourned its 2017 Legislative Session *SINE DIE*. (in Latin, “without day,” meaning that we will not return, at least until the next Legislative Session begins).

Day 40 is always tough and sometimes raw. Human beings work toward deadlines, which often means that we leave too much for the end. Both good and bad proposals will pass and fail as the clock runs out.

Because a legislative measure must pass both the House and Senate in identical form, it will take some sorting through the last minute motions to determine exactly

what will move to the Governor for his approval. We will update you.

Legislation seeking to lower taxes, encourage job formation, stabilize our health care system and improve education dominated the final day of the Session.

I want to extend my appreciation to all of the professional staff people who helped us. From the aides and interns, to the administrative assistants and other support staff, everyone worked tirelessly, often under difficult circumstances. Many of you are quiet heroes.

As President Pro Tempore, I have been blessed with a particularly loyal and capable staff. Steve Tippins, Ann Purvis, Hannah Weiss and Anna Boggs have done a tremendous job for me and the entire Senate. Melody DeBussey and Ines Owens, although they lead departments within the Senate, have been indispensably helpful to me as I have done my best to serve you.

We will soon resume publication of both the State and Federal editions of *At Issue*. If you have any topics you would like to see highlighted, please let me know.

**Sen. David J. Shafer**  
*President Pro Tempore, Georgia Senate*



## **TUESDAY, MARCH 28**

### **Increasing Compensation for Judges**

House Bill 5, carried by Sen. Bill Cowser (R – Athens), would decrease the mileage required and increase the number of days for a Georgia Supreme Court Justice or Court of Appeals Judge to be eligible to receive a daily allowance. HB 5 would also increase compensation for part-time juvenile court judges. HB 5 passed with a vote of 51 to 1. – **HB 5**

### **Electronic Filing in State and Superior Courts**

Sen. Blake Tillery (R – Vidalia) carried House Bill 15 which would call for certain civil pleadings to be filed electronically in state and superior courts. Electronic service providers would not be permitted to charge a fee to access these records and the Judicial Council of Georgia would be responsible for making available electronic filing standards and procedures. HB 15 would also add restrictions on contingency fee compensation for attorneys who represent the state in certain forfeiture actions. HB 15 passed with a vote of 48 to 2. – **HB 15**

### **Sanctuary Campuses**

House Bill 37, carried by Sen. Jeff Mullis (R – Chickamauga), would require that private, postsecondary institutions do not adopt sanctuary policies. Under HB 37, if they do adopt or implement these policies, their funding, grants, loans or scholarships may be revoked. HB 37 passed with a vote of 37 to 16. – **HB 37**

### **Livestock Liability Protection**

Sen. Ellis Black (R – Valdosta) carried House Bill 50 which would extend liability protection for individuals who participate in certain livestock related activities. Under HB 50, livestock activities such as riding, training, driving, providing medical assistance or participating in show management would be protected. HB 50 passed with a vote of 50 to 0. – **HB 50**

### **Rural Downtown Development Tax Credits**

Sen. Dean Burke (R – Bainbridge) carried House Bill 73 which would create three new tax credits for investors and business owners located in rural downtown revitalization areas. Under HB 73, the tax credits will be for full-time jobs created, development in a designated downtown area and the rehabilitation of a historic building located within the downtown area. HB 73 passed with a vote of 49 to 4. – **HB 73**

### **Filing of Plats**

House Bill 76, carried by Sen. Jesse Stone (R – Waynesboro), would require plats and plans for condominiums to be filed electronically with the superior court clerk and that all filed plats must obtain approval by a planning commission or municipal authority. Additionally, HB 76 would create different certification options for land surveyors. HB 76 passed with a vote of 52 to 1. – **HB 76**

### **Multiple Year Registrations**

House Bill 87, carried by Sen. Blake Tillery (R – Vidalia), would grant multiple year registrations for corporations, partnerships and associations. HB 87 would also allow nonprofit corporations organized out of state to change its jurisdiction of origination to the state of Georgia. HB 87 passed with a vote of 52 to 0. – **HB 87**

### **The Judicial Qualifications Commission Improvement Act**

House Bill 126, carried by Sen. John Kennedy (R – Macon), would revise the Judicial Qualifications Commission by separating it into a seven member investigative panel and a three member hearing panel, composed of members appointed by the governor, president of the senate, speaker of the house, and the Supreme Court of Georgia. HB 126 would also remove the current prohibition of associate probate court judges from practicing law while in a military role. HB 126 passed with a vote of 45 to 8. – **HB 126**

### **Drivers License Renewal**

House Bill 136, carried by Sen. Tyler Harper (R – Ocilla), would revise Georgia’s driver’s license renewal procedures by requiring drivers to surrender their current license to the Department of Driver Services (DDS) when renewing their license. This bill also decreases the cost of an eight year ID and increases the cost of a commercial driver’s license. HB 136 would also remove the requirement for visually impaired drivers to provide proof of their current license in order for their adolescent child to receive a Class P license. Additionally three-wheeled vehicles will be added to the list of vehicles included under a Class C license. Under HB 136, the Commissioner of DDS would be allowed to retain agencies and attorneys to assist in outstanding debt collection. HB 136 passed with a vote of 49 to 3. – **HB 136**



### **Northeastern Judicial Circuit**

Sen. Butch Miller (R – Gainesville) carried House Bill 138 which would call for the appointment of a fifth judge to the Superior Court of the Northeastern Judicial Circuit. Under HB 138, the judge would be appointed by the governor to serve a two-year term before an election is held. HB 138 passed with a vote of 50 to 2. – **HB 138**

### **Transparency of School Financial Information**

Sen. Matt Brass (R – Newnan) carried House Bill 139 which would require the State Board of Education, local boards of education and charter schools to make all financial information public on their website including school site budgets, salaries and per student costs by October 31, 2018. HB 139 also adds the “Educating Children of Military Families Act,” which would authorize the Department of Education to create unique identifiers for each student whose parent or guardian is active duty military in order to track their progress in school. HB 139 passed with a vote of 51 to 0. – **HB 139**

### **Georgia Music Industry Investment Act**

Sen. Jeff Mullis (R – Chickamauga) carried House Bill 155 which would create an 15 percent income tax credit for expenses made by a production company that relate to a state certified musical, theatrical or recorded musical performance. HB 155 passed with a vote of 46 to 7. – **HB 155**

### **Practicing Medicine Certification**

Sen. Ben Watson (R – Savannah) carried House Bill 165 which would eliminate the maintenance of certification requirement for those who wish to practice medicine in Georgia. HB 165 passed with a vote of 52 to 1. – **HB 165**



### **Rural Hospital Tax Credit**

Sen. Dean Burke (R – Bainbridge) carried House Bill 196 which would increase the rural hospital tax credit to 80 percent of the donation amount and would increase the cap for single filers and couples who file jointly. HB 196 passed with a vote of 47 to 3. – **HB 196**



### **Deed Solicitation**

House Bill 197, carried by Sen. John Kennedy (R – Macon), would require third-party deed solicitors to make clear on their solicitations that they are not bills or government documents of any kind. HB 197 passed with a vote of 52 to 0. – **HB 197**

### **Game and Fish**

House Bill 208, carried by Sen. P.K. Martin (R – Lawrenceville), would modify license fees and requirements for obtaining hunting and fishing licenses in Georgia. HB 208 passed with a vote of 43 to 12. – **HB 208**

### **Student Scholarship Organizations Tax Credits**

House Bill 217, carried by Sen. Michael Williams (R – Cumming) would create a 50 percent tax credit on donations made for technology in schools, and would increase the cap on student scholarship organization donations from \$58 million to \$65 million. HB 217 would also increase the cap incrementally until it reaches \$100 million. Under HB 217, 97 percent of the donations made to student scholarship organizations would have to be used for scholarships. HB 217 passed with a vote of 34 to 18. – **HB 217**

### **Updating Georgia's Drug Schedule**

House Bill 231, carried by Sen. Chuck Hufstetler (R – Rome), would update language in Georgia's drug schedule by adding several substances and making exceptions to the list of "dangerous drugs." HB 231 passed with a vote of 50 to 0. – **HB 231**

### **Concrete Machinery Sales and Use Tax Exemption**

Sen. Tyler Harper (R – Ocilla) carried House Bill 247 which would provide a limited time exemption from state sales and use tax for machinery used to mix or transport concrete. HB 247 passed with a vote of 48 to 4. – **HB 247**

### **Background Checks with Foster Children**

House Bill 250, carried by Sen. Curt Thompson (D – Tucker), would remove the requirement that a person who works with foster children must have an additional background check if they received a satisfactory fingerprint check within the last 12 months. HB 250 passed by a vote of 53 to 0. – **HB 250**

### **Authority of Emergency Personnel**

House Bill 251, carried by Sen. Greg Kirk (R – Americus), would allow Department of Corrections personnel, and those in their custody, to enter private property during a state of emergency in order to protect property, remove debris, restore services and repair and relocate infrastructure. However, HB 251 would not allow these personnel to impede upon the rights of private property owners. HB 251 passed with a vote of 53 to 1. – **HB 251**

### **Name changes for Victims of Family Violence**

Sen. Harold Jones (D – Augusta) carried House Bill 279 which would allow a victim would be able to petition the court to change their legal name, and if the court determines that the victim has suffered family violence, the name change would be done in private and the requirement to publicize it would be waived. HB 279 passed with a vote of 52 to 1. – **HB 279**

### **Campus Safety**

House Bill 280, carried by Sen. Bill Heath (R – Bremen), would allow Georgia concealed weapons carry license holders to possess handguns on certain parts of public college campuses. HB 280 would prohibit carrying a concealed weapon in student housing, fraternity or sorority housing, sporting events, within any area used for the education of high school students, and up to three buildings used for preschool that are licensed under the Department of Early Care and Learning. HB 280 passed with a vote of 32 to 22. – **HB 280**



### **Firearm Regulations**

House Bill 292, carried by Sen. Tyler Harper (R – Ocilla), would make it unlawful for companies providing credit or financial services to discriminate against any person, business, public entity or trade association engaged in the lawful sale of firearms or ammunition. HB 292 would also recognize weapons carry license reciprocity between Georgia and any other state whose weapon carry laws are reciprocal with Georgia. Additionally, HB 292 would allow retired Georgia law enforcement officers to carry a handgun anywhere within the state. HB 292 passed with a vote of 37 to 16. – **HB 292**

### **Expanding the Definition of War Veterans**

Sen. Mike Dugan (R – Carrollton) carried House Bill 322 which would expand the definition of “war veteran” to mean veterans who were discharged from active duty from January 31, 1955 to August 1, 1990. HB 322 passed with a vote of 53 to 0. – **HB 322**

### **Georgia Code Revisions**

Sen. Jesse Stone (R – Waynesboro) carried House Bill 323 which would eliminate obsolete, unconstitutional, preempted or superseded laws in certain portions of the Georgia Code. HB 323 passed with a vote of 50 to 0. – **HB 323**

### **Income Tax and In-State Sales and Use Taxes**

Sen. Chuck Hufstetler (R – Rome) carried House Bill 329 which would lower the top income bracket tax rate from six percent to 5.65 percent. It would also require companies that have more than \$250,000 in state sales or more than 200 individual sales to collect and remit sales and use taxes. HB 329 passed by a vote of 38 to 16. – **HB 329**



### **Intellectual Disability**

Sen. Blake Tillery (R – Vidalia) carried House Bill 343 which would update terminology in Georgia Code relating to individuals with a mental disability. Under HB 343, the terms “mentally retarded” and “mental retardation” would be eliminated and replaced with “intellectual disability.” HB 343 passed with a vote of 52 to 0. – **HB 343**

### **Municipal Court Judges**

Sen. Ellis Black (R – Valdosta) carried House Bill 370 which would create savings plans and deferred compensation plans for municipal court judges in the state. Under HB 370, the Council of Municipal Court Judges of Georgia would create and administer the plans. HB 370 passed with a vote of 51 to 0. – **HB 370**

### **Weapons License Reciprocity**

House Bill 406, carried by Sen. Tyler Harper (R – Ocilla), would recognize weapons carry license reciprocity between Georgia and any other state whose weapon carry laws are in line with Georgia, under certain conditions. HB 406 would grant the Attorney General the authority to maintain the list of states with reciprocal weapons carry laws with Georgia. HB 406 passed with a vote of 50 to 3. – **HB 406**

### **Department of Driver Services Registration**

House Bill 412, carried by Sen. John Albers (R – Roswell), would establish a process for the Department of Driver Services to analyze if it is possible to eliminate the revalidation decal requirement that is currently in place. Under HB 412, the International Registration Plan would be addressed and those who require commercial registration under the plan would have to submit applications electronically. HB 412 passed with a vote of 52 to 0. – **HB 412**

### **Petroleum Pipelines**

House Bill 413, carried by Sen. John Kennedy (R – Macon), would establish a two step application process for companies who wish to build a petroleum pipeline in Georgia. The application process would require companies to obtain a certificate of public convenience and necessity from the Georgia Department of Transportation and a permit approval from Environmental Protection Division. HB 413 passed with a vote of 43 to 8. – **HB 413**

### **Physicians in Rural Georgia**

Sen. Ben Watson (R – Savannah) carried House Bill 427 which would add dentists, physician assistants and advanced practice registered nurses to the “Physicians for Rural Areas Assistance Act.” Under HB 427, the service cancelable loan program, which is currently reserved for physicians in underserved areas, will be extended to these three professions. HB 427 passed with a vote of 53 to 0. – **HB 427**

### **Blighted Properties and Petroleum Pipelines**

House Bill 434, carried by Sen. William Ligon (R – Brunswick), would create an expedited process for the conversion of blighted property to be used for economic development purposes. Under HB 434, blighted properties may be identified by the superior court judge who has jurisdiction who will then set a hearing for interested parties to determine the future of the property. HB 434 would also update provisions relating to eminent domain by petroleum pipeline companies and extend Georgia’s moratorium on pipeline condemnations for two additional years. HB 434 passed with a vote of 42 to 10. – **HB 434**

### **Georgia Department of Homeland Security**

House Bill 452, carried by Sen. Bill Cowsert (R – Athens), would require the Georgia Bureau of Investigation to post on their website the information of illegal aliens who have committed serious crimes and have been released in Georgia from federal custody. Under HB 452, the Georgia Department of Homeland Security, its duties and the commissioner’s responsibilities are established and outlined. The current Georgia Emergency Management and Homeland Security Agency would no longer have the duties of homeland security and would become the Georgia Emergency Management Agency. HB 452 passed with a vote of 36 to 18. – **HB 452**

### **The Defense Community Economic Development Fund**

House Bill 470, carried by Sen. Mike Dugan (R – Carrollton), would develop a grant program made to support counties and municipalities that are military communities. HB 470 passed with a vote of 52 to 0. – **HB 470**

### **Unmanned Aircraft Systems**

Sen. Brandon Beach (R – Alpharetta) carried House Bill 481 which would preempt local ordinances and regulations currently in place for unmanned aircraft systems. Under HB 481, the state would be able to allow or prohibit the launch or landing of these types of systems on public property. HB 481 passed with a vote of 54 to 0. – **HB 481**

### **Competitive Bids for Concessions at MARTA**

House Bill 506, carried by Sen. Fran Millar (R – Atlanta), would change the bidding process for the selling, leasing or disposing of concessions and real property within MARTA. Under HB 506, the MARTA Act of 1965 would be amended so that the process of bidding can be competitive and responsible instead of bids going to the highest bidder. HB 506 would also require that the sales and use tax not increase past the level it was at when the referendum was approved. HB 506 passed with a vote of 39 to 15. – **HB 506**

### **Road Dedication**

House Resolution 25, carried by Sen. Brandon Beach (R – Alpharetta), would dedicate portions of roads throughout the state to various public servants. HR 25 passed with a vote of 51 to 1. – **HR 25**

### **State Election Board New Member Appointment**

Senate Resolution 403, sponsored by Sen. David Shafer (R – Duluth), appointed Seth Harp, Jr. to serve as a member of the State Election Board. Under SR 403, Harp would serve a two-year term following the adjournment of the 2017 legislative session. SR 403 passed with a vote of 50 to 1. – **SR 403**

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## **THURSDAY, MARCH 30**

### **Honoring Sen. Vincent Fort**

Senate Resolution 571, sponsored by Sen. Horacena Tate (D – Atlanta), recognized Sen. Vincent Fort (D – Atlanta) for his over 20 year commitment to serving the citizens of Georgia in the Georgia State Senate. Sen. Fort has been a champion for the wellbeing and protection of the citizens of Georgia through his progressive initiatives. Sen. Fort is also an advocate for public schools, community involvement and is a staple in the Democratic Caucus. – **SR 571**



### **Definition of Motor Vehicle Insurance Policies**

Sen. P.K. Martin (R – Lawrenceville) carried House Bill 92 which would clarify the definition of car and motorcycle insurance policy to ensure that multi-vehicle policies are treated the same as single-vehicle policies for cancellation purposes. HB 92 passed with a vote of 44 to 0. – **HB 92**

### **Voluntary Contribution Sales and Use Tax**

Sen. John Albers (R – Roswell) carried House Bill 117 which would eliminate the sales and use tax when voluntary contributions for admission are made in certain entertainment, sport and amusement venues. HB 117 passed with a vote of 48 to 1. – **HB 117**

### **Boat Tax Exemption**

House Bill 125, carried by Sen. Ben Watson (R – Savannah), would create a tax exemption from state sales and use tax for the repair and maintenance of boats. The sales tax will be capped at \$35,000 for each repair or maintenance event. The commissioner of the Department of Revenue will be required submit an annual report outlining the number of jobs created, average salary of those employees and total revenue generated and sales tax collected from each boat repair. HB 125 passed by a vote of 35-16. – **HB 125**

### **Unpaid Toll Revenue**

House Bill 150, carried by Sen. Mike Dugan (R – Carrollton), would provide a setoff of debt as set by the Department of Revenue to allow the State Road and Tollway Authority to collect unpaid tolls, fees and monetary penalties from registered vehicle owners. HB 150 passed with a vote of 44 to 4. – **HB 150**

### **Dental Hygienists**

Sen. Renee Unterman (R – Buford) carried House Bill 154 which would allow dental hygienists to perform certain delegable duties without a licensed dentist on site. Under HB 154, the scope of practice for dental hygienists in private office and school settings is addressed. HB 154 passed with a vote of 40 to 1. – **HB 154**

### **Influenza Vaccine Information**

Sen. John Wilkinson (R – Toccoa) carried House Bill 198 which would require local school systems to provide information on influenza and its vaccine to parents and guardians of students in grades 6-12. In addition, HB 198 would place the Georgia Commission on Women under the administration of the Department of Community Health and would repeal the sunset on the annual fitness assessment program. HB 198 passed with a vote of 46 to 1. – **HB 198**

### **The Pharmacy Audit Bill of Rights**

Sen. Hunter Hill (R – Atlanta) carried HB 206 which would remove liability from medical assistance providers who make a clerical or record-keeping error. Under HB 206, any error that does not inherently constitute fraud cannot be used to recoup payments from medical providers except in cases in which the error results in improper payment. Additionally, HB 206 addresses the deduction of \$70 per month from the state medical assistance plan by the Department of Community Health for nursing home residents. HB 206 passed with a vote of 49 to 1. – **HB 206**

### **Private Donations to Public Schools**

House Bill 237, carried by Sen. Lindsey Tippins (R – Marietta), would authorize the Public Education Innovation Fund to receive private donations to fund grants for public schools and would give a tax credit to those who provide these donations. HB 237 passed with a vote of 39 to 8. – **HB 237**

### **Preempting Local Government Mandates**

House Bill 243, carried by Sen. Marty Harbin (R – Tyrone), would refrain local governments from paying employees when their schedules are changed or shifts are canceled. HB 243 passed with a vote of 35 to 15. – **HB 243**

### **Employees' Retirement System of Georgia**

House Bill 312, carried by Sen. Ellis Black (R – Valdosta), would grant the Board of Trustees of Employee's Retirement System of Georgia to include a qualified Roth contribution program in the state and local deferred compensation plans. HB 312 passed with a vote of 48 to 0. – **HB 312**

### **Enterprise Zones**

House Bill 342, carried by Sen. Butch Miller (R – Gainesville), would allow for urban redevelopment zones to be redesignated as "enterprise zones." Such zones must contain a redevelopment project that has at least \$400 million in capital investment for its redevelopment. Under HB 342, enterprise zones would qualify for an exemption of any sales and use tax levied within the boundaries of the redevelopment project. HB 342 passed with a vote of 35 to 12. – **HB 342**

### **Transporting Essential Goods During State of Emergency**

House Bill 405, carried by Sen. Ben Watson (R – Savannah), would authorize the creation of a statewide system for transporting essential goods to areas under a state of emergency. HB 405 would also require the Georgia Department of Emergency Management to certify organizations engaged in transporting goods under these circumstances. HB 405 passed with a vote of 48 to 0. – **HB 405**



### **Downtown Development Authority**

House Bill 428, carried by Sen. Steve Gooch (R – Dahlonega), would create requirements for downtown development authorities who impose assessments on property owners for the purpose of raising funds for improvements for water or energy conservation. HB 428 passed with a vote of 43 to 6. – **HB 428**

### **Code of Principles to Authorize Charter Schools**

House Bill 430, carried by Sen. Fran Millar (R – Atlanta), would require the State Board of Education and State Charter Schools Commission to create a code of principles for authorizing charter schools. HB 430 would also require the State Board of Education to provide annual reviews of local boards of education by independent parties. Furthermore, HB 430 would create a grant program that would provide facility funding to charter schools to make them more comparable to traditional public schools and create a program to plan, implement, improve and provide grants for community schools. HB 430 passed with a vote of 53-0. – **HB 430**

### **Cost Recovery for Vehicle Dealers**

House Bill 469, carried by Sen. Steve Gooch (R – Dahlonega), would require manufacturers to provide reimbursement to vehicle dealers when a stop-sale or do-not-drive order is issued for a used vehicle on the dealer's lot if parts are not immediately available within 30 days. HB 469 passed with a vote of 49 to 0. – **HB 469**

### **Coordinated Platoons**

House Bill 472, carried by Sen. Brandon Beach (R – Alpharetta), would allow a non-leading vehicle in a coordinated platoon to follow closely in a group of motor vehicles. HB 472 passed with a vote of 51 to 0. – **HB 472**

### **Distilled Spirits Distribution and Manufacturing**

Sen. Rick Jeffares (R – McDonough) carried HB 485 which would remove the requirement for a local referendum to be held for the distribution and manufacturing of distilled spirits, but would maintain that a referendum be held to allow package sales. HB 485 passed with a vote of 38 to 6. – **HB 485**

### **Proxy Caregivers**

House Bill 486, carried by Sen. Greg Kirk (R – Americus), would expand the definition of a proxy caregiver to include a licensed health care facility. Training curricula for the proxy caregivers would be handled by the Department of Behavioral Health and Developmental Disabilities and the Department of Community Health. HB 486 passed with a vote of 46 to 1. – **HB 486**



### Senate Agreements

The Senate agreed to House substitutes or House amendments to Senate substitutes on the following bills/resolutions:

SB 16	SB 141	SB 206	HB 5
SB 41	SB 149	SB 211	HB 88
SB 46	SB 153	SB 219	HB 125
SB 47	SB 156	SB 222	HB 155
SB 87	SB 160	SB 242	HB 199
SB 106	SB 168	SB 250	HB 202
SB 109	SB 174	SB 258	HB 249
SB 117	SB 176	SB 292	HB 268
SB 125	SB 183		HB 413
SB 126	SB 186	SR 95	HB 430
SB 132	SB 193	SR 130	HB 434
SB 133	SB 200	SR 204	HB 452
SB 137	SB 201	SR 229	HB 506

### Conference Committee Reports

The Senate approved the following conference committee reports:

SB 104  
HB 196  
HB 280  
HB 340

**The Georgia Senate has *ADJOURNED SINE DIE!***