



*The State Senate*

*Senate Research Office*

*204 Legislative Office Building  
18 Capitol Square  
Atlanta, Georgia 30334*

*Bill Littlefield  
Managing Director*

*Eric Robinson  
Director*

*Telephone  
404/ 656 0015*

*Fax  
404/ 657 0929*

**2003 SESSION HIGHLIGHTS**

*This document is a report of selected legislation passed by the 2003 Georgia General Assembly, and is intended to provide a general overview, only. This document also contains an index of passed legislation, Interim Senate Study Committees, and vetoed legislation. If more detail on legislation is needed, please contact the Senate Research Office. This document is also available on the Senate Research Office Internet website at: [http://www.legis.state.ga.us/legis/2003\\_04/senate/research/senresearch.html](http://www.legis.state.ga.us/legis/2003_04/senate/research/senresearch.html)*

The following issues are found on the corresponding page numbers:

●	<b>AGRICULTURE AND CONSUMER AFFAIRS</b>	<b>Page 1</b>
●	<b>APPROPRIATIONS</b>	<b>Page 1</b>
●	<b>BANKING AND FINANCIAL INSTITUTIONS</b>	<b>Page 2</b>
●	<b>CHILDREN AND YOUTH</b>	<b>Page 2</b>
●	<b>THE COURTS</b>	<b>Page 3</b>
●	<b>CRIMINAL JUSTICE AND CRIMES</b>	<b>Page 6</b>
●	<b>ECONOMIC DEVELOPMENT AND TOURISM</b>	<b>Page 7</b>
●	<b>EDUCATION AND HIGHER EDUCATION</b>	<b>Page 8</b>
●	<b>ETHICS</b>	<b>Page 10</b>
●	<b>HEALTH AND HUMAN SERVICES</b>	<b>Page 10</b>
●	<b>INSURANCE AND LABOR</b>	<b>Page 12</b>
●	<b>NATURAL RESOURCES</b>	<b>Page 14</b>
●	<b>PUBLIC SAFETY AND HOMELAND SECURITY</b>	<b>Page 15</b>
●	<b>REGULATED INDUSTRIES AND UTILITIES</b>	<b>Page 16</b>
●	<b>RETIREMENT</b>	<b>Page 17</b>
●	<b>STATE AND LOCAL GOVERNMENT</b>	<b>Page 17</b>
●	<b>TAXES</b>	<b>Page 19</b>
●	<b>TRANSPORTATION</b>	<b>Page 19</b>
●	<b>VETERANS AND MILITARY AFFAIRS</b>	<b>Page 20</b>
●	<b>INDEX OF PASSED LEGISLATION</b>	<b>Page 21</b>
●	<b>INTERIM SENATE STUDY COMMITTEES</b>	<b>Page 25</b>
●	<b>VETOED LEGISLATION</b>	<b>Page 26</b>

## **AGRICULTURE AND CONSUMER AFFAIRS**

### **HOUSE BILL 347**

### **GEORGIA VETERINARIAN PRACTICE ACT**

This legislation extensively revises the "Georgia Veterinary Practice Act" by amending certain provisions for the licensing of veterinarians and adopting new provisions for registering veterinary technicians. Veterinarians are required to have graduated from an accredited veterinary medicine school, and take at least 30 hours of continuing education courses every two years. A veterinary technician must be under the supervision of a licensed veterinarian at all times. Standards are outlined for the number of technicians that may be under the supervision of, and employed by, a veterinarian at any one time. This legislation does not prohibit the treatment of animals by the owner, the owner's employee, the owner's friend so long as the friend does not regularly provide treatment, or any person who gratuitously administers emergency treatment to a sick or injured animal.

## **APPROPRIATIONS**

### **HOUSE BILL 121**

### **FY 2003 AMENDED APPROPRIATIONS ACT**

In order to adjust to the \$620 million reduction in the Governor's FY 2003 Revenue Estimate, this Act used \$138 million from the Revenue Shortfall Reserve, \$704 million available from FY 2001 appropriations, and \$48 million in new revenues and agency lapses. In addition to using alternative revenue sources, agencies and programs were cut. All agencies were given an austerity adjustment of between 3 and 5 percent, depending on the size of the agency.

### **HOUSE BILL 122**

### **FY 2004 GENERAL APPROPRIATIONS ACT**

The Fiscal Year 2004 budget is \$16.1 billion. The additional revenues to support the appropriation beyond the Governor's estimate of treasury receipts from existing state revenue sources include:

- \$12.8 million in new revenues from increased fees;
- \$180 million from the 25 cent increase in the tobacco tax;
- \$142 million from the Revenue Shortfall Reserve; and
- \$132 million in revenues pulled forward from FY 2005 by employers filing state income tax withholdings on the same schedule as required by the federal government.

In addition, appropriation was not made for the state's portion of \$33.3 million to the Workers' Compensation fund, nor \$6 million to the over-funded Group Term Life Insurance. The budget does preserve \$10 million for Greenspace, \$10 million for school improvement teams, and \$30 million for the mega site in Pooler Georgia for the Daimler-Chrysler Plant.

To draw down additional federal funds for hospitals, \$30 million in tobacco settlement funds for the school nurse program was redirected from the Department of Education to the Department of Community Health. The funds will be used to match federal Medicaid program funding and PeachCare for Kids funds for an additional \$75 million in federal funding. As a condition for participation, hospitals will be required to financially support school health programs, such as the school nurse program. The Department of Community Health will collect the target amount of \$30 million from hospitals for transfer to the Department of Education for the school health programs.

### **HOUSE BILL 526**

### **NURSING HOME PROVIDER FEES**

Under this legislation, nursing homes are assessed a provider fee based on the number of patients in the nursing home. All revenues raised through provider fees, approximately \$89 million, will be credited to a segregated account within the Indigent Care Trust Fund. The sole purpose of such funds is to obtain federal funds, approximately \$221 million, for medical assistance payments to nursing homes that disproportionately serve the medically indigent.

## **BANKING AND FINANCIAL INSTITUTIONS**

### **SENATE BILL 53**

### **PREDATORY LENDING**

This bill repeals and amends certain provisions of the Georgia Fair Lending Act. The passage of the Act during the 2002 Legislative Session created several unintended consequences affecting the availability of mortgages for certain buyers and causing Georgia mortgages to be questioned by rating agencies such as Standard & Poor's and Moody's. Some of the more significant provisions in the bill include: limiting the liability of abuses by changing the definition of creditor to mean the originator of a loan, not a servicer, purchaser or assignee; changing the definition of variable interest rate, covered home loans, points and fees, late payments and flipping; and providing parity to state chartered banks and credit unions by allowing them the same preemptions that exist for federally chartered financial institutions.

### **HOUSE BILL 385**

### **DEBT ADJUSTMENT**

This legislation attempts to regulate the business of debt adjustment or credit counseling. This bill limits the maximum charge that may be imposed for the provision of debt adjustment services to 7.5 percent of the amount paid monthly by the debtor for distribution to his or her creditors. Debt adjusters must disburse to appropriate creditors all funds received by a debtor, less any fees, within 30 days of receipt of those funds and maintain a separate trust account for debtors' funds. Current law provides for a criminal penalty for persons who engage in debt adjusting in violation of the provisions set forth in the Code. This bill adds civil penalties as well. It provides that persons who fail to obtain and file the appropriate audits and insurance coverage or who fail to maintain a separate trust account for debtors' funds will be liable for a fine of at least \$50,000. Persons who charge more than the 7.5 percent of the debtor's monthly distribution or who fail to distribute funds to the appropriate creditors will be liable to the debtor for all fees, charges, or contributions paid by the debtor, plus \$5,000. The debtor will have the right to bring a cause of action directly against such person. The Attorney General and prosecuting attorneys will have the authority to conduct any criminal or civil prosecutions.

## **CHILDREN AND YOUTH**

### **SENATE BILL 200**

### **CHILDREN IN PROTECTIVE SERVICES; ADULT CONVICTION DATA RELEVANT TO ADULT CONTACTS**

Current law allows the Department of Human Resources to conduct record searches for conviction data on prospective employees under specified conditions. This legislation further allows the Department to receive, from any law enforcement agency, conviction data that is relevant to any person the Department has reason to believe has contact with a child who is the subject of a child protective services referral, complaint, or investigation. Such conviction data is privileged and is not to be released or otherwise disclosed to any other person or agency except to any person or agency who has a legal right to inspect the employment, Department, or licensed child-placing agency file.

**SENATE BILL 201**

**CHILD ABUSE RECORDS; DHR SHARING  
INFORMATION WITH OFFICE OF SCHOOL  
READINESS**

This legislation allows the Department of Human Resources to share access to child abuse records and release information from such records with the Office of School Readiness.

**SENATE BILL 236**

**JUVENILE PROCEEDINGS; PLACEMENT OF  
CHILD FOLLOWING TERMINATION ORDER;  
ADDITIONAL PLACEMENT OPTIONS**

This bill clarifies the rights of foster parents and custodians to receive notice and be heard in reviews and hearings during the court process. It also tracks the language of federal law to allow courts to grant custody of a child to a licensed agency or organization where appropriate when no other authorized placement is in the child's best interest. Additionally, this legislation requires the court and the Department of Human Resources to undertake a reasonably diligent search for a parent, relative, or person who has demonstrated an ongoing commitment to a child within 90 days from the day the child was removed from the home.

**SENATE RESOLUTION 281**

**SENATE STUDY COMMITTEE ON THE  
IMPLEMENTATION OF CHILDREN AND  
YOUTH SERVICES IMPROVEMENT PLANS**

This legislation creates the Senate Study Committee on the Implementation of Children and Youth Services Improvement Plans. The appointed members are charged with identifying barriers to the implementation of plans for system improvements recommended in two reports by the Governor's Action Group for Safe Children and the Department of Human Resources. These reports released in 2002 focused on Georgia's child welfare system and provided a number of recommendations and plans to address areas of the system that need improvement. The Study Committee is also charged with identifying opportunities to improve the alignment of efforts by different state and local child welfare agencies.

**THE COURTS**

**SENATE BILL 119**

**POST-CONVICTION DNA TESTING**

Senate Bill 119 allows a person convicted of a serious violent felony to file a written motion for DNA testing before the trial court which entered the conviction. The motion must be verified by the convicted person and must provide information relative to the evidence to be tested and its probative value. The convicted person must serve the district attorney or the Attorney General with the motion. A response must be filed within 60 days of service. After the state files its response, if any, and if the court determines that the motion meets the statutory requirements, the court will order a hearing to be conducted not more than 90 days from the date of filing of the motion. The purpose of the hearing is to determine whether the motion complies with the statutory requirements, whether upon consideration of all the evidence there is a reasonable probability that the verdict would have been different if the results of the requested DNA testing had been available at the time of trial, and related matters. If DNA testing is ordered, the court will determine the method of testing to be used and the party who is responsible for payment. The court must order the testing to be performed by the Division of Forensic Sciences of the Georgia Bureau of Investigation (GBI). The court also may order testing by a laboratory which meets the standards of the DNA advisory board established pursuant to federal law. The court will order that a sample of the petitioner's DNA be submitted to the GBI and that the analysis be stored and maintained in the state DNA data bank. A custodian of any property introduced into evidence during trial will be designated and an evidence log created following the entry of judgment in the case. The legislation provides new standards for the retention of physical evidence containing biological material, such as stains, fluids, or hair samples, that relate to the perpetrator of the offense. In death penalty cases, the evidence

must be retained until the sentence is carried out. In a case involving a serious violent felony, the evidence must be maintained for ten years after judgment if the case becomes final or ten years after the effective date of this legislation, whichever is later. The evidence in all other felony or misdemeanor cases may be purged. The victim of the crime is notified in the event that the convicted person files an extraordinary motion for new trial. The legislation will become effective when approved by the Governor or upon its becoming law without such approval. The legislation also allows any person convicted of a serious violent felony prior to the effective date of this legislation to file an extraordinary motion for a new trial for the second time if DNA testing was not raised in the previous motion or was denied in the previous motion.

## **HOUSE BILL 770**

## **GEORGIA INDIGENT DEFENSE ACT OF 2003**

The legislation creates a new Chapter 12 of Title 17, the "Georgia Indigent Defense Act of 2003." The Georgia Public Defender Standards Council is created as an independent agency within the judicial branch of government and is charged with the duty to assure that adequate and effective legal representation is provided, independently of any political considerations or private interests, to indigent persons entitled to representation. The members will be selected so that each of the ten judicial administration districts in the state are represented. The terms of the initial members will begin on July 1, 2003.

Director; Support Services and Standards. The council will appoint a director, who will have the responsibility of working with and providing support services and programs for circuit public defender offices and other attorneys representing indigent persons in criminal or juvenile cases in order to improve the quality and effectiveness of legal representation of those persons. The council will approve the development and improvement of programs which provide legal representation to indigent persons and to juveniles and will approve and implement programs, services, rules, policies, procedures, regulations, and standards as may be necessary to fulfill the purposes and provisions of the new chapter. The council also will establish standards relative to circuit public defender offices and alternative systems of delivery of indigent defense, including, but not limited to minimum experience and training requirements for counsel, performance and caseload standards, standards for determining indigence, and similar matters.

Transition. On December 31, 2003, the Georgia Public Defender Standards Council will assume all powers, including specifically the power to make grants and distributions to counties, duties, and obligations of the Georgia Indigent Defense Council created by former Code Section 17-12-32. From January 1, 2005, through December 31, 2005, the Georgia Public Defender Standards Council will coordinate the transition from the procedures for providing criminal defense to indigent persons in effect on December 31, 2004, in each county to the new procedures. On and after January 1, 2005, the new provisions will control and govern the public provision of criminal defense representation to indigent persons in the courts of this state.

Opt-out Provision. The council may allow a single county judicial circuit to continue an alternative system of indigent defense, subject to annual review, if the request to continue is made on or before September 30, 2003; the system has been in operation for at least two years as of July 1, 2003 and has a full-time director and staff; the council by majority vote determines that the alternative system meets its standards; the governing authority of the county enacts a resolution expressing its desire to continue its system and transmits the same to the council not later than September 30, 2004; and the governing authority of the county enacts a resolution agreeing to fully fund its alternative delivery system. The council will make a final determination with regard to the continuation of an alternative delivery system not later than December 31, 2004.

Circuit Public Defender Selection Panels. A circuit public defender selection panel will be established in each judicial circuit in the state. By majority vote, each selection panel will appoint a circuit public defender for the circuit. The initial appointments will be for terms not to exceed four years and will begin on January 1, 2005. The legislation provides the qualifications of circuit public defenders and for other matters relative to the duties and

responsibilities of the office.

Assistant Public Defenders. The legislation details the appointment of assistant public defenders, investigators, and other staff, and salary ranges for positions, minimum qualifications, and other matters relative to employment. Procedures will be established for the provision of legal representation in the event the circuit public defender has a conflict of interest with regard to a case. Each circuit public defender will establish a juvenile division within the office to specialize in the defense of juveniles. The council is directed to establish guidelines for determining the financial eligibility of persons claiming indigence, and the circuit public defender will utilize the guidelines to determine the financial eligibility of any person or juvenile arrested, detained, or charged in any way that would entitle him or her to representation under these provisions.

Assistance by Law Students and Instructors. Effective January 1, 2005, this article authorizes third-year law students and staff instructors to assist the circuit public defenders, under their supervision, in criminal proceedings. Effective December 31, 2003, this article creates the Office of Mental Health Advocacy for the purpose of representing indigent persons found not guilty by reason of insanity at the time of the crime in any court in this state. This office will be the direct successor of the Mental Health Advocacy Division of the Georgia Indigent Defense Council created by former Code Section 17-12-45 and will assume all powers, duties, and obligations of that division. Effective January 1, 2005, the Office of the Georgia Capital Defender is established for the purpose of defending indigent persons charged with capital felonies for which the death penalty is sought. The office will serve all counties and may provide services in trial court proceedings and appellate proceedings before the Supreme Court of Georgia. The office will not assist with any petition for a writ of habeas corpus in federal court. The council is responsible for the management of the office, which is the successor to the multicounty public defender.

Municipal Courts. Municipal courts operating in this state are required to provide legal representation to an accused indigent person if the punishment for the offense involves confinement, probation, or other loss of liberty. Representation provided will be subject to all applicable standards adopted by the Georgia Public Defender Standards Council.

## **HOUSE BILL 792**

## **CIVIL JUSTICE REFORM**

House Bill 792, which, in its original form, revised matters relative to class action litigation, was amended to incorporate the sections of Senate Bill 133 which revised the interest rate on judgments, voluntary dismissal of actions, and more convenient forum provisions; as well as parts of House Bill 91, relating to fairness in arbitration, and Senate Bill 174, relating to requirements for the transfer of rights under structured settlement agreements. As passed, the legislation features the following points:

- Interest rate on judgments. The interest rate on judgments and on unliquidated damages is changed from 12 percent per annum to a floating annual rate equal to the prime rate as published by the Board of Governors of the Federal Reserve System, as published in statistical release H.15 or any publication that may supersede it, on the day the judgment is entered plus 3 percent. (From Senate Bill 133)
- Arbitration. Allows an arbitration award to be vacated if the reviewing court finds that the rights of the party appealing was prejudiced by the arbitrator's manifest disregard of the law. (From House Bill 91)
- Class Actions. Completely revises provisions relative to the maintenance of class action lawsuits. (From House Bill 792)
- Voluntary dismissal. Allows the plaintiff in a civil action to voluntarily dismiss the suit without prejudice at any time before the first witness is sworn. A second notice of dismissal by the plaintiff will operate as an adjudication on the merits. (From Senate Bill 133)

- More convenient forum. Allows a court of this state to decline to exercise jurisdiction in an action of a nonresident accruing outside this state if there is another forum with jurisdiction of the parties in which the trial can be more appropriately held. (From Senate Bill 133)
- Transfer of Structured Settlement Rights. Requires a transfer of structured settlement payment rights to be approved in advance by a court having competent jurisdiction and provides the prerequisites for such approval. (From Senate Bill 174)

## **CRIMINAL JUSTICE AND CRIMES**

### **SENATE BILL 20**

### **HIV OR HEPATITIS INFECTED PERSONS**

This bill provides that any person who knows that he/she has HIV or hepatitis and commits an assault with the intent to transmit HIV or hepatitis to a peace officer or a correctional officer, engaged in his/her duties or on account of his/her official duties, is guilty of a felony punishable by imprisonment for not less than 5 nor more than 20 years.

### **SENATE BILL 205**

### **ANHYDROUS AMMONIA**

This bill addresses the problem of “methlabs” by prohibiting the illegal possession and/or theft of anhydrous ammonia, a key component used in making methamphetamine. The penalty for the theft of any amount of anhydrous ammonia is a felony punishable by imprisonment for not less than one nor more than ten years, a fine of up to \$100,000, or both.

It also prohibits anyone, other than a pharmacist or a practitioner, to knowingly possess any product that contains ephedrine, pseudoephedrine, or phenylpropanolamine in an amount which exceeds 300 individual units (pills, tablets, etc.), or more than nine grams of any of the substances, their salts, isomers, or salts of isomers, or a combination of any of these substances, whichever is smaller.

Any person who knowingly manufactures methamphetamine, amphetamine, or any mixture containing either substance, commits the felony offense of trafficking methamphetamine or amphetamine and upon conviction will be punished as follows: (1) if the quantity is less than 200 grams, a mandatory minimum term of imprisonment of ten years and a fine of \$200,000; (2) if the quantity is between 200 and 400 grams, a mandatory minimum term of imprisonment of 15 years and a fine of \$300,000; or (3) if the quantity is over 400 grams, a mandatory minimum term of imprisonment of 25 years and a fine of \$1,000,000.

### **HOUSE BILL 144**

### **INMATE LABOR**

This bill authorizes the Board of Corrections, or any political subdivision of the state, to use inmates from any penal institution or jail under its authority to remove or obliterate unlawfully placed graffiti. The bill prohibits any graffiti removal program operated by a political subdivision to charge a fee for graffiti removal. The bill also authorizes private correctional facilities to deduct money from an inmate’s account to repay the costs of private property willfully damaged or destroyed by the inmate.

### **HOUSE BILL 173**

### **WEARING BULLETPROOF VESTS DURING THE COMMISSION OF A CRIME**

This bill provides that it is unlawful for any person to wear a bulletproof vest during the commission or attempted commission of any of the following offenses:

1. Any felony involving the manufacture, delivery, distribution, administering, or selling of controlled substances or marijuana; or
2. Trafficking in cocaine, illegal drugs, marijuana, or methamphetamine.

Persons in violation of this provision will be guilty of a felony, and upon conviction, will be punished by confinement for a period of one to five years, such sentence to run consecutively to any other sentence which the person has received.

## **ECONOMIC DEVELOPMENT AND TOURISM**

### **HOUSE BILLS 134 & 279**

### **BINGO GAMES**

House Bill 134 prohibits awarding bingo prizes in excess of \$1,500 in cash or gifts of equivalent value during any calendar day or \$3,000 in cash or gifts of equivalent value during any calendar week. Current law prohibits awarding prizes in excess of \$1,300 per day or in excess of \$2,600 per week.

House Bill 279 expands the definition of “bingo game” and “nonprofit bingo game” to provide that a bingo game may be played manually or with an electronic or computer device that stores the numbers from a player’s card or cards, tracks the numbers chosen by lot when such numbers are entered by the player, and notifies the player of a winning combination. The bill also deletes the current law which requires a licensee to only lease bingo equipment from an organization that is licensed to conduct bingo games.

### **HOUSE BILL 309**

### **JOINT DEVELOPMENT AUTHORITIES**

This legislation provides that by proper resolution of the local governing bodies, a joint development authority may be created and activated by any county in Georgia and any contiguous county in an adjoining state to promote development projects relating to trade, commerce, industry and employment opportunities by hosting regional, state-wide, or national events. Such projects would also include the development of amphitheatres with a seating capacity exceeding 1,000 patrons and any facilities directly related to the operation of such amphitheatres.

### **HOUSE BILL 893**

### **TOBACCO MANUFACTURERS**

This bill criminalizes the possession and sale of cigarettes that have been manufactured by companies that are not a party to the Master Settlement Agreement (MSA) and makes their products contraband. Any tobacco manufacturer whose cigarettes are sold in Georgia must certify to the Revenue Commissioner and the Attorney General that it is either a participating manufacturer or is in full compliance with Chapter 13 of Title 10 (Tobacco Product Manufacturers) and the manufacturer must also include all annual deposits required by paragraph (2) of Code Section 10-13-3 (escrow funds), by April 13<sup>th</sup> of each year. A nonparticipating manufacturer’s list must also include the number of units sold for each brand family sold in Georgia during the preceding calendar year and a list of all of its brand families that have been sold in Georgia during the current calendar year.

This bill also prohibits affixing a tax stamp to a package or other container of cigarettes of a tobacco product manufacturer or brand family which is not included in the directory. Additionally, this bill prohibits selling, offering to sell, or possessing with the intent to sell, cigarettes of a tobacco product manufacturer or brand family that are not included in the directory. Such cigarettes will be deemed contraband subject to seizure and forfeiture. The Attorney General must provide a directory of all certified tobacco product manufacturers on its website by August 1, 2004.

## **EDUCATION**

### **SENATE BILL 193**

### **FAIR DISMISSAL FOR TEACHERS**

This bill restores all fair dismissal rights for persons who first became teachers on or after July 1, 2000. This bill also provides that any teacher who has acquired rights to continued



employment will receive a 5 percent annual salary increase beginning the school year following any year in which the students taught by such teacher earn a significant increase in average scores on the criterion-referenced competency test or any other test selected by the State Board of Education for that purpose. The State Board must define "significant increase."

#### **SENATE BILL 223**

#### **COMPLETED CONTRACTS FOR TEACHERS**

This bill provides that when contracts are given to each teacher or other professional employee, they must be complete in all terms and conditions, including the amount of compensation to be paid during the coming school year. The contracts cannot contain blanks or leave any terms and conditions of the contract open. A letter of intent or similar document will not constitute a contract and will not be construed to require or otherwise legally bind the teacher to return to the school system.

#### **SENATE BILL 249**

#### **FUNDING FLEXIBILITY; CLASS SIZE REDUCTION; PERFORMANCE AUDITS FOR SALES TAX FUNDS**

Direct Instruction Funds. This legislation provides that *for the 2003-2004 school year only*, for each program authorized by Code Section 20-2-161, school systems must spend 100 percent of funds designated for direct instructional costs on the direct instructional costs of one or more of the programs at the system level with no requirement that the school system spend any specific portion of such funds at the site where the funds were earned. However, direct instruction funds for the early intervention programs, the remedial education program, and the alternative education program must be spent on one or more of these programs at the system level, with no requirement that the school system spend any specific portion of the funds at the site where the funds were earned. Also, local school systems must spend 100 percent of funds designated for media center costs for such costs at the system level, and 100 percent of the funds designated for media materials for media materials at the system level. Funds allocated for staff development may be spent for any program. Local school systems must report to the Department of Education its expenditures for each school site as a part of its Full-Time Equivalency (FTE) report in October and on March 15. This Code section will be automatically repealed July 1, 2004.

Class Sizes. This legislation further provides for a partial delay in the reduction of class sizes. For the 2003-2004 school year only, the maximum class sizes set by the State Board of Education for the 2002-2003 school year will apply for grades 4 through 12. (Current law provided for a further reduction in class sizes for the 2003-2004 school year. This bill will allow them to stay at the 2002-2003 number.) For the 2003-2004 school year, the maximum class sizes in grades kindergarten through three will be required to be reduced to the amount previously designated for the 2003-2004 school year. However, a kindergarten class may have 20 students if a paraprofessional is present. (The reduction in place for the 2003-2004 school year would have been set at 18 students.) For the 2003-2004 school year only, compliance with maximum class size requirements will be determined by the system average for each grade and no class will exceed the maximum size by more than two students. Local school systems must report the number of students in each class in each school to the Department of Education as of the date of the initial enrollment count as a part of its FTE report in October and the number of students in each class in each school as of the first Monday in March by March 15. For schools where students change classes during the school day, the local school system must report the number of students in each class period. This Code section will be automatically repealed July 1, 2004.

Transportation Costs. This legislation provides that up to 15 percent of funds designated for additional days of instruction may be spent for transportation costs incurred for students attending the additional classes funded by these funds. Current law does not allow these funds to be spent on transportation costs.

Sales Taxes. This legislation also provides that when certain sales taxes for educational

purposes are imposed, each board of education must undergo a performance audit or performance review of any expenditures of those funds. This requirement will not apply if the tax generates annualized proceeds below \$5 million or if the sole purpose of the sales tax is to retire previously incurred general obligation debt. The local board must contract with an outside auditor for such performance audit or review. The outside auditor must be selected through a competitive bidding process and can be paid from the proceeds of the sales tax or from other available funds. These requirements apply with respect to any sales tax for educational purposes which is in effect on July 1, 2003.

#### **HOUSE BILL 25**

#### **RESTORATION OF FORFEITED SICK LEAVE**

Current law provides that teachers and other certificated personnel and employees of the Department of Education forfeit any accumulated unused sick and personal leave if they withdraw from service for a period of 12 or more consecutive months, unless the withdrawal from service is to seek a higher level or different field of certification. This bill provides that personnel who forfeit such leave may regain that leave after they return to service for a period of two consecutive years.

### **HIGHER EDUCATION**

#### **SENATE BILL 244**

#### **TUITION EQUALIZATION GRANTS**

This bill removes the current prohibition against a student receiving a tuition equalization grant during a summer school quarter or semester. Instead, eligible students may not receive a tuition equalization grant for more than 127 semester hours or 190 quarter hours of his or her undergraduate program.

#### **HOUSE BILL 95**

#### **COLLEGE ATHLETIC RECRUITMENT RULES**

This bill provides a cause of action against certain persons in favor of colleges and universities and student athletes for violations of college athletic recruitment rules and regulations. With some exceptions, this bill provides that no person or legal or commercial entity may give, offer, promise, or attempt to give any money or items of value to a student-athlete or member of his or her immediate family:

1. To induce, encourage or reward the student-athlete's enrollment or attendance at a public or private postsecondary institution, in order to have the athlete participate in intercollegiate sports programs at that institution; or
2. To induce, reward, or encourage the student-athlete's participation in an intercollegiate sports program.

Those who violate these provisions will be guilty of a misdemeanor of a high and aggravated nature. At the beginning of each sports session, public and private high schools must advise, in writing, each student who participates in the sports programs of these provisions. Public and private postsecondary institutions that participate in intercollegiate athletics will have a right of action against any person who engages in any activity which results in the institution being penalized, disqualified, or suspended.

#### **HOUSE BILL 551**

#### **STUDENT FINANCE COMMISSION**

This bill changes a number of provisions relating to the Georgia Student Finance Commission and the Georgia Student Finance Authority as well as provisions relating to service cancelable loans. It provides that a person is ineligible for the HOPE scholarship or grant if that person has earned a baccalaureate degree or advanced degree. It also removes provisions requiring that residency requirements for HOPE scholarships and grants be based on the in-state tuition policy of the Board of Regents and the Department of Technical and Adult Education. The Georgia Student Finance Commission can establish regulations concerning residency requirements. It further provides that the Georgia Student Finance Commission must establish rules regarding residency requirements for

purposes of receiving the PROMISE teacher's scholarship.

## **ETHICS**

### **SENATE BILL 73**

### **FIVE-YEAR RESTRICTION ON NAMING STATE PROPERTY FOR A PUBLIC OFFICIAL**

This legislation provides that after July 1, 2003, no property owned by the state including, but not limited to, state parks, buildings, highways, roads or bridges, may be officially designated or redesignated by any state agency or state official by the name and in honor of any elected public official until such public official is deceased or has been out of office for at least five years and no signs or markers may be erected which so designate any such state owned property. This provision will be automatically repealed on June 30, 2005. This legislation allows institutions under the Board of Regents of the University System of Georgia to write off small amounts owed to the institution. This legislation also amends the definition of movable personal property of state agencies and institutions under the Board of Regents; and provides that certain revenue of the university system will not lapse. These provisions will be automatically repealed on June 30, 2006.

## **HEALTH AND HUMAN SERVICES**

### **SENATE BILL 96**

### **OFF-LABEL PRESCRIPTION DRUG COVERAGE**

This legislation requires health benefit policy coverage for off-label prescription drugs for insureds with life-threatening or chronic and disabling conditions or diseases, under specified conditions. The bill prohibits a health benefit policy issued, delivered, issued for delivery, or renewed on or after July 1, 2003, from excluding prescription coverage of a drug because it is prescribed for a use that is different from the use the drug has been marketed for by the Food and Drug Administration. Specified conditions must be met and subject to the prior authorization process or other restrictions of the insurer.

### **SENATE BILL 192**

### **ADOPTION; BIRTH CERTIFICATES AND RECORDS**

This legislation makes some changes to the time for processing certain adoption proceedings and changes certain provisions relating to obtaining birth certificates. It allows a child to be adopted by his or her great-grandparent. This bill proclaims that it is the policy of this state that it is in the best interest of the child that uncontested adoption petitions be heard as soon as possible, but no later than 120 days after the date of filing. Furthermore, it is the policy of the state that, in contested adoption petitions, the parties will make every effort to have the petition considered by the court as soon as practical after the date of filing, taking into account the circumstances and the best interest of the child. The court must fix the date for hearing the petition at least 45 days from the date of the filing of the petition. (Current law requires 60 days.) Expedited hearings can be heard under certain circumstances. This bill requires the Department of Human Resources, the child-placing agency, or other court-appointed agent to provide the attorney for the adoption petitioner with a copy of their report regarding their investigation of the entire adoption matter. This bill allows the Department of Human Resources or child-placing agency to release nonidentifying medical information contained in its records, to a party at interest in an adoption or to a provider of medical services to such party, without having to petition the Superior Court of Fulton County. This bill lowers the age at which an adopted person can request nonidentifying information regarding his or her biological parents and birth from 21 to 18. It also changes the procedure by which an adopted person can request information regarding his or her biological parents or his or her biological siblings. It also makes certain changes to the procedure by which biological parents can request information regarding adopted persons.

This legislation also makes changes to birth certificates of adopted persons born in a foreign country. It provides that for foreign-born persons adopted through a court in this

state who are not United States citizens or do not meet certain federal child citizenship requirements, the state registrar will prepare and register a certificate in this state. The certificate will be labeled "Certificate of Foreign Birth" and must show the actual country of birth. A statement must also be included on the certificate indicating that it is not evidence of United States citizenship for the person for whom it is issued. After registering the birth certificate in the new name of the adopted person, the state registrar must seal and file the report of adoption which will not be subject to inspection except by court order. The same requirements apply for foreign born persons adopted through a court in this state who are not United States citizens but who meet certain federal child citizenship requirements, except that the statement regarding evidence of United States citizenship is not required.

This bill also requires the state registrar of vital records to establish a new birth certificate for a person born in this state when there is a report of adoption filed. It provides that a court may decree that a new certificate not be issued. When new birth certificates are issued, the date of birth contained on the original certificate must be shown. It also provides that when a new birth certificate is established by the state registrar, any copies of the original birth certificate that might remain in the custody of any other custodian of vital records must be sealed from inspection and forwarded to the state registrar. New birth certificates are to be substituted for the original birth certificate. The original birth certificate and the evidence of adoption, legitimation, or paternity determination will not be subject to inspection except by court order or as provided by statute.

#### **HOUSE BILL 318**

#### **ADULT DAY CENTER LICENSURE ACT**

This legislation authorizes licensure regulations for adult day care and adult day services providers. The Georgia Department of Human Resources will serve as the agency responsible for promulgating, implementing, and enforcing the licensure regulations. All adult day centers must be licensed annually by the Department.

#### **HOUSE BILL 372**

#### **LOAN FORGIVENESS; DHR RULES AND COUNTY BOARD COMPLIANCE; EMERGENCY RESPONDER VACCINATION PROGRAM; SMALLPOX IMMUNITY PROVISION**

Loan Forgiveness. This legislation provides that hospital authorities are authorized to provide grants, scholarships, loans or other assistance for students, post graduate trainees, or the parents of such for programs of study in fields in which critical personnel shortages exist in the authority's service area. In addition, hospital authorities are authorized to provide for the assumption, purchase, or cancellation of repayment of loans made for such educational purposes.

Department of Human Resources Rules and County Board Compliance. The legislation provides for county boards of health to adopt rules and regulations that are not in conflict with the rules and regulations of the Georgia Department of Human Resources.

Emergency Responder Vaccination Program. The Department of Human Resources is required to offer a vaccination program for emergency responders who may be exposed to infectious diseases when deployed to a disaster location. An "emergency responder" is defined as any state or local law enforcement personnel, fire department personnel, corrections officers, or emergency medical personnel who may be deployed to a bioterrorism attack, terrorist attack, catastrophic event, natural disaster, or emergency.

Smallpox Immunity Provision. This legislation provides that unless it is established that injuries or death were caused by gross negligence or willful or wanton misconduct, no licensed hospital or health care workers who participate in a smallpox vaccination and treatment program will be liable for damages or injuries alleged to have been sustained by any individual by reason of such individual's receipt of a smallpox vaccination or treatment. This immunity will apply to the hospital and health care workers regardless of whether the provider, worker, or person is an agent or employee of the hospital.

**HOUSE BILL 521****MENINGOCOCCAL DISEASE**

This legislation requires every public and nonpublic postsecondary educational institution to provide specified information on the existence and dangers of meningococcal disease to each newly admitted or matriculated freshman, transfer student, and to a student's parent or guardian if the student is a minor. Students who are 18 years of age or older are required to sign a document provided by the postsecondary institution stating that he or she has received a vaccination against meningococcal disease or reviewed the required information provided by the postsecondary institution. If the student is a minor, only a parent or guardian may sign the document. This legislation does not require any postsecondary educational institution to provide or pay for vaccinations against meningococcal disease.

**INSURANCE AND LABOR****SENATE BILL 156****INSURABLE INTEREST ON AN EMPLOYEE BY A CORPORATION**

This legislation provides that if a life insurance contract is issued to a corporation upon its employees in whom it has an insurable interest, the insurer will be required to give written notice of such life insurance to the employees and provide the employees an opportunity to refuse to participate. The written consent of each individual proposed to be insured must be obtained prior to the issuance of the policy. Written consent must include an acknowledgment that the corporation may maintain life insurance coverage on the individual even after his or her employment has terminated.

**SENATE BILL 167****UNEMPLOYMENT COMPENSATION**State-wide Reserve Ratio

This legislation suspends the State-wide Reserve Ratio surcharge to employers through December 31, 2004. However, in the event the State-wide Reserve Ratio is less than 1 percent, the Commissioner of Labor, in consultation with the Governor, is directed to impose an increase in the overall rate of up to 35 percent, as of the computation date, for each employer.

Temporary Help Contracting Firm, Employee Leasing Company, or Professional Employer Organizations

This legislation also provides that an employee of a temporary help contracting firm, an employee leasing company, or a professional employer organization will be presumed to have voluntarily left employment without good cause if the employee does not contact such entity for reassignment upon completion of an assignment. However, failure to contact such entity will not be considered a voluntary departure from employment unless the employee has been advised in writing of the obligation to contact such entity upon completion of assignments and that unemployment benefits may be denied for failure to do so.

**SENATE BILL 233****WORKERS' COMPENSATION**

This legislation amends provisions of the Workers' Compensation Law relating to the notice provisions to nonresident parties, the effect of an employee's refusal to submit to a medical examination, the effect of decisions granting or denying Social Security disability benefits, an employer's or insurer's failure to pay charges, an employee's refusal to accept suitable employment, and the maximum and minimum weekly benefits.

**SENATE BILL 329****SPENDING ACCOUNT AND CONSUMER DRIVEN HEALTH PLAN ADVANCEMENT ACT**

This legislation establishes enabling provisions for spending accounts and consumer driven health plans, provides statutory authorization for the establishment of such plans, and

facilitates the advancement of such plans.

A spending account plan or consumer driven health plan may be written in this state for a group or for an individual. Such plan may contain a spending account feature which will provide the first-dollar payments for health care services up to a designated amount. Group plans may, but are not required to, provide for a uniform spending account limit. An individual plan may incorporate a spending account feature with a limit not exceeding \$10,000 annually.

For any plan having a spending account feature, the amount of the spending account is not required to be the same as the attachment point for insurance reimbursements. If the attachment point for insurance reimbursements to the plan is higher than the amount contained in the spending account, a notice describing the monetary gap for which an individual will be liable must be given to the holder of the spending account.

The insurance contract providing reimbursements for expenditures for health care services incurred by the plan may be a stop-loss, specific excess and aggregate, or other similar contract. It may be written by an insurer licensed for life, accident, and sickness insurance or by an insurer licensed for casualty insurance. In either case, the contract must be in the name of the plan as the contract holder and must contain at least the following:

1. The attachment point after which the payments by the insurer will be made;
2. The amounts for allowable spending accounts;
3. An attachment containing the plan document;
4. A conspicuous disclosure on the first page of the contract that it is not a policy of accident and sickness insurance; and
5. All other relevant terms and conditions.

A stop-loss or specific excess and aggregate contract will not be construed or interpreted as an accident and sickness insurance policy. No stop-loss or specific excess and aggregate policy may be cancelled or nonrenewed because of the level of health care claims.

#### **HOUSE BILL 215**

#### **CREDIT SCORING IN UNDERWRITING OR RATING RISKS BY INSURANCE COMPANIES**

This legislation prohibits insurers from using credit information to underwrite or rate risks for personal insurance, such as homeowners or automobile, under certain circumstances.

#### **HOUSE BILL 598**

#### **INSURANCE FRAUD**

This legislation provides that any natural person who knowingly and willfully or with reckless disregard engages in the following activities, either directly or indirectly, as an agent for, as a representative of, or on behalf of an insurer not authorized to transact insurance in this state, commits the crime of insurance fraud:

1. Soliciting, negotiating, procuring, or effectuating insurance or annuity contracts or renewals;
2. Soliciting, negotiating, procuring, or effectuating any contract relating to benefits or services;
3. Disseminating information as to coverage or rates;
4. Forwarding applications;
5. Delivering policies or contracts;
6. Inspecting or assessing risk;
7. Fixing of rates;
8. Investigating or adjusting claims or losses;
9. Collecting or forwarding of premiums; or
10. In any other manner representing or assisting an insurer in the transaction of insurance with respect to subjects of insurance located, or to be performed in this state.

The above provisions do not apply to surplus line insurance.

Any natural person who knowingly and willfully with intent to defraud, subscribes, makes, or concurs in making any annual or other statement required by law to be filed with the commissioner, which contains any material statement that is false, commits the crime of insurance fraud.

## **NATURAL RESOURCES**

### **HOUSE BILL 285**

### **SOIL EROSION AND SEDIMENTATION CONTROL**

This legislation improves the ability of the Environmental Protection Division (EPD) to efficiently handle the review of erosion and sedimentation control plans, provide adequate enforcement of sites all over the state with limited personnel, and grant the Division the authority to levy a new state permit fee of up to \$80 for every acre of disturbed land.

EPD will require that all cities and counties adopt an ordinance that mirrors the federally-mandated general permit specifications. If a local government wants to continue to issue permits for land disturbing activities, the local ordinance must duplicate the state's general permits standards, requirements and provisions for monitoring, reporting, inspections, design standards, turbidity standards, and education and training. Local government issuing authorities must require that every employee who is involved in the regulation of land disturbing activities to attend seminars and, prior to 2007, pass an exam to be certified as a person qualified to be an erosion and sedimentation control regulator.

Issuing authorities are able to continue charging all applicable local fees prior to the issuance of the land disturbance permit, integrate local ordinances relating to land development with the erosion and sedimentation ordinance, and exceed state-minimum stream buffer distances.

EPD must share half of the permit fee with any local government that accepts the additional enforcement responsibilities required by the federally-mandated general permit.

A Stakeholder Advisory Board is created. The Stakeholder Advisory Board will be responsible for working together with the EPD and the State Soil and Water Conservation Commission (SSWCC) to establish, evaluate, and maintain the education and training program established in this bill, including, but not limited to, reviewing course curricula, educational materials, and exam and testing procedures; evaluating trainer and instructor qualifications; and reviewing audit results performed by the SSWCC.

This legislation also provides that, in furtherance of its efforts to improve the quality of the natural resources of the state, a panel will be appointed to study the controls implemented pursuant to this bill; the turbidity standards in place in the state; and any standards or indicators other than turbidity that may be more appropriate to assess the effectiveness and cost efficiencies of the controls.

### **HOUSE BILL 579**

### **WATER-MEASURING DEVICES**

In order for the State to properly manage water resources and for farmers to improve efficiency and effectiveness of their water use, the State Soil and Water Conservation Commission (Commission) has the duty of implementing a program of measuring farm uses of water in order to obtain clear and accurate information on the patterns and amounts of use. Accordingly, the Commission must, on behalf of the state, purchase, install, operate, and maintain water-measuring devices for farm uses that are required to have permits.

In consultation with the Director of the Environmental Protection Division, the Commission must develop a priority system for the installation of water-measuring devices for farm uses that have permits as of July 1, 2003. It must, provided that adequate funding is received,

install and commence operation and maintenance of water-measuring devices for all farm uses by July 1, 2009. The Commission may charge any permittee reasonable costs for purchase and installation of a water-measuring device for any farm use permit issued after July 1, 2003; however, for permit applications submitted prior to December 31, 2002, no charge may be made for such costs. The Commission must issue an annual progress report on the status of water-measuring device installation.

After July 1, 2003, no person may commence a farm use for which a permit is required without first ensuring that the Commission has installed a water-measuring device. Provided that adequate funding is received, no person may use water for a farm use required to have a permit without having a water-measuring device in operation that has been installed by the Commission.

## **PUBLIC SAFETY AND HOMELAND SECURITY**

### **SENATE BILL 22**

### **DISCLOSURE OF CRIMINAL RECORDS**

The bill authorizes the Georgia Crime Information Center (GCIC) to provide records of arrests, charges, or sentences for crimes relating to first offenders when the offender has been exonerated and discharged without court adjudications of guilt on or after July 1, 2004, if the information requested is regarding employment with a child welfare agency, school, day or after school care for minor children, a nursing or personal care home, or mental facility, and the person was prosecuted for an offense dealing with sexual misconduct. The bill also provides that first-time offenders may be disqualified from employment involving children, the elderly, or the mentally ill if he/she was prosecuted for such offenses.

### **SENATE BILL 215**

### **PEACE OFFICER TRAINING EXPENSES**

This bill provides that if the State of Georgia or any county or municipality employs a peace officer who is hired by another agency within 15 months after completing mandated or formalized training requirements, then the total expense of training, including salary paid during training must be reimbursed by the hiring agency to the entity that initially paid for the training. If the officer is hired by another agency after 15 to 24 months, then one-half of the total expense of training must be reimbursed. The entity must be able to document that the peace officer signed an acknowledgment of the terms of this Code section.

### **SENATE BILL 292**

### **POLICE PURSUIT POLICIES**

This legislation requires all state, county, and local law enforcement agencies that conduct emergency response and vehicular pursuits to adopt written policies that set forth the manner in which these operations will be conducted. Each law enforcement agency may create its own policies or adopt an existing model. All pursuit policies created or adopted by any law enforcement agency must address situations in which police pursuits cross over into other jurisdictions. Law enforcement agencies which do not comply with the requirements of this provision are subject to the withholding of any state funding or state administered federal funding.

### **HOUSE BILL 191**

### **VEHICLE REGISTRATION AND INSURANCE**

This bill allows voluntary cancellation of vehicle registration when the vehicle is not in use for any reason. A registration that has been cancelled may be reinstated upon payment of all accrued taxes and license fees. The Commissioner of the Department of Motor Vehicle Safety may waive the lapse fee for any owner whose vehicle registration has been voluntarily cancelled pursuant to this bill. A county tag agent must waive the lapse fee, restoration fees and registration suspension fee from military personnel who present official orders of deployment outside the continental United States. The bill also extends the deadline that requires proof of insurance to be stored on the Department of Motor Vehicle Safety's data base from February 1, 2003 to January 1, 2004. A valid insurance card is



sufficient proof of insurance until December 31, 2003.

**HOUSE BILL 319**

**DRIVERS' LICENSES**

This bill assists legal aliens who do not have a social security number obtain a driver's license by allowing the Department of Motor Vehicle Safety to accept certification from the Social Security Administration that an applicant for a driver's or commercial driver's license, a learner's permit, or identification card is not eligible for issuance of a social security number. If an alien's legal authorization to be in the U.S. expires, any Georgia driver's license issued to that person will be revoked. The bill also amends Georgia's "Child Support Recovery Act" so as to bring it in line with federal regulations regarding child support enforcement.

**HOUSE BILL 397**

**FIREARMS**

This bill provides an affirmative defense for a violation of carrying a deadly weapon to public gatherings or in a transportation terminal if a person notifies a law enforcement officer or other person employed to provide security for the public gathering or transportation company of the presence of the item as soon as possible and surrenders or secures it as directed.

The bill also prohibits any person from: (1) avoiding or interfering with a properly functioning security measure; (2) intentionally disabling or inhibiting the operation or effectiveness of any properly functioning safety device; or (3) rendering inoperable or partially inoperable for any period of time any properly functioning traffic control device. This provision does not apply to authorized agents of the entity owning or operating such security measure or safety/traffic device.

**HOUSE BILL 457**

**UNIFORM RULES OF THE ROAD**

This bill addresses uniform rules of the road as they relate to drivers passing stationary emergency, towing, recovery, and highway maintenance vehicles in the following manner:

(A) The driver of a motor vehicle who approaches a stationary authorized emergency vehicle that is displaying flashing yellow, amber, white, red, or blue lights must approach the vehicle with due caution and must, absent any other direction by a peace officer, proceed to make a lane change into a lane not adjacent to the authorized emergency vehicle, if possible. If a lane change is impossible, prohibited by law, or unsafe, the driver must reduce the speed of the motor vehicle to a reasonable and proper speed and be prepared to stop.

(B) The driver of a motor vehicle who approaches a stationary towing or recovery vehicle or stationary highway maintenance vehicle that is displaying flashing yellow, amber, or red lights must approach with due caution and must, absent any other direction from a peace officer, make a lane change into a lane not adjacent to the towing, recovery, or highway maintenance vehicle if possible. If the lane change is impossible, prohibited by law, or unsafe, the driver must reduce speed to a reasonable and proper speed.

(C) A violation of the provisions will be a \$500 fine.

**REGULATED INDUSTRIES AND UTILITIES**

**SENATE BILL 272**

**TELEMARKETING SOLICITATION TO WIRELESS CUSTOMERS**

This bill amends the provisions regulating telemarketing to residential telephone subscribers, including the "no call" list operated by the Public Service Commission, to cover wireless subscribers.

**HOUSE BILL 506****MANUFACTURED/MOBILE HOMES**

This bill allows the owner of a mobile or manufactured home to file a certificate of permanent location with the appropriate local authorities so that the home will be considered real property for ad valorem taxation purposes. Currently, manufactured homes and mobile homes are assessed as personal property. The process for converting a mobile or manufactured home from personal property to real property and vice versa is delineated in the bill.

**HOUSE BILL 726****LAND SURVEYORS**

This bill provides a new definition for “land surveying” which delineates the scope of practice between land surveyors and engineers. The revised definition addresses such projects as the size of storm water management plans, facilities and grading site plans, and erosion and sediment control plans, including detention ponds.

**RETIREMENT****HOUSE BILL 266****PUBLIC SCHOOL EMPLOYEES RETIREMENT FUND**

This nonfiscal legislation amends provisions relating to retirement benefits for members of the Public School Employees Retirement System. Specifically, this bill authorizes the Board of Trustees to grant a benefit increase to retired members, provided the increase does not exceed the maximum amount allowed by law. Currently, the maximum monthly benefits for retired members of this System is \$15 for each year of creditable service. The decision to increase the retirement benefit must be based upon the recommendations of the actuary, the actuarial soundness of the fund, and other factors as the Board of Trustees deems relevant.

**HOUSE BILL 268****PEACE OFFICERS’ ANNUITY AND BENEFIT FUND-MEMBERSHIP AND CONTRIBUTIONS**

This nonfiscal bill amends provisions relating to member contributions paid to the Peace Officers’ Annuity and Benefit Fund. Specifically, this bill increases the dues paid by members from \$10 per month to \$20 per month. Additionally, members purchasing creditable service for prior service are required to purchase such service at the increased rate of \$20 per month for the full period of time in which creditable service is desired. Interest will continue to be compounded annually at 10 percent per annum, from the date the prior service was rendered to the date of payment for all years claimed as prior service.

**HOUSE BILL 461****GEORGIA MILITARY PENSION FUND BREAK IN SERVICE**

This nonfiscal legislation amends provisions relating to retirement benefits for members of the Public School Employees Retirement System. Specifically, this bill authorizes the Board of Trustees to grant a benefit increase to retired members, provided the increase does not exceed the maximum amount allowed by law. Currently, the maximum monthly benefits for retired members of this System is \$15 for each year of creditable service. The decision to increase the retirement benefit must be based upon the recommendations of the actuary, the actuarial soundness of the fund, and other factors as the Board of Trustees deems relevant.

**STATE AND LOCAL GOVERNMENT****SENATE BILL 136****REALLOCATION OF INTEREST EARNED ON MARTA RESERVE FUNDS**

This legislation provides that until June 30, 2006, and only if expressly authorized by the MARTA board, interest earned on reserve funds set aside for rebuilding, repairing, or

renovating facilities of the rapid transit system; for replacing, repairing, or renovating equipment or other capital assets; or from the sale or other disposition of real property, may, without regard to the original source of the funds so reserved, be used to pay the operating costs of the system.

**SENATE BILL 155**

**STATE AND LOCAL DEFERRED COMPENSATION PLANS**

Current law requires that state and local deferred compensation plans operate without cost to state and local government employers, except for incidental costs associated with administering the plan. This provision may limit the ability of state and local employers to make contributions to 457 plans on behalf of their employees, because such contributions may be considered a cost to the employer. This legislation clarifies language and provides that employer contributions to a deferred compensation plan are not considered a cost to the state or local employer sponsoring the plan.

**SENATE BILL 258**

**ELECTIONS**

This legislation revises the election code to reflect the adoption of Direct Recording Electronic (DRE) voting equipment and the Help America Vote Act (HAVA). Other changes involve revisions to mail-in registration, voter challenge, voter registration, candidate qualification, absentee voter procedures, and ballot counting procedures. Significant provisions of this legislation include the following:

Certification Program for Electronic Voting Equipment. County and municipal election superintendents or, in the case of a board of elections or board of elections and registration, a designee, must satisfactorily complete a certification program approved by the Secretary of State no later than January 1, 2007.

Qualifying Fees – County Constitutional Offices. The qualifying fee for candidates in races for each county constitutional office will be 3 percent of the office’s base salary.

Qualifying for Party Nomination – State or County Primaries; and for Presidential Elector. Candidates are no longer required to qualify in person and may qualify through an agent or representative.

Electronic Applications and Signatures. The electronic transmission of voter registration applications and signatures from public assistance offices, offices which provide state funded programs primarily engaged in providing services to persons with disabilities, and recruitment offices of the armed forces of the United States located within this state is now permitted. Electronic signatures will be valid as signatures on the voter registration application and will be treated in all respects as a written original signature.

Municipalities Using County Equipment. Counties are authorized to contract with municipal governments for the use of voting equipment in municipal elections under terms and conditions specified by the Secretary of State. Counties may not levy a fee for use of state owned voting equipment but may require municipalities to reimburse the county for the actual expenses related to the election that is subject to the county and municipal contract.

Absentee Ballot Applications – Prohibited Attachments. No person, entity, or organization may distribute any official absentee ballot application that is physically attached to a publication that advocates for or against a particular candidate, issue, political party, or political body.

Restrictions Within the Vicinity of a Polling Place. No candidate, whose name appears on a current ballot being voted upon, may physically enter any polling place other than the polling place at which that person is authorized to cast his or her ballot and, after casting a ballot, the candidate may not return to the polling place until after the poll has closed and voting has ceased. Probate judges serving as election superintendents can enter polling places to fulfill their duties as election superintendents.

Voter Identification – Presented Prior to Voting. This section adds the following items as a proper form of voter identification, in addition to the 13 existing forms of identification:

- A current utility bill, or legible copy, showing the voter's name and address;
- A bank statement, or legible copy, showing the voter's name and address;
- A government check or paycheck, or legible copy, showing the voter's name and address; or
- A government document, or legible copy, showing the voter's name and address.

More than One Candidate Receiving a Plurality of Votes. If more than one candidate in a general election receives a plurality of votes cast (over 45 percent), the candidate receiving the highest number of votes will be declared the winner.

## **HOUSE BILL 380**

## **THE STATE FLAG**

This legislation creates a new Georgia State flag. A statewide referendum on the date of the 2004 Presidential Preference Primary will determine if Georgia will retain the new flag, or re-establish to the flag adopted under Governor Barnes.

## **TAXES**

### **HOUSE BILL 43**

### **STATE AND LOCAL TAX REVISION ACT OF 2003**

This bill provides various tax incentives and exemptions, and it increases the tax on certain tobacco products. Some of the most significant tax breaks include: codifying property tax relief; providing a sales tax exemption for tangible personal property used in the construction of an aquarium owned or operated by a 501(c)(3) organization under IRS rules; providing a sales tax holiday for certain school items between 12:01 A.M. on July 31, 2003 through 12:00 Midnight on August 3, 2003; providing a schedule of increasing amounts of retirement income that will be excluded for state income tax purposes; allowing certain military income to be exempt from state income tax; providing income tax credits to manufacturing companies that create specified full-time jobs and prove a minimum level of investment; and exempting from sales tax contact lenses distributed by the manufacturer as free samples to licensed dispensers.

### **HOUSE BILL 504**

### **TAX REFUNDS AND PREPAID MOTOR FUEL TAXES**

This bill revises provisions relating to revenue and taxation. It provides that a claim for refund may not be submitted by a taxpayer on behalf of a class of other taxpayers alleged to be similarly situated. Additionally, the bill provides for the prepayment of certain motor fuel taxes through a "prepaid state tax" by the dealer based on an estimated average of monthly payments. The rate of prepaid state tax on motor fuel must be determined on a semiannual basis by the Commissioner of the Department of Revenue.

## **TRANSPORTATION**

### **SENATE BILL 256**

### **TRANSIT BUSES ON DIVIDED HIGHWAYS**

This legislation allows transit buses operated by or under contract to the state, a public agency, or a county or municipality of the state, if permitted by the Commissioner of Transportation, to use emergency lanes of a controlled-access highway in the metropolitan Atlanta nonattainment area. The Commissioner of Transportation will designate which controlled-access emergency lanes may be used by transit buses. To qualify, a transit bus must have a seating capacity of at least 33 passengers. Authorized transit buses: (1) may only utilize those lanes when main lane traffic speeds are less than 35 miles per hour; (2) may not exceed the speed of the main lane traffic by more than 15 miles per hour; and (3) must never exceed 35 miles per hour. Drivers of transit buses operating in emergency lanes must yield to merging, entering, and exiting traffic and to other vehicles in emergency lanes. Any transit bus operating in the emergency lanes must be registered with the

Department of Transportation.

**SENATE BILL 257**

**STATE ROAD AND TOLLWAY AUTHORITY**

This legislation defines how the State Road and Tollway Authority may receive, consider, evaluate, and accept an unsolicited proposal for a public-private initiative. It defines how the authority may consider an unsolicited proposal only if the proposal is independently originated and developed by the proposer and includes sufficient detail and information for the authority to evaluate the proposal in an objective and timely manner and to determine if the proposal benefits the public.

**HOUSE BILL 321**

**REGULATION OF MAINTENANCE OF PUBLIC ROADS**

This legislation adds new drives, driveways, access ways, or changes that require access to the state right-of-way to the existing language that fits the legal definition of a subdivision. It adds that if the subdivision requires access to the state highway system, it is now required to follow current planning commission rules. It allows the planning commission to overrule department action that would reject a recommendation.

**VETERANS AND MILITARY AFFAIRS**

**SENATE BILL 261**

**ZONING PROCEDURES AND CODE ENFORCEMENT**

This bill provides that whenever any review of a zoning proposal or decision involving land that is adjacent to or within 3,000 feet of any military base/installation or Clear Zone and Accident Prevention Zone Numbers I and II of a military airport, the planning department must investigate and make a recommendation regarding the proposal's impact on the surrounding area and existing land use plans. The military commander of such facility must be requested to provide a written recommendation and supporting facts relating to the proposed zoning decision.

This bill also enacts the "Local Government Code Enforcement Boards Act." This authorizes the creation of administrative boards with the authority to impose administrative fines and other noncriminal penalties as a method of enforcing any codes and ordinances in force in counties and municipalities, where pending or repeated violations exist.

**HOUSE BILL 303**

**STATE DEFENSE FORCE**

This bill authorizes serving members of the State Defense Force to use and operate state property of the Georgia Department of Defense and other state agencies, including vehicles, to accomplish training and fulfillment of assigned missions. However, the use of such property will not be allowed to interfere with the function and training of the National Guard or any state agency.

## INDEX OF LEGISLATION PASSED (LISTED BY COMMITTEE)

### AGRICULTURE AND CONSUMER AFFAIRS

SB 14 Agriculture; Georgia Dairy Act violations; penalty provisions  
SB 183 Livestock; control of contagious diseases, chemicals, poisons, toxins; notices and reports of suspicious illnesses; violations  
HB 108 Fraud; failure to pay for Christmas trees and horticultural crops  
HB 293 Honeybees; inspection and registration of colonies; change provisions  
HB 307 Structural pest control; insurance requirements  
HB 347 Veterinary practice; extensively revise provisions  
HB 757 Eggs; labeling information; expiration dates  
HB 798 Vidalia Onion Act; amend provisions  
HR 357 Search and rescue dogs; monument honoring; authorize erection

### APPROPRIATIONS

SB 247 Greenspace Trust Fund; taxpayer voluntary income tax contributions  
HB 121 Supplemental appropriations; FY 2002 - 2003  
HB 122 General appropriations; FY 2003 - 2004  
HB 456 Distance learning and telemedicine; use of funds in Universal Service Fund; enterprise information technology needs  
HB 526 Nursing Home Provider Fee Act; enact  
HR 92 Blackstock, Ms. Mavis; compensate

### BANKING

SB 53 Georgia Fair Lending Act; amend provisions  
SB 78 Banking and Finance; regulations; comprehensive revisions  
HB 680 Check cashing businesses; licensure; change certain exemption

### CHILDREN AND YOUTH

SB 200 Children in protective services; conviction data relevant to adult contacts  
SB 201 Child abuse records; Department of Human Resources sharing information with the Office of School Readiness  
SB 236 Juvenile proceedings; placement of child following termination order; additional placement options  
SR 281 Senate Study Committee on the Implementation of Children and Youth Services Improvement Plans  
HB 479 Child fatality; review committee; powers of panel

### ECONOMIC DEVELOPMENT, TRADE AND TOURISM

SB 291 Combat veterans' grave sites  
SR 53 Music Industry Committee  
SR 225 'The Georgia China Future'; public-private initiative  
HB 134 Bingo; increase prize amounts  
HB 225 World Congress Center Overview Committee  
HB 279 Bingo; electronic or computer devices  
HB 519 Lake Lanier Islands Development Authority  
HB 596 Oconee River Greenway Authority  
HB 893 Tobacco product manufacturers  
HR 266 Regional Development Center boundaries

### EDUCATION

SB 29 Local boards may establish policy for students possessing electronic communication devices in school  
SB 193 Restores fair dismissal rights for all teachers  
SB 223 Teachers' contracts must contain all information, including salary, and cannot be tendered with blanks  
SB 249 Loosens expenditure controls, freezes class size reductions, and requires performance audits for projects funded with sales tax.  
SB 346 Requires the State Board of Education to establish a Teen Dating Violence Prevention Education Program  
SR 146 Establishes a Senate Educational Testing Study Committee  
HB 25 Forfeited leave restoration for teachers and other personnel  
HB 590 Teachers transferring from other states; exemption from certain certification exams; changes to the teacher certification process allowing more flexibility by the Professional Standards Commission

## **HIGHER EDUCATION**

- SB 244 Provides that eligible students may not receive a tuition equalization grant for more than 127 semester hours or 190 quarter hours of his or her undergraduate program
- SB 255 Provides an exception from conflict of interest laws for certain persons doing business with the University System
- SR 220 Establishes a Joint Study Commission for Improvement of the HOPE Scholarship
- HB 95 Creates a cause of action for certain college athletic recruitment rule violations
- HB 551 Addresses the Georgia Student Finance Commission, the Georgia Student Finance Authority, service cancelable loans, and residency requirements for the HOPE Scholarship

## **ETHICS**

- SB 73 Five-year restriction on naming state property for a public official
- SB 113 Public record disclosure exceptions for homeland security purposes

## **FINANCE**

- SB 134 Watercraft; vessel classification; required equipment; reportable accidents
- HB 43 Sales tax; exempt certain organizations; archeological preservation
- HB 93 Occupation taxes; redefine gross receipts; exclude certain sales
- HB 148 Sales tax exemption; liquid petroleum gas; horticultural purposes
- HB 189 Sales tax; certain carpet samples; fair market value
- HB 413 Storm water wetlands; conservation use property; preferential assessment; ad valorem tax
- HB 468 Income tax; estimated tax; underpayment amount
- HB 469 Income tax; claim for refund; filing date
- HB 504 Motor fuel tax; prepaid tax
- HB 517 Retail installment contracts and revolving accounts; fees
- HB 527 Ad valorem tax exemption; farm equipment in inventory for resale
- HB 531 Ad valorem tax; preferential assessment; environmentally contaminated property
- HB 537 Housing tax credits; qualified projects; credit amounts
- HB 550 State purchasing; benefits based funding projects; certain contracts
- HB 556 Revenue Commissioner; powers and duties
- HB 621 State Financing and Investment Commission and Environmental Facilities Authority
- HB 748 Enterprise zones; additional qualifying businesses and services

## **HEALTH AND HUMAN SERVICES**

- SB 71 Disaster relief; counseling services; license exemption
- SB 85 Optometry; practicing without a license; increase punishment
- SB 96 Health insurance; covered benefits; off-label prescription drugs
- SB 190 Marriage licenses; repeal testing for syphilis requirements
- SB 264 Community living arrangements or drug abuse treatment facilities; licensure; violations
- HB 53 Anatomical gifts; advisory board; add organ recipient
- HB 54 Eye bank operators; amend provisions
- HB 318 Adult Day Center Licensure Act; enact
- HB 372 Loan forgiveness; Department of Human Resources rules and county board compliance; Emergency Responder Vaccination Program; smallpox immunity provision
- HB 521 Colleges; meningococcal disease; vaccinations

## **INSURANCE AND LABOR**

- SB 156 Life Insurance; insurable interest on an employee by a corporation; consent of insured
- SB 166 Insurance; individual deferred annuities; nonforfeiture rate
- SB 167 Unemployment compensation; state-wide reserve ratio rate
- SB 233 Workers' compensation; notices; employee's medical treatment; disability; benefits
- SB 329 Spending Account and Consumer Driven Health Plan Advancement Act
- SR 234 Creates the Unemployment Insurance Trust Fund Joint Study Committee; and the Subsequent Injury Trust Fund Joint Study Committee
- HB 215 Insurance; credit and credit scoring provisions
- HB 598 Insurance fraud
- HB 721 Health insurance identification cards; prohibit showing social security number
- HB 735 Supplemental appropriation; Department of Labor
- HB 792 Civil practice; class actions; tort reform, transfer of structured settlement rights, fairness in arbitration

## **INTERSTATE COOPERATION**

HB 309 Creation of a joint development authority by a county of Georgia and a contiguous county of an adjoining state

## **JUDICIARY**

SB 47 Pardons and Parole Board; granting relief; written decision made public  
SB 80 Child support and custody issues; deprived child; juvenile court jurisdiction  
SB 86 Local government; transfer of development rights; sending property  
SB 97 Real estate transfer tax; exemptions; certain instruments; deeds or writings  
SB 101 Sexually violent predators; prohibited within proximity of minors  
SB 104 Deposit account fraud; increase the maximum service charge  
SB 105 Bad checks; increase maximum service charge; mailing notices  
SB 116 Juvenile proceedings; delinquent acts; discovery and inspection; regulation  
SB 117 Sheriffs; unlawful to engage in certain businesses  
SB 119 Appeals in Death Penalty Cases; motion for new trial; request for DNA testing  
SB 214 GBI Forensic Sciences Division; authority to disinter/reinter bodies  
HB 32 Estates; missing domiciliary; certain perilous exposure; death determination  
HB 90 State bar applicants; submit fingerprints to FBI for check  
HB 140 Criminal justice agencies; limit certain data to GCIC; certain warrants  
HB 164 Supreme Court; answer question of law from district court  
HB 175 Smoking in motor vehicles with child in car seat; define offense (Possession and consumption of bottled water on public transportation)  
HB 194 Uniform Athlete Agents Act  
HB 196 Marijuana; trafficking prosecution; reduce quantity  
HB 213 Payment card transactions; printed receipt; restrict information  
HB 236 RICO Act; redefine racketeering activity; include insurance fraud  
HB 246 Public records inspection; written requests; certain information redacted  
HB 255 Superior court fees; interpreters; temporary protective order hearings  
HB 261 Controlled substance and prescription drugs; opioid prohibition  
HB 301 Judicial sales later rescinded; limitation of damages  
HB 339 Probation system; confidential records; commissioner may declassify  
HB 367 Oral trust of personal property  
HB 414 Pretrial motions; time limit for filing  
HB 462 Sexual exploitation of children; computer pornography; obscene Internet contact  
HB 463 Sex offender registry; amend provisions  
HB 470 Juvenile courts; jurisdiction; everyone under the age of 18 years  
HB 722 Domestic relations; temporary protective orders; duration  
HB 770 Indigent Defense Act; enact; circuit public defenders  
HR 68 Supreme Court; jurisdiction; certain questions of law

## **NATURAL RESOURCES AND THE ENVIRONMENT**

SB 94 Exemption under the Coastal Marshlands Protection Act for private residential docks  
SB 129 Soil classifiers for on-site sewage management sites  
SB 207 Local regulatory authority for non-qualifying timber harvesting operators  
HB 157 Continuation of the Coastal Management Provisions  
HB 285 Soil Erosion and Sedimentation Control  
HB 304 Water Well Contractors  
HB 444 Prohibition of certain boats on Lake Oconee  
HB 509 Comprehensive ordinances relating to soil erosion and sedimentation and land-disturbing activities  
HB 579 Water-measuring devices for farm uses of water resources  
HB 815 License provisions relating to hunting, alligator hunting and deer hunting with dogs

## **PUBLIC SAFETY AND HOMELAND SECURITY**

SB 7 Emergency Vehicles; Air Ambulance Services; licensure and regulation  
SB 22 Criminal records; disclosure; employment; caring for children or elder persons  
SB 121 Motor vehicles; abandoned; businesses engaged in nonconsensual towing; regulations  
SB 169 Firefighter Standards and Training Council; change provisions  
SB 205 Illegal drug trafficking; anhydrous ammonia, methamphetamine, amphetamine; increase criminal penalty  
SB 213 Fireworks, pyrotechnics; public displays; proximate audience; site permits, licensure  
SB 215 Peace Officers; training expenses; reimbursement by hiring agency  
SB 229 Driver Licenses; court conviction reports; transmittal fees  
SB 345 State Fire Marshal and Staff; investigatory powers; arrests; search warrants  
HB 166 Volunteer firemen; certain injuries; disability compensation  
HB 182 Uniform rules of the road; improve enforcement; amend provisions  
HB 191 Motor vehicles; registration and insurance provisions; amend



HB 319 Drivers' licenses; social security number or certification of non-eligibility  
HB 397 Firearms; certain unauthorized possession; affirmative defense  
HB 447 Drivers' licenses for minors; amend provisions; driver training schools  
HB 455 Limousine carriers; annual inspection reports  
HB 581 Motor vehicle franchises; enforcement by Department of Motor Vehicle Safety  
HB 688 Vehicle Protection Product Act; enact

### **REGULATED INDUSTRIES**

SB 87 Revenue Bond Law; 'undertaking'; gas generation systems; remove referendum requirement  
SB 158 City of LaGrange Gas Authority Act  
SB 272 Telemarketing; solicitation to cellular telephone subscribers; no call list  
SR 276 Electric transmission system; urge not adopt proposed standard market design rules  
HB 177 Real estate appraisers, brokers, and salespersons; amend provisions  
HB 327 Conditioned air equipment and plumbing; redefine; include certain natural gas piping systems  
HB 352 Licensing boards; complaints against licensee; certain notification  
HB 506 Manufactured homes/mobile homes; certificate of permanent location  
HB 726 Professional engineers and land surveyors; redefine land surveying

### **RETIREMENT**

HB 266 Public School Employees Retirement Fund  
HB 268 Peace Officers' Annuity and Benefit Fund- membership and contributions  
HB 270 Judges of the Probate Court Retirement Fund- eligibility and application  
HB 289 Sick and personal leave for state employees  
HB 461 Georgia Military Pension Fund break in service

### **RULES**

SB 33 Designate; The Mighty Eighth Air Force Heritage Museum; center for character education programming  
SR 49 Medicare prescription drug benefit coverage; urge Congress to enact  
SR 431 Creates the Senate Study Committee on Location of Electric Transmission Lines; the Senate Study Committee on the Filing and Approval of Property and Casualty Insurance Rates; and the Senate Teleworking Study Commission  
HB 380 Flag; nonbinding state-wide referendum  
HB 846 OCGA; conform references to House and Senate committee names  
HR 175 Rod Smith Memorial Garden; designate  
HR 397 Joint MARTA Finance Study Committee; create  
HR 545 Carter, President Jimmy; Nobel Laureate; address joint session

### **SCIENCE AND TECHNOLOGY**

No legislation assigned to this committee passed the General Assembly in the 2003 Legislative Session

### **SPECIAL JUDICIARY**

SB 132 Changes provisions relating to reservation and filing fees for corporations  
SB 192 Changes certain provisions relating to adoptions and original birth certificates  
SB 211 Changes certain provisions relating to business corporations and merger and share exchanges  
SB 277 Provides that a conservation use covenant may be renewed in the ninth year of a covenant period and continued without a lapse in the agreement for an additional ten years  
SR 35 Establishes a Blue Ribbon Commission on Response, Investigation, and Prosecution of Sexual Assault Offenses  
HB 103 General code correction bill for the retirement and pensions code  
HB 104 General code correction bill for the Georgia Code  
HB 105 General code correction bill for the elections code  
HB 173 Prohibits the wearing of a bulletproof vest during the commission of certain crimes  
HB 226 Increases the penalties for violation of county and state authority ordinances  
HB 385 Provides regulation of the practice of debt adjustment or credit counseling

### **STATE AND LOCAL GOVERNMENT OPERATIONS – GENERAL LEGISLATION**

SB 136 MARTA reserve funds; use of interest income for operating costs  
SB 155 State and local deferred compensation plans  
SB 258 Elections  
SB 292 Law enforcement agencies; establish vehicular pursuit policies

HB 291 DOAS bidding procedures; deletes sunset provision  
HB 561 Local government grant certification audits

### **STATE INSTITUTIONS AND PROPERTY**

SB 20 Assault; person with HIV or hepatitis endangering peace/correctional officers  
SR 120 Public property; conveyance; granting of easements for facilities, utilities 15 counties and Tennessee  
SR 121 Public property; conveyances; Macon, Muscogee, Richmond, Talbot, Troup, Decatur, Fulton, Coffee, Baldwin Counties  
HB 144 Inmate labor; certain private property; victim compensation

### **TRANSPORTATION**

SB 37 Electric assistive mobility device; lights on garbage trucks; regulate  
SB 173 Commercial motor vehicles and school buses; prohibitions  
SB 250 Vehicle certificate of title applications; owner's legal name and driver's license number  
SB 256 Highways; use of emergency lanes; transit buses; metro Atlanta area  
SB 257 State Road and Tollway Authority; public-private initiative proposals  
SR 6 Designate; Earl T. Shinholster Interchange and Bridge  
SR 66 Designate; William S. Hutchings Bridge; Bibb County  
SR 67 Designate; Thelma 'T-Lady' Ross Bridge; Bibb County  
SR 69 Designate; Dan J. DeLoach Highway; Echols County  
SR 90 Designate; Byrd M. Bruce Interchange; Jefferson  
SR 150 Designate; Dan and Marie Branch Highway; Meriwether County  
SR 171 Designate; Dixie Highway Auto Trail; certain NW Georgia and northern metro Atlanta roads  
SR 229 Designate; Charles F. Hatcher Highway; Baker County  
HB 321 Subdivisions accessing state highway system; Department of Transportation approval  
HB 457 Motor vehicles; reduce speed when passing certain stationary vehicles  
HR 25 Robert Henry Jordan Memorial Highway; designate  
HR 28 Sonny Kemp Intersection; designate in Hall County  
HR 81 Harold Mann Memorial Interchange; designate  
HR 88 Jim Gillis-Historic Savannah Parkway; designate  
HR 106 Sheriff-elect Derwin Brown Memorial Bridge; designate  
HR 107 Staff Sgt. Avely W. Runnels Memorial Highway; designate  
HR 115 Martin Luther King, Jr., Bypass; designate  
HR 128 Lt. Col. Doyce Ariail Highway; designate  
HR 129 Shelton Isaiah DeLoach Memorial Bridge; designate  
HR 131 Albert Shelton Swindell Memorial Highway; designate  
HR 146 Dean Bryant Intersection; designate  
HR 212 Charles F. Hatcher Highway; designate  
HR 213 Sonny Dixon Interchange; designate  
HR 406 Gamaliel Hilson Memorial Overpass; designate

### **VETERANS AND MILITARY AFFAIRS**

SB 261 Zoning procedures; land adjacent military base, installation, or airport  
HB 303 State defense force; authority to use certain state property

### **INTERIM SENATE STUDY COMMITTEES**

SR 35 Establishes a Blue Ribbon Commission on response, investigation, and prosecution of sexual assault offenses  
SR 53 Music Industry Committee  
SR 146 Establishes a Senate Educational Testing Study Committee  
SR 220 Establishes a Joint Study Commission for Improvement of the HOPE Scholarship  
SR 225 'The Georgia China Future'; public-private initiative  
SR 234 Creates the Unemployment Insurance Trust Fund Joint Study Committee; and the Subsequent Injury Trust Fund Joint Study Committee  
SR 281 Senate Study Committee on the Implementation of Children and Youth Services Improvement Plans  
SR 431 Creates the Senate Study Committee on Location of Electric Transmission Lines; the Senate Study Committee on the Filing and Approval of Property and Casualty Insurance Rates; and the Senate Teleworking Study Commission  
HR 397 Joint MARTA Finance Study Committee; create

## VETOED LEGISLATION

(This list does not include local legislation.)

- SB 81 Georgia Emergency Medical Services Medical Directors Advisory Council; create
- SB 88 Music and Sports Halls of Fame
- SB 178 Provides for a 10% state salary increase for school counselors and school social workers who achieve national certification
- SB 187 Terrorism Prevention; rename Organized Crime Prevention Council; powers and duties
- SB 221 State Road and Tollway Authority; limit use and disposition of toll revenues
- SB 265 Emergency medical; automated external defibrillators; registration requirement
- HB 26 Exemption on the prohibition against disturbing archeological and other submerged sites
- HB 56 Renal Dialysis Advisory Council; kidney patients recommend one member
- HB 147 State employees' health insurance; agricultural commodity commission employees
- HB 290 Ad valorem tax; certain use assessment; riverside or streamside land
- HB 314 Greenspace Trust Fund; interest; provisions for expenditure
- HB 424 Allows payroll deductions for state employees for the Georgia Higher Education Savings Plan
- HB 497 East Central Georgia Railroad Excursion Authority; create
- HB 503 Tollways; causeway to barrier islands; exemption for certain residents
- HB 544 Income tax; certain monthly returns; increase threshold
- HB 619 Accident and sickness insurance; franchise group plans
- HB 638 State benefits plans; include employees of critical access hospitals and federally qualified health centers