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2004 REGULAR AND SPECIAL SESSION HIGHLIGHTS

This document highlights selected legislation passed by the 2004 Georgia General Assembly and is intended to provide only a general overview. This document contains an index of passed legislation, Interim Senate Study Committees, as well as vetoed legislation. If further 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/snresearch/senresearch.html

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APPROPRIATIONS

HOUSE BILL 1180

FY 2004 AMENDED APPROPRIATIONS ACT

The current recession has left revenues below expectations and the state unable to fund the original \$16.17 billion budget for Fiscal Year 2004. Prior to the legislative session, the Governor reduced the funds available for appropriation by \$27.7 million because of lagging revenues. Early in the session, House Bill 1207 was passed and it generated \$208 million, to be made available for appropriation from surplus and revenue shortfall reserve funds. Prior to the passage of the 2004 amended budget in the Senate, the Governor again reduced the revenue estimate by \$158 million, but made \$89 million available from nursing home provider fees. The final amount appropriated was \$16.08 billion. Most agencies' budgets received a 2.5 percent cut. These cuts included reducing Quality Basic Education (QBE) by \$127 million, Board of Regents formula earnings by \$34.8 million, and Greenspace by \$10 million. However, Medicaid received an additional \$173 million in state funds to meet the projected costs incurred from past years and the projected cash needs for Fiscal Year 2004; and QBE received an additional \$128 million for increased enrollment. No new bonds were issued in this bill, but the Department of Natural Resources' bonds were reallocated for the Georgia Land Conservation Partnership, a new program which replaces the Greenspace Program.

HOUSE BILL 1181

FY 2005 GENERAL APPROPRIATIONS ACT

The Fiscal Year 2005 final budget is \$16.4 billion, \$251 million more than the Governor's proposed revenue estimate at the beginning of the legislative session. Prior to Conference Committee for this Act, the Governor reduced his revenue estimate by \$56 million, but made available for appropriation an additional \$126 million in lottery proceeds, \$1 million in Brain and Spinal Injury Trust Fund revenues, \$89 million from nursing home provider fees, \$58 million from court fees, and \$33 million from collecting motor fuel taxes at the wholesale level. House Bill 869, the bill that would have generated \$58 million in court fees, did not pass during the regular session; therefore, the budget passed was unbalanced. A special session was held to address this issue.

Although most agencies' budgets were cut by 5 percent in addition to the 2.5 percent cut in the FY 2004 Amended Budget, many of the state's critical needs were addressed.

Community Health

To reduce expenditures, House Bill 1181 decreased the number of individuals eligible for Medicaid coverage by decreasing the maximum income a family can earn from 235 percent of the federal poverty limit to 200 percent. In addition, the PeachCare program will have a sliding scale of premiums based on the income of its members. The maximum premium for a family will be \$70 per month. However, state funding for Medicaid benefits was increased by \$368 million (for a total of \$926 million combined with federal funds) to meet the \$5.1 billion needed for FY 2005 claims.

Criminal Justice

In order to address increasing inmate population and a backlog of state prisoners in county jails, the Department of Corrections will receive an appropriation of \$8 million for the lease of 1500 beds at Stewart Prison, \$5.5 million for the operation of the Pelham and Emanuel facilities, and an additional \$12 million in bonds for bed space expansion. The Board of Pardons and Paroles will receive funding for 15 vacant parole officer positions and the Department of Public Safety will receive funding for a trooper school of 25 students.

Education

In his budget report, the Governor recommended reducing Quality Basic Education (QBE) formula earnings by \$380 million. House Bill 1181 restores \$204 million for QBE formula funding for classroom teachers, counselors, and classroom materials.

In addition, \$95 million will go to school districts for enrollment growth, \$22 million for increased training and experience of teachers, and \$48 million for equalization grants to smaller school districts.

AGRICULTURE AND CONSUMER AFFAIRS

SENATE BILL 436

AGRICULTURAL WATER CONSERVATION INCENTIVE PROGRAM

Senate Bill 436 creates the Agricultural Water Conservation Incentive Program (Program) which will be developed, implemented, and supervised by the State Soil and Water Conservation Commission. The Program will provide incentives to agricultural producers to foster water conservation and enhance water quality. Participation in the Program will be voluntary and will include all 159 counties and 40 soil and water conservation districts in Georgia.

HOUSE BILL 648

REGULATION OF POULTRY PRODUCTION CONTRACTS AND PRACTICES

House Bill 648 provides for the regulation of poultry production contracts. Although poultry production contracts are negotiated, growers contend they are in an inferior negotiating position because the integrators, who usually provide the chickens, have regional monopoly power. The contract provisions required by the integrators limit the information that growers have available to make informed decisions. For example, integrators may restrict review of their contract with the grower and prohibit legal representation or may restrict who is allowed to watch the scales when the chickens are returned and weighed. Growers also want more information regarding the chickens' history, because many growers believe the integrator may provide inferior birds.

The contracts between producers and integrators usually require arbitration instead of litigation. The growers believe the arbitrators favor integrators, while a jury would offer a more balanced opinion. House Bill 648 does not include arbitration but does allow a chicken producer: (1) to have the poultry production contract reviewed by an attorney or adviser; (2) to cancel the contract within three business days or until the chicks have been placed with the producer; (3) to receive statistical information and data about the chickens' history; and (4) to observe the weights and measures that determine the producer's compensation.

HOUSE BILL 656

NOTIFICATION TO CONSUMERS BY CREDIT CARD ISSUERS

This bill adds new language to the Fair Business Practices Act relating to unfair or deceptive practices in consumer transactions. A credit card issuer who mails an unsolicited offer or solicitation encouraging someone to apply for a credit card and subsequently receives a completed application by mail which lists an address that is not substantially the same as the address on the solicitation may not issue a credit card based on that application until steps have been taken to verify the applicant's valid address to the same extent as is required by the United States Patriot Act (31 U.S.C. Section 5318 - Special Due Diligence for Correspondent Accounts and Private Banking Accounts). Any person who violates these provisions commits an unlawful practice.

Upon receiving an application, a credit card issuer may issue a credit card to a consumer or commercial customer with whom it already has a business relationship, provided that the address to which the card is mailed is a valid address based upon information in the records of the credit card issuer or its affiliates.

BANKING AND FINANCIAL INSTITUTIONS

SENATE BILL 157

PAYDAY LENDING

Although the Attorney General of the State of Georgia has officially opined, prior to the passage of Senate Bill 157, that payday lending is in violation of Georgia law, this bill provides specific language to that effect and increases the penalties for such violations. Loans of \$3,000 or less are illegal unless made by a person engaging in financial transactions permitted pursuant to: (1) the laws regulating financial institutions; (2) the laws relating to Georgia residential mortgages; (3) the Georgia Industrial Loan Act; (4) the laws regulating interest and usury; (5) the laws contained in the Credit Card and Credit Card Bank Act; and (6) the laws defining simple interest as a rate not greater than 16 percent per annum.

Loans of \$3,000 or less are lawful under the terms of: (1) the Retail Installment and Home Solicitation Act; (2) the Motor Vehicle Sales Finance Act; (3) the laws regulating pawnbrokers; or (4) a loan made as a tax refund anticipation loan, provided the loan is made using a borrower's filed tax return for not more than the anticipated refund, and only those returns filed with the proper government agency qualify.

In general, the advancing of funds to be repaid at a later date is an action regulated by Georgia law. New language creates Chapter 17 of Title 16 of the O. C. G. A. relating to crimes and offenses, and it provides the civil penalties to be assessed to any person who makes such loans illegally in any form including, by mail, electronically, over the Internet, or by telephone. Such person will be barred from collecting the debt, will be liable to the borrower and to the state for a civil penalty for three times the amount of any interest or other charges, and will be subject to a state tax that will be collected in connection with the income taxation of the person at a rate of 50 percent of all proceeds received from the illegal loans. The newly-created chapter allows for class action suits to be brought against any such person on behalf of an ascertainable class of borrowers.

Additionally, new language includes such unlawful activity in the definition of "racketeering activity" found in Chapter 14 of Title 16 of the O. C. G. A., Racketeer Influenced and Corrupt Organizations (RICO), which subjects persons to various civil remedies and the forfeiture of property under RICO forfeiture proceedings.

Finally, new language provides that if the borrower is a member of the military, the lender must meet certain obligations, including: (1) garnishing military wages is prohibited; (2) pursuing collection activities when the borrower is deployed is prohibited; (3) contacting the commanding officer of a military customer in an effort to collect on the loan is prohibited; (4) the lender must agree to be bound by any repayment negotiations made through military counselors or third-party credit counselors; and (5) the lender must honor any statement or proclamation by a military base commander that a specific payday lender branch is off-limits to military personnel. Additionally, any customer of a payday lender that is a member of the military must be provided with written disclosures of the obligations that the lender must meet as discussed above.

The bill has an effective date of May 1, 2004.

CHILDREN AND YOUTH

SENATE RESOLUTION 760 JOINT EARLY LEARNING INITIATIVE COMMISSION

This legislation creates the "Improvement of Georgia's Pre-K Program Joint Study Commission." The Commission seeks to study the conditions, problems, and issues concerning the funding of the Pre-K Program in Georgia.

HOUSE BILL 1347**CRIMINAL RECORDS CHECKS; PRODUCT SAFETY RECALL NOTICES**

Currently, all day care centers, foster care agencies, adoption agencies, and group homes must conduct preliminary criminal records checks on all employees before they may care for a child. Only foster care agencies must secure the preliminary criminal records check exclusively through the Department of Human Resources. House Bill 1347 allows a foster care agency to obtain Georgia Crime Information Center (GCIC) information through local law enforcement agencies regarding preliminary criminal records checks on employees, foster parents, and adults residing in a foster care home. This process is an alternative to the agency's obtaining the information through the Department of Human Resources.

This bill also requires any agency, department, or office that regulates child welfare agencies to make contact information for the U.S. Consumer Product Safety Commission available regarding recall notices on unsafe child and infant products. Child welfare agencies are required to post on-site the phone number and website of the U.S. Consumer Product Safety Commission in a location which is visible to both parents and visitors. The notice must also advise parents and visitors of the manner in which to obtain recall notices on unsafe child and infant products.

HOUSE BILL 1580**FOSTER PARENTS BILL OF RIGHTS**

The General Assembly finds that it is in the best interest of Georgia's child welfare system to acknowledge foster parents as active and participating members of the system and to support them through the "Foster Parents Bill of Rights." This bill provides information and guidelines for foster parents in Georgia. This bill of rights must be given full consideration when the Division of Family and Children Services (DFCS) develops policies regarding foster care and adoptive placement. The legislation is designed to attract more people to the state's foster program, and to help provide the necessary support to maintain current involvement in the foster care program.

THE COURTS**HOUSE BILL EX1****INDIGENT DEFENSE/COURT FEES**

House Bill EX1 was introduced and passed during the 2004 Special Legislative Session. This bill provides funding for a statewide indigent defense system that will begin operation on January 1, 2005. During the 2003 Legislative Session, legislation was passed that established, but did not pay for, the indigent defense system. The system was established to replace overwhelmed and underfunded local programs that were often found unable to protect the rights of indigents accused of crimes. HB EX1 will raise up to \$58 million for the statewide indigent defense system through the collection of court fees and fines: a \$15 fee will be charged for filing civil lawsuits; an additional 10 percent will be imposed on criminal fines; the lesser of \$50 or 10 percent will be retained on bail forfeitures; and indigent defendants will be required to pay a \$50 application fee, if they can afford it.

Not only does this legislation ensure that Georgia meets its constitutional requirement to provide defense to indigents, but local governments should save money with the new public defender offices that will be provided to each judicial circuit under this new system. Jail costs should decrease because defendants will get to court more quickly, and the state will begin to defend indigent death penalty cases, which will save the counties from paying the expensive attorneys' fees.

SENATE BILL 147**FAMILY VIOLENCE SHELTER CONFIDENTIALITY ACT**

This bill requires that each person, corporation, or other entity that provides telephone service in this state or publishes, disseminates, or otherwise provides telephone

directory information or listings of telephone subscribers must file a plan with the Public Service Commission detailing how it will protect the confidentiality of the address or location of family violence shelters. The plan must describe how the location and address of such shelters will be kept confidential. Such plans must be updated at least every 24 months. A copy of all original, updated, and revised plans must also be filed with the State Commission on Family Violence.

SENATE BILL 400

LEVI'S CALL – CIVIL LIABILITY EXEMPTION FOR BROADCASTERS

To encourage broad participation in Levi's Call, Georgia's Amber Alert Program to search for missing children, Senate Bill 400 provides that a broadcaster will not be liable for any civil damages arising from the broadcast or other dissemination of any alert generated pursuant to the Levi's Call. The immunity will apply to any broadcast or dissemination of information that is consistent with information transmitted by Georgia Emergency Management Agency and that occurs at any time during an alert and for a period of two hours after the alert has ended or GEMA informs the broadcaster that the content of the alert has changed.

SENATE BILL 457

SEXUAL ABUSE PROTOCOL COMMITTEE

This bill requires each judicial circuit to establish a sexual assault protocol. The protocol committee must adopt a written sexual assault protocol, a copy of which must be furnished to each agency in the judicial circuit that handles cases of sexual assault. The purpose of the protocol is to ensure coordination and cooperation between all agencies involved in sexual assault cases so as to increase the efficiency of all agencies handling such cases and to minimize the stress created for the alleged sexual assault victim by the legal and investigatory process. This protocol will outline in detail the procedures to be used in investigating, collecting evidence, paying for expenses related to evidence collection, and prosecuting cases arising from alleged sexual assault. This protocol must be developed and adopted no later than December 31, 2004.

SENATE RESOLUTION 595

CONSTITUTIONAL AMENDMENT REGARDING MARRIAGE

This Constitutional Amendment, if ratified by a majority of the voters in the November 2004 general election, would provide that the State of Georgia will not recognize a union between persons of the same sex as a marriage, even if such union has been recognized as such by another state or jurisdiction. In addition, such a union will not be entitled to the benefits of marriage nor will the state have jurisdiction over such union with regards to the granting of a divorce or separate maintenance.

HOUSE BILL 20

VICTIM COMPENSATION AWARDS

This bill provides that the next of kin of deceased victims of accidents caused by driving under the influence of drugs or alcohol can request that a memorial sign be erected by the Department of Transportation at the location of the accident. Fines will be increased in order to pay for this program.

HOUSE BILL 229

REVISION OF THE GUARDIANSHIP CODE

House Bill 229 is an organization, modernization and clarification of the Georgia laws that relate to the guardianship of the person and property of minors and adults who are unable to care for themselves. Experts in the field of guardianship and conservatorship attended a series of seven years' of monthly meetings, and then collaborated to present this comprehensive bill that updates current law, incorporates recent legislative amendments, reflects recent decisions of the Georgia appellate courts, and adopts statutes prepared by the National College of Probate Court Judges.

HOUSE BILL 484

PERSONAL PROPERTY IN CUSTODY OF LAW ENFORCEMENT

This bill provides that within 30 days following the creation of the evidence log by the court officer having custody of the physical evidence introduced in a case, all physical evidence must be returned to the rightful owner of the property unless the physical evidence is necessary for the appeal of the case, for a new trial, or for purposes of complying with Code Section 17-5-56, which addresses the maintenance of physical evidence involving biological material.

HOUSE BILL 1450

JUDICIAL EMERGENCY ACT

This bill provides the judicial system, with a means by which to adjust certain rights, deadlines, and schedules, to take into account the potentially devastating effects of a judicial emergency. A judicial emergency is defined as a state of emergency declared by the Governor, a public health emergency, a local emergency, or other serious emergency when an authorized judicial official determines the emergency substantially endangers or infringes upon the normal functioning of the judicial system, the ability of persons to avail themselves of the judicial system, or the ability of litigants to have access to the courts or to meet schedules or time deadlines.

HOUSE BILL 1519

COMMON SENSE CONSUMPTION ACT

In reaction to the proliferation of lawsuits threatening the fast food industry, House Bill 1519, the “Common Sense Consumption Act” was enacted. It provides immunity from civil liability from claims arising out of weight gain, obesity, or a health condition associated with weight gain or obesity.

CRIMES AND CRIMINAL JUSTICE

SENATE BILL 281

PROHIBITION OF THE SALE OF CHILDREN

This bill provides that it will be unlawful for any person to sell, offer to sell, or conspire with another to sell or offer to sell a child for money or anything of value. Persons violating this Code section will be guilty of a felony and punished by a fine not to exceed \$10,000 or imprisonment for not more than ten years, or both.

SENATE BILL 467

CHILD ENDANGERMENT

Senate Bill 467 seeks to protect the well-being of children in Georgia while preserving the integrity of family discipline. Before the passage of Senate Bill 467, Georgia was the only state in the country without a child protection law; this legislation brings Georgia’s child cruelty laws in line with those of rest of the nation. The bill provides that a person commits the offense of cruelty to children when a person causes a child cruel or excessive physical or mental pain. The bill also enhances the punishment that may be imposed upon a person convicted of existing crimes relating to child endangerment. Due to the high risk of injury associated with the production of methamphetamine, this legislation provides that it is unlawful to engage in activities associated with manufacture or possession of the drug in the presence of children.

SENATE BILL 469

CONDITIONS OF PROBATION

The bill prohibits any person from soliciting or knowingly and without authority removing, destroying, or circumventing the operation of an electronic monitoring device which is being used to monitor a person who is: (1) complying with a home arrest program; (2) wearing an electronic monitoring device as a condition of bond or pretrial release; (3) wearing an electronic monitoring device as a condition of probation; or (4) wearing an electronic monitor as a condition of parole. Any person who violates this Code section will be punished by imprisonment for not less than one year nor more than five years.

The court may prohibit any probationer who has been convicted of a “criminal offense against a minor” from: (1) entering or remaining present at the victim’s school, place of employment, place of residence, or other specified place at times when the victim is present; or (2) entering or remaining present in areas where minors congregate, including child care facilities or schools. The phrase “criminal offense against a minor” includes: kidnapping; false imprisonment; criminal sexual conduct; solicitation to engage in sexual conduct; use of a minor in a sexual performance; solicitation to practice prostitution; pornographic related offenses; and any conduct which, by its nature, is a sexual offense.

The court may also require the probationer to wear a device capable of tracking his/her location by electronic surveillance or global positioning systems. The Department of Corrections will assess and collect fees from the probationer for such monitoring, unless he/she is indigent.

HOUSE BILL 239

COUNTY JAIL INMATES

The bill prohibits earned time allowances for exceeding one-half of the period of confinement imposed, except that the sheriff or other custodian may authorize up to four days credit for each day on which an inmate does work on an authorized work detail. The increased credit for performance on a work detail will not apply to an inmate who is incarcerated for: (1) a second or subsequent offense of driving under the influence within a five-year period; (2) a misdemeanor of a high and aggravated nature; or (3) a crime committed against a family member (family violence).

HOUSE BILL 653

POSSESSION OF TOBACCO BY MINORS

House Bill 653 expands on current law which prohibits the sale of tobacco to a minor. This bill provides that it is unlawful for a minor to possess cigarettes or tobacco-related objects for personal use. An exception is provided when the parent or guardian of the minor gives the tobacco or the tobacco-related object to the minor and possession is in the home of the parent or guardian and the parent or guardian is present. A minor who commits this offense may be required to perform up to 20 hours of community service and/or attend a free lecture or discussion on the health hazard of smoking.

HOUSE BILL 1161

PROBATION MANAGEMENT ACT

The Probation Management Act authorizes judges to order probationers into the sentencing options system operated by the Department of Corrections (Department). The sentencing options system is a continuum of sanctions for probationers created that includes: (1) probation detention centers or residential substance abuse treatment facilities; (2) probation boot camps; (3) probation diversion centers; (4) intensive probation; (5) options system day reporting centers; (6) electronic monitoring; (7) community service; or (8) probation supervision. An options system day reporting center is a state facility providing supervision of probationers which includes, but is not limited to, all special and general conditions of probation. When a defendant has been sentenced to the sentencing options system, the court must retain jurisdiction throughout the period of the probated sentence and may modify or revoke any part of the probated sentence.

The bill authorizes the Department to establish a system of administrative sanctions as an alternative to judicial modifications or revocations for probationers who violate the terms and conditions of the sentencing options system established under this Article. The Department may not, however, sanction probationers for violations of special conditions of probation or general conditions of probation for which the sentencing judge has expressed an intention that such violations be heard by the court. The Department may only impose restrictions which are equal to or less restrictive than the initial sanction set by the sentencing judge.

If an options system probationer violates the conditions of probation, the department may impose administrative sanctions as an alternative to judicial modification or

revocation of probation. If the chief probation officer determines that the probationer has violated a condition of probation, the chief probation officer is authorized to impose: intensive probation; options system day reporting center; electronic monitoring; community service; or probation supervision. The failure of an options system probationer to comply with a sanction will constitute a violation of probation.

Nothing contained in the Probation Management Act will be construed as repealing any power given to any court of this state to place offenders on probation or to supervise offenders. This Act will apply only in counties that have an options system day reporting center certified by the Department.

This Act will become effective on July 1, 2004 and will be repealed in its entirety on July 1, 2006.

HOUSE BILL 1441

TRAFFICKING OF ECSTACY

Due to the dangers associated with the drug commonly known as ecstasy, this bill makes the trafficking of ecstasy a felony offense. Ecstasy is a particularly dangerous drug because it is marketed and targeted almost exclusively to adolescents.

ECONOMIC DEVELOPMENT AND TOURISM

SENATE BILL 395

MASTER SETTLEMENT AGREEMENT

This bill addresses deposits made into escrow accounts under the Master Settlement Agreement (MSA) with tobacco product manufacturers. A tobacco product manufacturer's funds placed into escrow will be released to the manufacturer to the extent that the manufacturer establishes that the amount it was required to place into escrow based on the units sold in Georgia in a particular year was greater than the MSA payments. The MSA payments are determined pursuant to Section IX(i) of the MSA which provides that after a final determination of all adjustments, the manufacturer is required to make an accounting of such units sold had it been a participating manufacturer and any excess funds must be released from escrow and returned to the tobacco product manufacturer.

This Act governs all requests for the release of escrow moneys made on or after the effective date of the bill.

SENATE BILL 492

BINGO; LICENSED OPERATORS

The bill provides that if the Director of the Georgia Bureau of Investigation determines that an organization has one or more auxiliaries, the members of any such auxiliary may assist in the organization's bingo operations, even if the auxiliary holds a license under this part. The members of the main organization may also assist in the bingo operations of any such licensed auxiliary.

SENATE BILL 531

DEPARTMENT OF INDUSTRY, TRADE, AND TOURISM

The bill authorizes the Georgia Department of Industry, Trade, and Tourism (Department) to acquire personal property with no mandatory requirement that the Department proceed through the Department of Administrative Services. The Department may receive supplies, materials, equipment, services, and other personal property and intangible benefits in connection with joint advertising and promotional projects. It may also issue licenses to others for the use of property in its custody or control, including intellectual property and other personal property, but may not become a joint owner. By way of illustration and not limitation, the Department may allow the use of its logo in advertising and on uniforms provided by cooperating entities to be worn by Department employees.

The bill also authorizes the Department to acquire real property and to construct, operate, and maintain such projects as are beneficial to the development of industry, trade, and tourism and to create economic and employment opportunities within the state. The Department is authorized, with the approval of the State Properties Commission, to enter into agreements to lease, rent, or convey the real property of any such project.

HOUSE BILL 1529

THE DEPARTMENT OF ECONOMIC DEVELOPMENT

The bill changes the name of the Department of Industry, Trade, and Tourism to the Department of Economic Development. The bill also changes: (1) the name of the Board of Industry, Trade, and Tourism to the Board of Economic Development; and (2) the title of the Commissioner of Industry, Trade, and Tourism to the Commissioner of the Department of Economic Development.

EDUCATION

SENATE BILL 456

DEPARTMENT OF EARLY CARE AND LEARNING

This bill creates the Department of Early Care and Learning (Department) as a successor to the Office of School Readiness and transfers the regulation, licensure, and enforcement of early care and education (day care) programs from the Department of Human Resources (DHR) to the Department. In addition to the current functions of the Office of School Readiness, the Department will regulate early care and education programs; perform the functions currently performed by the Georgia Child Care Council relating to improvement of the quality, availability, and affordability of child care in this state; serve as the Head Start state collaboration office; and perform any other functions agreed upon by the Department and DHR. The Department will have a commissioner appointed by the Governor, who will be the chief administrative and executive officer, and a board consisting of one member from each congressional district appointed by the Governor. The transfer of the regulation, licensure, and enforcement duties of DHR will occur on October 1, 2004. The Board of the Georgia Child Care Council will remain in existence as an advisory body to the Department.

HOUSE BILL 1179

**CRIMES AGAINST SCHOOL EMPLOYEES;
ALEANA'S LAW**

This bill creates tougher criminal penalties for those who assault or attack school personnel, including school bus drivers, while they are performing school-related functions. This bill also requires each public school system to promulgate policies and procedures for the operation of school buses and the conduct and safety of students who ride the buses. Each bus driver must acknowledge in writing that he or she has received a copy of and has read and understands the policies. At the beginning of each school year, each public school system will make accessible a schedule of school bus routes that indicate the morning pickup route beginning time and the afternoon school bell time, as well as the total number of stops on each school bus route. The time for the bus arrival at each stop will be commensurate with the route beginning time and prescribed stop sequence, except in unforeseen circumstances. In addition, a new Code section is added which details requirements for school bus drivers when loading and unloading children and operating the school bus. It requires that the school bus driver instruct all passengers exiting the bus of the proper procedure for crossing the roadway in front of the bus only.

HOUSE BILL 1190

**EDUCATION FLEXIBILITY AND ACCOUNTABILITY;
SCHOOL DISCIPLINE**

This bill is a comprehensive school reform effort, providing many changes affecting the operation of schools and student behavior.

Flexibility

This bill makes a variety of changes to the organization and operation of school councils, including allowing the council to have more than seven members, as long as the number of parent and teacher members is equal.

This bill removes the current site-based expenditure controls for the 2004-2005 school year. Instead, this section requires that 100 percent of funds earned for direct instruction be expended for direct instruction at the *system* level. In addition, 100 percent of direct instruction funds for early intervention at the kindergarten, primary grade, and upper elementary grade levels must be expended at the *system* level, with no requirement that the school system spend any specific portion of the funds at the site where such funds were earned. During the 2004-2005 school year each school system must spend 90 percent of funds for professional development for such costs at the system level.

This legislation freezes the class size reduction in grades four through twelve for one more year. Class sizes for kindergarten and grades one through three are frozen at the 2003-2004 level. In addition, compliance with maximum class sizes will be determined on the system average, provided that no individual class can exceed the maximum size by more than two students. This section applies to the 2004-2005 school year only.

This legislation adds a new Code section to Title 20 of the O. C. G. A. that authorizes the State Board of Education to waive specifically identified state rules, regulations, policies, and procedures, or provisions under Title 20, upon the request of a local school board, as long as the goal for such waiver is improvement of student performance.

This bill provides that for those students who fail to pass the third grade criterion-referenced reading assessment and are retained in the third grades, local school systems are authorized to place those students in transition classes, provide extended time in the third grade Early Intervention Program, or both, in addition to other methods of instruction. In addition, the State Board will contract the Georgia State University Andrew Young School of Public Policy to conduct a study of all the third grade students who fail the first criterion-referenced reading assessment in the 2003-2004 school year.

This bill requires local boards of education to develop, by January 1, 2005, a written policy regarding allowing or prohibiting unstructured break time (recess) for students in kindergarten and grades one through eight.

Discipline and Truancy Issues

The bill provides that after five unexcused days of absence, each day thereafter will constitute a violation of compulsory attendance requirements. It also requires that the school must notify the parent or guardian of the child after five unexcused absences.

In addition, the bill requires the chief judge of the superior court of each county to establish a student attendance protocol committee for his/her county. The committee must adopt a written student attendance protocol for each school system within its geographic boundaries by June 1, 2005. The protocol must outline the procedures to be used in identifying, reporting, investigating, and prosecuting cases of students who fail to comply with compulsory school attendance. The protocol must also outline, in detail, methods for determining the causes of students failing to comply with compulsory attendance and for appropriately addressing the issue with children and their parents or guardians. Additionally, the protocol must include recommendations for policies relating to tardiness.

With regard to school discipline, this bill allows local boards of education to refuse to enroll students who are under disciplinary suspensions or expulsions from Georgia public schools, Georgia private schools, or public schools outside the state for any time remaining on that school's disciplinary order. It also adds new offenses which must be addressed by each school system's student code of conduct. The code of conduct must also address any off-campus behavior of students which could result in the student being criminally charged with a felony and which makes the student's continued

presence at school a potential danger to persons or property at the school or which disrupts the educational process. The bill removes current law prohibitions against applying the disciplinary provisions in state law to children in grades K-5. The local board of education must now address students in these grades in the student code of conduct.

The bill also requires that principals and superintendents fully support the authority of teachers to remove unruly students from their classrooms.

Charter Schools

This bill allows charter school petitioners a blanket exemption from certain provisions of Title 20, state or local rules, regulations, policies, and procedures which do not relate to the operation of a local school. The bill also authorizes the state board to create a facilities fund for local charter schools and state chartered special schools for the purpose of establishing a per pupil, need-based facilities aid program.

Accountability

This bill removes the current letter grades from the state accountability system and allows the Office of Student Achievement to design a system using numerical or other grades. If a school has received an unacceptable rating for a period of two consecutive years or more, the State Board must impose the following interventions automatically: mandated public school choice; specified maximum class sizes; and site based expenditure controls. The State Board is authorized to impose additional restrictions or mandates on schools as it deems appropriate. Before the implementation of any interventions for a school that has received an unacceptable rating for two or three years, the local board of education must have an opportunity to examine the data that form the basis for the intervention or interventions and to provide any correction, explanation, or supplement to such data. The department will determine whether to accept or reject any revision in the data proposed by the local board and shall subsequently intervene or not in accordance with the department's determination of the data. The local board may then request an opportunity for a hearing before the State Board to justify why an intervention should not be required. The intervention will not be stayed pending the hearing or determination of the State Board. The State Board's decision will be final.

Drivers' Licenses

Under the provisions of this bill, parents will no longer be able to give permission for students to drop out of school in order for the student to obtain a driver's license or permit. Students will not be able to obtain a driver's license or permit if they fail to meet school attendance requirements for one academic year prior to application for the instruction permit or license.

Students with ten or more unexcused absences in any semester will not be permitted to have a driver's license or permit for one year or until the student's eighteenth birthday, whichever comes first. Students who have been suspended from school for criminal sexual offenses or for causing substantial or visible bodily harm to others will have their drivers' licenses suspended, and they will not be permitted to regain their license for one year or until the minor's eighteenth birthday, whichever comes first.

The Department of Motor Vehicles may grant an exemption from these provisions if there is clear and convincing evidence that the enforcement of the provisions upon the student would create an undue hardship upon the student or his or her family or if there is clear and convincing evidence that the enforcement of the provisions would act as a detriment to the health or welfare of the student.

HOUSE BILL 1428

QUALIFICATIONS OF HOME SCHOOL TUTORS

This bill allows tutors hired by parents who home school their children to have a high school diploma instead of the baccalaureate degree that is required by current law.

HIGHER EDUCATION

HOUSE BILL 1325

CHANGES TO THE HOPE SCHOLARSHIP PROGRAM

Since projections indicate that the Lottery for Education revenues will not be able to keep up with HOPE Scholarship expenditures in Fiscal Year 2005 or 2006, this bill makes a number of changes in an effort to protect the HOPE Scholarship for current and future students.

First, this legislation will require, beginning in May, 2007, that all high school students have their high school grades in core subjects converted to a 4.0 scale. Students in a college preparatory curriculum must have a 3.0 in order to qualify for the HOPE Scholarship. Students in a career/technical curriculum must have a 3.2 in order to qualify. In addition, coursework taken by high school students under the postsecondary options program will count toward the HOPE Scholarship.

The bill also creates additional checkpoints at which student postsecondary GPAs will be checked in order for the students to continue receiving a HOPE Scholarship.

The bill further provides that no student may receive a HOPE Grant for more than 95 quarter hours or 63 semester hours of attempted coursework. No student may receive more than a total of 190 quarter hours or 127 semester hours of combined HOPE Scholarships and Grants. Attempted coursework includes courses taken under the postsecondary options program in high school.

This legislation creates the HOPE Scholarship/Pre-K Legislative Oversight Committee.

Lastly, the bill creates “triggers” at which points books and fees will no longer be paid. It provides that in the event that the year-end balance of a fiscal year is less than the year-end balance of the fiscal year immediately preceding, then all funds paid for book allowances will be capped at \$150.00 per student beginning in the next fiscal year. “Year-end balance” means the amount, as determined by the state auditor, or unexpended and uncommitted funds in the Lottery for Education Account at the end of a fiscal year, not including amounts in any shortfall reserve subaccounts. However, this will not apply to students who are eligible to receive the federal Pell Grant. In the event that the year-end balance of any subsequent fiscal year is less than the year-end balance of the fiscal year immediately preceding, then all payments for book allowances will be eliminated beginning in the next fiscal year. However, this will not apply to students who are eligible to receive the federal Pell Grant. In the event that the year-end balance of any further subsequent fiscal year is less than the year-end balance of the fiscal year immediately preceding, then all payments for mandatory fees will be eliminated.

FINANCE AND TAXATION

SENATE BILL 393

AD VALOREM TAXATION/MILITARY PERSONNEL/ HOMESTEAD EXEMPTION FILING

This bill provides for year-round filing of applications for homestead exemptions. This change allows a homeowner to apply at anytime after the purchase of the property up to March 1 of the subsequent year without waiving the right to claim such exemption. Formerly, state law required that such applications be filed by June 1 of the year of purchase; however, such deadline could vary from jurisdiction to jurisdiction.

Additionally, the bill provides that a member of the armed forces of the United States serving outside the continental United States may file his or her initial or renewal application for special assessment any time within a six-month period following his or her return. Deployed military personnel are allowed 90 days for filing an appeal of

assessment with a county board of equalization. The standard deadline for appeal is 45 days. While deployed, military personnel can designate a person to represent them for purposes of such appeal.

HOUSE BILL 709

LOCAL SALES TAXES/LAND USE AGREEMENTS

The major provisions of this bill include the sales and use tax for the Atlanta sewer system and the agreement between the Georgia Municipal Association (GMA) and the Association of the County Commissioners of Georgia (ACCG) regarding the proceeds from a Special Purpose Local Option Sales Tax (SPLOST) and Land Use regulations. Additional provisions are also explained.

I. Atlanta Sewer System

The provisions for Atlanta allow the voters to decide in a referendum if they want to impose a sales tax within the city limits of Atlanta in Fulton County to pay for water and sewer projects and costs. These costs include capital outlay and maintenance and operation expenses. The county is given an opportunity to call for a SPLOST, but if the county does not call for the SPLOST or takes no action in response to the city's request for a SPLOST, the city may call for the sales tax referendum within the city limits. The sales tax would not apply to the sale of motor vehicles.

If passed by the voters, the city sales tax would last for no more than four years and could be renewed twice upon voter approval without county participation. The sales tax proceeds must be used exclusively for water and sewer projects costs and repayment of debt for water and sewer projects.

II. ACCG/GMA Agreement

After almost two years of negotiation GMA and ACCG have reached agreement on sales tax equity and land use concerns.

SPLOST - The sales tax equity provisions governing the Special Purpose Local Option Sales Tax (SPLOST) include:

1. County Control - County governments are still in control of the call of the tax. If a county government chooses not to call a SPLOST, the SPLOST will not be called.
2. Qualified Municipalities – Under the language included in HB 709, all incorporated municipalities should be eligible to share in SPLOST proceeds. The number of criteria for eligibility was changed from 6 to 12.
3. Distribution of Tax Proceeds – When a county government calls a SPLOST, the proceeds of the tax will be distributed according to one of the following methods:
 - Intergovernmental Agreements. Tax proceeds may be distributed according to an intergovernmental agreement entered into prior to the call between the county and municipalities representing 50 percent of the municipal population. As an incentive for counties and municipalities to reach agreements regarding the use of SPLOST proceeds, a SPLOST called pursuant to an intergovernmental agreement may run for six years, and may be collected for the entire six years, regardless of when revenue expectations are achieved.
 - Level One Projects/Population Split. Additionally, a county government may choose to use *some or all* of the SPLOST proceeds to fund “*level one projects.*” A “*level one project*” is a *capital outlay project of the county that carries out functions on behalf of the state.* These projects are limited and consist of a county courthouse or county administrative building; a jail or other correctional facility; and a county health department facility. If there are no level one projects, then level two county-wide projects, which benefit all citizens of the county, have priority for up to 20 percent of the total proceeds. A level two county-wide project may be county or municipal. If one or more level one projects are funded, the following conditions apply:
 - The SPLOST must be collected for a full five-year period, regardless of when revenue expectations are achieved. This requirement will ensure that no county will call a SPLOST for a short time period in order to fund a level one project and deny SPLOST proceeds for other purposes.

- If the level one project or projects are expected to require more than 24 months of SPLOST proceeds, the tax must be collected for a full six-year period, regardless of when revenue expectations are achieved. This requirement will make it more likely that SPLOST proceeds will be available to be shared between the county and municipalities.
 - Any proceeds collected in excess of the amount needed to fund the level one project or projects must be distributed between the county and the municipalities either according to: (1) an intergovernmental contract; or (2) population, with each municipality receiving a percentage of the proceeds based on the ratio its population bears to the county-wide population. The county would receive a percentage of the proceeds based on the ratio that the population of the unincorporated area of the county bears to the county-wide population. This population-based distribution formula would also apply in the event that no level one project is funded and no intergovernmental contract exists.
4. Eligible Road, Street, and Bridge projects - The legislation clarifies the eligible road, street, and bridge purposes for which the SPLOST may be used.

Land Use - The new provisions regarding land use have the primary focus of delaying the time it takes for property to be rezoned contemporaneous with annexation or within one year of annexation when a county interposes a legitimate, substantiated objection to a change in the intensity of the land use. This is intended to prevent property owners from pitting cities and counties against one another for more favorable zoning conditions. The maximum delay established by these changes is five months. After that period of time, a new zoning for the property may become effective.

The bill provides for notice to the county of the rezoning, followed by a time period in which the county must notify the city of its intent to object and document its objection. The city and county have three weeks to attempt to work out mitigating measures, if appropriate. At the end of that time period, either party may insist on the use of a mediator to attempt to reach an agreement. The party insisting on use of the mediator must pay 2/3 the expenses of mediation while the other party pays 1/3. If mediation is not successful within four weeks, either party may insist upon review by an independent citizen review panel. The panel has three weeks to issue its non-binding findings and recommendations. If the property is rezoned at that point, the rezoning is not effective for four weeks.

III. Homestead Exemptions - Qualified disabled veterans' exemptions are increased from \$43,000 to \$50,000 beginning January 2004.

IV. Local Option Sales Tax Caps - The two-cent cap on local sales and use taxes will neither include the increase in Local Option Sales Tax (LOST) for Columbus nor the sales tax for Atlanta sewers. Columbus voters will be given the opportunity to decide in a referendum if the LOST should be increased from one cent to two cents.

V. Sales Tax Audits - The bill strengthens the requirement for audits and public notice on the expenditure of SPLOST proceeds. It requires annual publication in a local paper of a non-technical report showing projects funded with the SPLOST. (Individual road projects do not have to be separately enumerated.)

VI. Medal of Honor Recipients – An exemption from ad valorem taxation for one motor vehicle owned or leased by a veteran who has been awarded the Medal of Honor and who receives a special license plate acknowledging that distinction is allowed.

HOUSE BILL 1184

SALES TAX HOLIDAY

This bill provides the sales tax holiday for school supplies which will occur from 12:01 A.M. on July 29, 2004 to midnight of August 1, 2004.

HOUSE BILL 1410**INCOME TAX EXCLUSION FOR ORGAN DONATION EXPENSES**

This bill will exclude from the taxable net income of a Georgia taxpayer an amount equal to the expenses incurred for making a donation, while living, of all or part of his or her liver, pancreas, intestine, kidney, lung, or bone marrow. The adjustment cannot exceed \$10,000 and will apply only in the tax year in which the donation is made.

HEALTH AND HUMAN SERVICES**SENATE BILL 179****PATIENT SAFE PRESCRIPTION DRUG ACT**

This legislation enacts the "Patient Safe Prescription Drug Act," which provides for electronic data prescription drug orders. The bill requires electronic data prescription drug orders to meet certain requirements and prohibits access to electronic data prescription drug orders from the time of transmission until receipt by the designated pharmacy.

SENATE BILL 478**VITAL RECORDS**

This legislation makes various revisions to the vital records law in Georgia. The revisions will allow for the future development of an automated, web-based electronic vital records reporting system. The bill will permit paperless registration of birth, death, and fetal death directly to the State Office of Vital Records.

SENATE BILL 502**CONDITIONAL DISCHARGE FOR POSSESSION OF CONTROLLED SUBSTANCES AT FIRST OFFENSE**

This bill makes several changes to the law relating to conditional discharge for the first offense of possession of controlled substances. The bill provides that a person charged with possession of controlled substances at first offense and a person charged for the first time with nonviolent property crimes that were related to the accused's addiction to a controlled substance or alcohol and who is eligible for a court-approved drug treatment program may, in the discretion of the court and with consent of the accused, be placed on probation for up to five years. The accused must make full restitution to victims before a discharge and dismissal without court adjudication may be entered. The bill also updates the listings of "dangerous drugs" and Schedule II drugs.

INSURANCE AND LABOR**HOUSE BILL 1258****PREEMPTION OF LOCAL GOVERNMENT WAGE AND EMPLOYMENT BENEFIT MANDATES**

This legislation preempts all wage or employment benefit mandates currently adopted by any local government and prohibits all local government entities from adopting wage or employment benefit mandates. This legislation does not prohibit a local government from offering employee benefits to its own employees.

HOUSE BILL 1499**MINIMUM ADVANCE PAYMENT FOR MOTOR VEHICLE LIABILITY INSURANCE COVERAGE**

This legislation authorizes insurers to issue motor vehicle liability insurance policies with a minimum advance payment for the first 30 days of coverage. Previously, Georgia law required a minimum advance payment for the first 60 days of coverage.

HOUSE BILL 1555

EMPLOYMENT SECURITY

Alternative Base Period

Previously, Georgia law provided that for the purpose of determining unemployment compensation, an alternative base period will be calculated for unemployed individuals who do not have sufficient wages to qualify for benefits under the standard base period. The implementation of the alternative base period is set to expire on June 30, 2004. This legislation repeals the sunset provision.

Suspension of the State-wide Reserve Ratio Surcharge

This legislation also extends the suspension of the Statewide Reserve Ratio surcharge through December 31, 2005. The current suspension expires after December 31, 2004. However, in the event the Statewide Reserve Ratio is less than 1.00 percent, the Commissioner of Labor will have the option to impose an increase in the overall rate of up to 35 percent, as of the computation date, for each employer whose rate is computed under a rate table in O.C.G.A. § 34-8-155. The Statewide Reserve Ratio is computed on June 30 of each year by dividing the balance in the trust fund, including accrued interest, by the total covered wages paid in the state during the previous calendar year.

HOUSE BILL 1579

DISSOLUTION OF THE SUBSEQUENT INJURY TRUST FUND

This legislation dissolves the Subsequent Injury Trust Fund (Trust Fund) and provides that the Trust Fund will not reimburse a self-insured employer or an insurer for a subsequent injury for which a claim is made for an injury occurring after June 30, 2008. However, the Trust Fund will continue to make reimbursements for claims for injuries occurring on and prior to June 30, 2008. Self-insured employers and insurers will continue to pay assessments to the extent necessary to fund claims for injuries occurring on and prior to June 30, 2008. This legislation also directs the Trust Fund to complete an actuarial study no later than January 1, 2005.

Upon or in contemplation of the final payment of all claims filed for injuries occurring on and prior to June 30, 2008, the board of trustees must adopt and implement resolutions providing for the final dissolution of the Trust Fund. Such resolutions will become effective when all claims made for injuries occurring on and prior to June 30, 2008 have been fully paid or otherwise resolved and must include provisions for:

- The termination of assessments against insurers or self-insurers;
- The pro rata refund of assessments previously collected and unexpended;
- The termination of employment of the employees of the Trust Fund or the transfer of employment of any employees to any other state agency desiring to accept them;
- A final accounting of the financial affairs of the Trust Fund; and,
- The transfer of the books, records, and property of the Trust Fund to the custody of the State Board of Workers' Compensation.

Upon the completion of all matters provided for in such resolutions, but no later than December 31, 2020, the Trust Fund and the members of its board of trustees will be discharged from their duties, except for such personnel necessary to administer any remaining claims.

NATURAL RESOURCES AND THE ENVIRONMENT

SENATE BILL 356

CARBON SEQUESTRATION REGISTRY ACT

The legislation creates the Georgia Carbon Sequestration Registry (Registry) which will be established by the State Forestry Commission (Commission). Carbon Sequestration provides carbon credits to landowners involved in farming and forestry, based on the amount of carbon dioxide stored in plants and trees. After the Registry's establishment, the Georgia Superior Court Clerks' Authority will maintain the state-wide uniform automated electronic information system for the purpose of the Registry.

The Commission must adopt rules and regulations specifying acceptable types of carbon sequestration results and providing procedures and protocols for the monitoring, estimating, calculating, reporting, and certification of carbon sequestration results. The Commission must qualify third-party organizations that have the capability to certify reported baseline carbon sequestration results and participant-reported results. Additionally, the Commission must encourage organizations and individuals from various sectors of the state's economy and geographic regions of the state to report carbon sequestration results.

Participation in the Registry is voluntary and participants may withdraw at any time. Participants must initially report their certified carbon sequestration results for the most recent year for which they have complete data, but may report carbon sequestration results without establishing a baseline for such results.

Participants may establish their baseline as any year beginning on or after January 1, 1990 or other beginning date established by the Commission. After establishing baseline results, participants must report their certified results in each subsequent year in order to show changes with respect to their baseline year. Certified results reported to the registry must be credited in carbon mass units to an account established by the participant in the Registry.

Registry credits for certified results may be sold, purchased, or otherwise transferred in whole or in part without any regard to or effect on or being affected by ownership of other personal property or any real property. In addition to annual reports submitted, participants must report to the Registry any sales, purchases, or other transfers of registry credit within ten days after the completion of such transactions.

SENATE BILL 460

BEST MANAGEMENT PRACTICES FOR CONTROL OF SOIL EROSION AND SEDIMENTATION

This bill amends language associated with land-disturbing activities by establishing a 25 foot buffer along the banks of all state waters, except in certain cases. Specifically, the Director of the Environmental Protection Division (EPD) of the Department of Natural Resources may allow a variance that is at least as protective of natural resources and the environment as a 25 foot buffer.

By December 31, 2004, the Board of Natural Resources must adopt rules for the grant or denial by the Director of EPD (Director) of requests for variances. Thereafter, a variance will not be granted by the Director which is not consistent with the criteria contained in such rules. The rules must provide, at a minimum, that the Director will consider granting a variance in the following circumstances:

- Where a proposed land disturbing activity within the buffer would require the landowner to acquire a permit from the United States Army Corps of Engineers and the Corps of Engineers has approved a mitigation plan to be implemented as a condition of the permit;
- Where the landowner provides a plan satisfactory to the Director that shows that even with the proposed land disturbing activity within the buffer, the completed project will result in maintained or improved water quality downstream of the project;
- Where a project with a proposed land disturbing activity within the buffer is located in or upstream and within ten linear miles of a stream segment listed as impaired, and the landowner provides a plan satisfactory to the Director that shows that the completed project will result in maintained or improved water quality in such listed stream segment and that the project will not have an adverse impact relative to the pollutants of concern in such stream segment; and,
- All projects mentioned above must meet all criteria set forth in rules for specific variance criteria adopted by the Board by December 31, 2004.

SENATE BILL 541**VOTER REGISTRATION WHILE OBTAINING A
RESIDENT HUNTING, FISHING, OR TRAPPING
LICENSE**

Each application to obtain a resident hunting, fishing, or trapping license issued by the Department of Natural Resources will also serve as an application for voter registration, unless the applicant declines through specific declination or by failing to sign the voter registration application.

HOUSE BILL 237**COMPREHENSIVE STATE-WIDE WATER
MANAGEMENT PLAN**

The Environmental Protection Division (EPD) of the Department of Natural Resources will develop a comprehensive statewide water management plan (Plan). The Plan will support the water policies of the state by guiding river basin and aquifer management plans, regional water planning efforts, and local water plans. The EPD will submit a draft plan by July 1, 2007 to the Water Council.

The Water Council is created by the legislation as a coordinating committee which will be composed of the Director of EPD, several legislators, and state officials. The purpose of the Council is to: (1) insure coordination, cooperation, and communication among state agencies and their water-related efforts in the development of a plan; (2) provide input to EPD concerning the development of a plan; (3) review, modify, and approve the final draft of the plan; and (4) recommend the initial proposed plan for consideration by the General Assembly by the 2008 Legislative Session.

The General Assembly must approve the plan before it will become effective. Once effective, EPD must review the plan by July 1, 2010 and at least every three years thereafter in order to determine whether further revision is necessary or appropriate.

PUBLIC SAFETY AND HOMELAND SECURITY**SENATE BILL 243****GEORGIA EMERGENCY OPERATIONS PLAN**

The bill requires every state agency or authority to prepare an agency safety plan to: (1) respond to the threat and acts of terrorism, and (2) address preparedness for natural disasters, hazardous materials or radiological accidents, and acts of violence. This provision does not apply to the Department of Public Safety, Department of Corrections, or any state agencies which operate secured facilities. Subject to funding, the Georgia Emergency Management Agency (GEMA) will provide training and technical assistance to these agencies and authorities and may provide such services to local units of government and to critical facilities operated by the private sector.

The bill also creates the Airport Anti-Terrorism Training Committee (AATTC) which will establish and maintain an annual training program for persons who serve as airport managers. The bill prohibits any person from serving as an airport manager in this state unless such person is in compliance with rules and regulations of the AATTC. The AATTC will, by agreement or contract, arrange for the annual training to be administered by the Georgia Aviation Technical College under the jurisdiction of the State Board of Technical and Adult Education.

The bill requires GEMA to establish and maintain, in collaboration with all appropriate state agencies and volunteer organizations with emergency support function roles, a standardized, verifiable, performance-based unified incident command system. Any local public safety or emergency response organization that has not established such system by October 1, 2004 will not be eligible for state reimbursement for any response or recovery-related expenses.

SENATE BILL 603**TRAFFIC MONITORING DEVICES**

The bill prohibits the State Road and Tollway Authority from using its technology to produce any photograph, microphotograph, electronic image, or video tape showing the identity of any person in a motor vehicle; however, such technology may be used for general surveillance of a toll collection facility for the security of toll collection facility employees. The bill also prohibits traffic-control signal monitoring devices from producing any photograph, microphotograph, electronic image, or videotape showing the identity of any person in a motor vehicle.

HOUSE BILL 217**SEAT BELTS AND CHILD RESTRAINTS**

The bill amends Georgia's safety belt and child restraint laws. Every driver who transports a child under the age of six in a passenger automobile, van, or pickup truck, other than a taxicab or public transit vehicle, must provide the proper restraint in an approved child passenger restraining system appropriate for the child's height and weight. However, any child who weighs at least 40 pounds may be secured by a lap belt when: (1) the vehicle is not equipped with both lap and shoulder belts; or (2) not including the driver's seat, the vehicle is equipped with one or more lap and shoulder belts that are all being used to properly restrain other children. Any such child must not occupy a front seat unless the vehicle has no rear seating positions appropriate for correctly restraining a child or all rear seats are occupied by other children.

These child restraint provisions do not apply if the parent or guardian can prove the child has a physical or medical condition which prevents placing him/her in such a restraining system. If the child is over 4 feet and 9 inches, he or she must be restrained in a safety belt. Anyone who violates any of these provisions will be punished by a fine of not more than \$50 for a first-time offense. The court, however, may waive or suspend the fine, in the case of a child who is five years of age, when the defendant shows the court that he/she has purchased an approved child passenger restraining system prior to the court appearance. This exception will apply until January 1, 2005.

The bill will not apply to buses used to transport children over four years of age until July 1, 2007, provided that the bus: (1) is operated by a licensed or commissioned child care facility; (2) has a current annual transportation safety inspection certificate; and (3) has evidence of being inspected for use by a child care facility. If the bus is not a school bus or a multifunction school activities bus, each child over four years of age and under six years of age must be properly restrained by a safety belt. Multifunction school activities buses will not be required to transport children five years of age in a child passenger restraining system.

The bill requires any minor who is six years of age or older and who is an occupant of a passenger vehicle to be restrained by a seat safety belt. If the minor passenger violates this provision, the driver will be guilty of the offense of failure to secure a seat safety belt on a minor and, upon conviction, may be fined not more than \$25.

The Governor's Office of Highway Safety will implement and coordinate a program to inform parents and other citizens of the bill's provisions.

HOUSE BILL 1168**DRIVER'S LICENSE EXAMS**

This legislation allows the Department of Motor Vehicles (Department) to authorize licensed driver training schools to conduct on-the-road exams upon the successful completion of a six-month pilot program. Furthermore, the Department is authorized to set up a pilot program to determine the feasibility of the Department's supplying rating information to agents, insurers, and insurance support organizations.

HOUSE BILL 1702**PARDONS AND PAROLES**

This bill provides additional security for the G-8 Summit. It provides that upon the issuance of an executive order by the Governor and the consent of a majority of the

members of the State Board of Pardons and Paroles (Board), all powers of a law enforcement officer of this state, including, but not limited to, the power to make arrests for violations of any of the criminal laws of this state, may be conferred upon and exercised by any person who is employed by the Board and who is otherwise certified as a peace officer. Such powers will be exercised only during the period extending from May 24, 2004 through June 20, 2004 and only in such area or areas of the state as designated by the Governor in such executive order. Such certified peace officers may assist law enforcement officers or correctional officers of federal, state, or local governments in preserving order and peace when so requested by the Governor or by such authorities. This Code section will be repealed on July 1, 2004.

REGULATED INDUSTRIES AND UTILITIES

SENATE BILL 445

LOCAL GOVERNMENT CABLE FAIR COMPETITION ACT OF 1999

This bill requires that before a franchising authority may begin the authorization process of permitting a public provider to deliver cable service, the franchising authority must notify each private provider serving the targeted market that the franchising authority intends to begin the process of authorizing a public provider to provide cable service. The notice must state that the private provider is not meeting the present and future needs of the community and must delineate the unmet needs separately. The private provider must be allowed 30 days to respond to the notice and to present its plan to address the unmet needs. If the franchising authority does not accept the private provider's plan to address the issues identified, the franchising authority must conduct an independent feasibility study and require the public provider to prepare a business plan to provide the service. The authorization by the franchising authority must be by passage of an ordinance or resolution.

HOUSE BILL 373

EMINENT DOMAIN PROCEDURES; ELECTRIC TRANSMISSION LINES

This bill provides condemnation procedures for electric transmission lines to be used by utility companies. Utility companies must hold public meetings in the county or counties in which the line is proposed, and if more than 50 landowners are affected, two meetings must be held. Notice must be published in a newspaper of general circulation prior to the meetings and provided via certified mail to those property owners directly affected. Finally, the bill provides for reconveyance of property interests or easements not used before a specified length of time. Upon application by the landowner, either additional compensation to the landowner is required, or the landowner must be allowed to purchase the property back at the same price he or she was paid for the property.

HOUSE BILL 1003

CONSTRUCTION INDUSTRY LICENSING BOARD

This bill creates the State Licensing Board for Residential and General Contractors, which is charged with developing rules and regulations for statewide licensing of residential and general contractors. The board is to consist of 14 members appointed as follows: ten by the Governor; two by the Speaker of the House of Representatives; and two by the Senate Committee on Assignments or its successor by Senate Rule. The board shall be divided into two divisions: the Residential Division and the General Contractor Division. Each division will have an equal number of members on the board. Administratively, the board will be assigned to the Secretary of State's Office.

Exceptions to the examination required by the board are provided to certain individuals who may meet the qualifications and who: are currently licensed by a local Georgia jurisdiction that requires a comparable examination; have operated successfully for five years as a Georgia contractor with at least five successful construction projects; and,

any person who holds a valid and current license from another state or territory that has entered into a reciprocal agreement with Georgia, under specified conditions.

This legislation shall not take effect until fully funded by the General Assembly.

RETIREMENT

SENATE BILL 253

TEACHERS RETIREMENT SYSTEM; PARTICIPATION IN OPTIONAL RETIREMENT PLAN

This bill allows members of the Teachers Retirement System who are employed on July 1, 2004 as an assistant coach by the athletic department of a state university to participate in the Optional Retirement Plan. The decision to participate in the Optional Retirement Plan must be made by August 31, 2004, and such decision is irrevocable. This bill requires the Board of Trustees to transfer all employee and employer contributions made by or on behalf of the member to the member's account in the Optional Retirement Plan, together with regular interest.

HOUSE BILL 366

RETURN TO WORK FOR TEACHERS

The bill redefines the term "retired teacher" to mean any member of the Teachers Retirement System who was retired on a service retirement prior to December 31, 2003. Persons who meet the definition of "retired teacher" are eligible to continue receiving their retirement benefits if they return to work as a full-time classroom teacher, principal, superintendent, counselor, or librarian. Currently, only those members who retired on or before December 31, 2003 are eligible to continue receiving benefits if they return to work as a full-time "classroom teacher" or "improvement specialist."

This bill provides that public school systems are authorized to hire retired members. Under the current law, retired teachers can retain their benefits only when they return to work as a full-time "classroom teacher" or "improvement specialist" in a low performing school. The automatic repeal date of July 1, 2008 is repealed by this legislation.

HOUSE BILL 917

REDUCED RETIREMENT ALLOWANCES AND PARTIAL LUMP SUM PAYMENTS

A retired member of the Teachers Retirement System may choose an additional retirement allowance option that provides him/her with a reduced retirement allowance together with a partial lump sum distribution. The amount of the lump sum distribution may not exceed the sum of 36 months of the monthly retirement allowance that the member would have received if he/she had not elected this lump sum option. The provisions of this legislation authorize retiring members to elect this option in addition to any other optional retirement allowance elected.

HOUSE BILL 1568

EMPLOYMENT WITH A COMMUNITY SERVICE BOARD

The legislation provides that any person who is receiving a retirement benefit from the Employees' Retirement System of Georgia (ERS) must not be employed or retained in employment by a community service board, unless the employee's retirement allowance is suspended and no contributions are made on account of such service either by the member or his/her employer.

STATE AND LOCAL GOVERNMENTAL OPERATIONS (GENERAL LEGISLATION)

HOUSE BILL 666

LOCAL GOVERNMENT FINANCIAL AUDITS AND EXEMPTIONS TO SERVICE DELIVERY STRATEGIES

Annual Financial Audits

This legislation requires counties and municipalities having a population in excess of 1,500 persons or having expenditures of \$300,000.00 or more to conduct an annual financial audit. Prior to the passage of House Bill 666, the law required an audit to be conducted for governments with expenditures of \$175,000 or more. All other local governments must conduct a financial audit at least once every two fiscal years. Such audits will be for both fiscal years. Local governments having expenditures of less than \$300,000.00 may choose to provide, in lieu of the biennial audit, an annual report of agreed upon procedures for that fiscal year.

Exemptions to Service Delivery Strategies

This legislation also exempts sheriffs, superior court clerks, probate judges, tax commissioners, or the office, personnel, or services provided by these officials from the requirements of any service delivery strategy.

TRANSPORTATION

SENATE BILL 489

HOV AND HOT LANES

The bill specifies the lanes in which buses and motorcoaches may operate. Prior to the passage of this bill, buses and motorcoaches were defined as trucks and required to travel in the right-hand lane on certain multilane roadways. In some cases, buses and motorcoaches received traffic citations for traveling in restricted lanes while attempting to move into the high occupancy vehicle (HOV) lanes. The bill redefines the term "truck" to mean any vehicle equipped with more than six wheels, except buses and motorcoaches. On roadways with three or more lanes allowing for movement in the same direction, buses and motorcoaches are required to operate in the two most right-hand lanes, except when: moving to or from a high occupancy vehicle (HOV) lane; preparing for a left turn; or as otherwise provided on interstate highways. On roadways with two lanes allowing for movement in the same direction, it will be unlawful for any bus or motorcoach to operate in the left-hand lane, except when: actually overtaking and passing another vehicle; preparing for a left turn; or as otherwise provided on interstate highways. On interstate highways with four or more lanes allowing for movement in the same direction, the Department of Transportation (DOT) may designate specific lanes that either prohibit or allow buses or motorcoaches. The bill also designates vehicles operated by the Georgia Department of Transportation as authorized emergency vehicles.

The bill also creates high occupancy toll (HOT) lanes. The bill authorizes the DOT, in cooperation with the State Road and Tollway Authority, to implement HOT lanes in qualifying HOV lanes. A HOT lane is a designated lane which allows single occupancy vehicles to gain access to HOV lanes by paying a toll set by the State Road and Tollway Authority. The department may design and develop a system of HOT lanes which uses value pricing and lane management. Value pricing refers to varying road user charges according to the level of congestion and time of day. Lane management restricts access to the designated HOT lanes based on occupancy, vehicle type, or other objective which would maximize the efficiency of the federal-aid highway system.

SENATE RESOLUTION 575

HOT LANES

This Resolution requests the Department of Transportation (DOT) to undertake a comprehensive study of the feasibility of implementing High Occupancy Toll (HOT)

lanes along the highways of the metropolitan Atlanta area and implementing HOV and HOT lanes along the Georgia 400 Corridor. In order to use designated HOT lanes, a driver would be required to pay a toll established by the DOT. The DOT is requested to make a report of its findings and recommendations to the Senate Transportation Committee on or before December 1, 2004.

SENATE BILL 553

DESIGN-BUILD CONTRACTS

This legislation allows for contracts based on the “design-build procedure,” which is a method of contracting where the Department of Transportation (Department) contracts with a third party to both design and build structures, facilities, and other items specified in the contract. When the Department determines it is in the best interest of the public, it may combine any or all of the environmental services, right of way services, design services, and construction phases of a public road or other transportation purpose into a single contract using the design-build procedure. Although design-build contracts may be advertised and awarded, construction activities may not begin on any portion of the project until title to the necessary rights-of-way and easements for the construction of that portion of the project has vested in the state or local governmental entity and all railroad crossing and utility agreements have been executed.

HOUSE BILL 1136

**THE GEORGIA TRANSPORTATION
INFRASTRUCTURE BANK ACT**

This legislation creates the Georgia Transportation Infrastructure Bank (Bank). The Bank will be governed by the board of the State Road and Tollway Authority. The Bank will assist in financing qualified projects by providing loans and other financial assistance to government units for constructing and improving highway and transportation facilities necessary for public purposes, including economic development. The Bank will establish and maintain at least the four following accounts: a state and local highway account, a state and local transit account, a federal highway account, and a federal transit account.

VETERANS AND MILITARY AFFAIRS

SENATE BILL 588

MILITARY SERVICE MONUMENTS

This legislation creates a cause of action against persons who abuse, defile, or obstruct any privately owned monument which honors past or present service in the United States Military.

SENATE RESOLUTION 858

MILITARY BASE CLOSURE IN GEORGIA

This resolution allows the Governor, by executive order, to establish local redevelopment commissions to develop and direct redevelopment plans in accordance with the “Base Closure Community Redevelopment and Homeless Assistance Act of 1994.” These local redevelopment commissions can implement federal regulations and policies and related federal statutes, including, without limitation, designation of participating government and private members of such commissions.

PASSED LEGISLATION (LISTED BY COMMITTEE)

APPROPRIATIONS

HB 1180 Supplemental appropriations; FY 2003-2004
HB 1181 General appropriations; FY 2004-2005
HB 1207 Supplemental appropriations; revenue shortfall and mid-year adjustment reserve
HB 1751 State employees' health insurance; coverage; certain health centers

AGRICULTURE AND CONSUMER AFFAIRS

SB 401 Milk products; Grade A Pasteurized Milk Ordinance Recommendations
SB 436 Agricultural Water Conservation Incentive Program; create
SB 511 Nuisances; agricultural facilities/operations; change provisions of treatment
HB 648 Poultry production contracts; regulate
HB 656 Credit card issuers; notification; certain inquiries
HB 1147 Agriculture; commissioner's orders; administrative review
HB 1186 Farmers' markets; license to sell; suspension; prohibition
HB 1766 Aquaculture Development Act of 2004; enact provisions

BANKING AND FINANCIAL INSTITUTIONS

SB 157 Payday Lending; deferred presentment or advance cash services; regulate unlawful transactions
SB 405 Financial Institutions; procedures/regulation

CHILDREN AND YOUTH

SB 24 Child care facilities; liability insurance coverage
SB 535 State Commission on Family Violence; extend the date to cease to exist
SR 760 Joint Early Learning Initiative Commission; create
HB 1347 Child welfare agencies; employment applicants; criminal record checks
HB 1580 Foster Parents Bill of Rights; enact

ECONOMIC DEVELOPMENT AND TOURISM

SB 395 Master Settlement Agreement; release nonparticipants' funds from escrow
SB 492 Licensed Bingo Operator; may assist licensed auxiliaries
SB 531 Department of Industry, Trade, and Tourism; acquire personal property
HB 865 The Official Frontier and Southeastern Indian Interpretive Center
HB 1117 The Georgia Lottery Corporation Legislative Oversight Committee
HB 1507 Seed-Capital Fund; comprehensive revision
HB 1529 Changes the name of the Department of Industry, Trade, and Tourism

EDUCATION

SB 456 Department of Early Care and Learning
HB 1179 Crimes against public school employees; Aleana's Law
HB 1190 Education accountability and flexibility; school discipline; truancy; drivers' licenses
HB 1428 Home study programs; qualifications of tutors
HB 1698 Education; certain personnel; continuing education online

HIGHER EDUCATION

SB 485 Georgia Medical Center Authority; administratively assigned to the Department of Community Affairs
SR 661 Senate Resolution creating the Academic Bill of Rights at Georgia private and public universities
HB 1325 HOPE Scholarships; changing eligibility; "trigger" mechanisms
HB 1547 Student Finance Authority; editorial changes
HB 1582 Public funds; certain write-offs; Department of Technical and Adult Education

ETHICS

No legislation assigned to this committee passed the General Assembly in the 2004 Legislative Session.

FINANCE

SB 182	Nuisance abatement liens; collection procedures; foreclosures
SB 393	Ad valorem tax; member of armed forces; time extensions
SB 453	Ad valorem tax; freeport personal property inventory exemption; renewal notices
SB 486	State Personnel Board; special pay plan for deferred payment; define terms
SB 501	State Depository Board; authorized investments; change certain provisions
SB 514	General obligation bonds; authorize issuance bearing interest at variable rate
HB 677	Income tax refund; setoff debt; probation fees and restitution orders
HB 709	Local sales taxes; limitation; certain exclusions
HB 984	Income tax credits; certain counties; telecommunications
HB 1089	Office of Treasury and Fiscal Services; additional powers and duties
HB 1103	Bona fide conservation use property; notification; expiration of covenants
HB 1107	Bona fide conservation use property; undeveloped riverside or streamside lands
HB 1118	Public officers and employees; payroll deductions; Higher Education Savings Plan
HB 1184	Sales tax exemption; school supplies; clothing; computers; limited time
HB 1238	Sales tax exemption; overhead materials; certain government contractors
HB 1239	Sales tax; certain refunds; restrictions
HB 1282	Taxes; tobacco products; licensure, definitions, penalties
HB 1391	Tax collectors and tax commissioners; creditable training
HB 1409	Sales tax exemption; ice; processing and storing poultry and vegetables
HB 1410	Income tax; exempt certain organ donation expenses
HB 1415	Hotel-motel tax; create review board; amend certain provisions
HB 1416	Bona fide conservation use property; include wildlife production
HB 1437	State and local tax revision; uniform sales and use tax administration
HB 1446	Homestead exemption; certain veterans; maximum amount
HB 1457	State purchasing; vendor requirements; contracts
HB 1459	Sales and motor fuel taxes; dealers and distributors; amend provisions
HB 1461	Revenue, Department of; certain disclosure; taxpayer records
HB 1511	Sales tax exemption; certain symphony halls
HB 1528	Sales tax exemption; certain tangible personal property; certain corporate attractions
HB 1744	Sales tax exemption; nonprofit organizations providing child services

HEALTH AND HUMAN SERVICES

SB 179	Patient Safe Prescription Drug Act; regulate electronically transmitted data; patient's choice of retail pharmacy
SB 478	Marriage; application of license; State Office of Vital Records; revisions
SB 502	Controlled substances; regulate opioid treatment; dangerous drugs; change provisions
SB 513	Contact lenses; sold/dispensed by licensed providers; revisions; violations
SB 582	Head injured/spinal cord disabled persons; reporting procedures; provisions
SR 680	Scope of Chiropractic Practice; Senate Study Committee; create
SR 822	Aging and Developmental Disabilities; Joint Study Committee; create
HB 617	Clinical perfusionist licensure; provisional licenses
HB 1141	Dentists and dental hygienists; amend provisions
HB 1265	Physicians; licenses; temporary postgraduate training permits
HB 1303	Perfection of hospital, nursing home, and traumatic burn care medical practice liens; change certain provisions
HB 1526	Childhood vaccination registry; include all persons from birth to death
HB 1709	Nursing homes; influenza virus vaccine; offer patients annually
HB 1793	Torts; limiting liability of free health clinics

INSURANCE AND LABOR

SB 491	Tax penalties; false claims of independent contractor status; violations
SB 584	State employees salaries; federated charitable organizations; welfare services
SB 608	HMO; provide use of national standards for quality certification
HB 539	Individual deferred annuities; nonforfeiture rate; sunset
HB 547	Surcharges for certain public safety employees; remove certain limitations
HB 1258	Minimum wage mandates by local governments; preemption; exceptions
HB 1263	Property insurance; nonrenewal; claim against policy
HB 1278	Workers' compensation; certain claimants; appointment of guardian
HB 1444	Income tax; independent contractors; certain false declarations
HB 1499	Motor vehicle insurance; advance payment requirements
HB 1555	State-wide Reserve Ratio; employer contribution rate; surcharge
HB 1579	Subsequent Injury Trust Fund; dissolution provisions

INTERSTATE COOPERATION

No legislation assigned to this committee passed the General Assembly in the 2004 Legislative Session.

JUDICIARY

SB 184	Additional offenses constituting the offense of arson
SB 297	Fleeing or attempting to elude a police officer
SB 337	Habeas Corpus proceedings
SB 400	Levi's Call; exemption of civil liability for broadcasters
SB 411	Supersedeas Bonds
SB 439	Film piracy
SB 467	Child endangerment
SB 497	Elimination of City of Atlanta traffic courts
SB 555	Revision of non-profit code and business corporation code
HB 211	Assistance dogs
HB 229	Revision of guardianship and ward code
HB 653	Possession of tobacco by minors
HB 762	Dispossessory proceedings
HB 1093	Sexual offender registry
HB 1158	Ignition interlock devices
HB 1322	Amend provisions relating to placement of child following a termination order
HB 1358	Exemption of disclosure of minor's athletic records
HB 1441	Creation of offense of drug commonly known as ecstasy
HB 1456	Penalties for offenses involving vehicles engaged in commercial transportation of cargo
HB 1519	Common Sense Consumption Act
HB 1632	Amend provisions relating to reunification plans and termination of parental rights; civil liability of a guardian ad litem or custody-evaluator

NATURAL RESOURCES AND THE ENVIRONMENT

SB 356	Carbon Sequestration Registry Act; provide information system of registry
SB 459	Metropolitan North Georgia Water Planning District; meetings, dues payable
SB 460	Soil erosion and sedimentation; 25 foot buffers along state waters; change provisions
SB 480	Forest Heritage Trust Act; advisory role for State Forestry Commission; enact
SB 541	Voters; application for fishing, hunting serve as registration; procedures
SB 568	Sewage holding tanks; removal, transport; regulation; definitions; penalties
SR 755	Ocmulgee/Altamaha Rivers; urge Congress to protect land in a continuous corridor
SR 767	Dove hunting; urge Natural Resources Board to adopt state-wide open season dates
SR 878	Natural Resources; urged to propose hiking trail named for President Jimmy Carter
SR 904	Environmental Director; urge to consider lifting moratorium on water withdrawal
HB 237	Water resources; ground-water use; statewide water management plan
HB 242	Environmental policy; publication of rationale; noncompliance
HB 727	River and harbor development; disposal of sand and sediment
HB 1083	Solid waste management; permitting of facilities; certain prohibition
HB 1277	Water resources; irrigation systems; certain shut-off switch
HB 1362	Lifetime sportsman's licenses; certain nonresidents; provisions
HB 1382	Shore Protection and Coastal Marshland Protection Committees; change membership

PUBLIC SAFETY AND HOMELAND SECURITY

SB 243	Georgia Emergency Operations Plan; unified incident command system
SB 357	Motor Vehicles; used parts dealers' registration; redefine rebuilder
SB 426	Peace Officers; basic training; pre-service admittance
SB 427	Membership of the Criminal Justice Coordinating Council
SB 461	Motor Vehicles; certificate of registration/title
SB 469	Child Molestation; monitoring of defendant; additional punishment for offense
SB 489	Buses/Motorcoaches; HOV and HOT Lanes
SB 525	Motor Vehicles; removal of vehicles in traffic accidents
SB 603	Photographic Traffic Monitoring Devices
HB 158	Law Enforcement Officers; retention of weapon and badge
HB 217	Seat belts; child restraints
HB 239	County Jail Inmates; earned time allowances
HB 1087	Motor Vehicle License Fees; classes, restricted plates
HB 1113	Prohibits Traffic Control Device Preemption Emitters
HB 1156	Transportation Department; appointment of investigators
HB 1161	Probation Management Act
HB 1176	Disabled Persons; redefine; temporary parking permits
HB 1192	Georgia Bureau of Investigation; nomenclature
HB 1549	Special Licenses Plates; Rotary International and Girl Scouts of America

REAPPORTIONMENT AND REDISTRICTING

No legislation assigned to this committee passed the General Assembly in the 2004 Legislative Session.

REGULATED INDUSTRIES AND UTILITIES

SB 403 Georgia Self-Service Storage Facility Act; change certain definitions
SB 445 Local Government Cable Fair Competition Act of 1999; amend
SB 550 Building Codes; change state minimum codes; redefine
SB 563 Building Construction; alternative dispute mechanism; definitions; written claim
SR 989 Senate Study Committee on Excavation Safety; create
HB 373 Electric membership corporations; transmission line siting committee; provisions
HB 645 Alcoholic beverages; redefine malt beverage
HB 1003 Residential and General Contractors, State Licensing Board; create
HB 1167 Architecture; registration to practice; amend requirements
HB 1174 Uniform Standards Code for Manufactured Homes Act; enact
HB 1175 Cosmetology; training programs operated by the Department of Corrections; provisions
HB 1248 Motor carriers; violations; hearings; penalties
HB 1300 Utility contractors; licensing requirements; safety training
HB 1311 Real estate closings; non-attorney licensee; unfair trade practice
HB 1598 Business and occupation tax; certain construction permits; mail or electronic means

RETIREMENT

SB 253 Teachers Retirement; University System employees; optional plan
HB 366 Teachers Retirement; reemployment of retired teachers
HB 441 Judicial Retirement; Fulton County State Court judges; membership
HB 480 Employees' Retirement; certain members; purchase additional years
HB 609 Employees' Retirement; vested after five years of service
HB 878 Employees' Retirement; Prosecuting Attorneys' Council members; certain credit
HB 914 Employees' Retirement; reduced retirement allowances and partial lump sum payment
HB 917 Teachers Retirement; reduced retirement allowance plus lump sum payment
HB 987 City of Macon; board of water commissioners; amend pension plan
HB 1137 Employees Retirement; Indigent Defense Council; change designation
HB 1246 Retirement and Pensions Code; corrections
HB 1568 Community service boards; retirees; prohibit re-employment; exception

RULES

SB 588 Public monuments; protection of privately owned honoring military; penalties
SR 321 Preservation of Evidence from Criminal Cases, Senate Study Committee, creating
SR 442 Watershed Dams; committee to study safety issues
SR 461 Senate Medicaid Study Committee; create
SR 595 CA; Marriage; no union between same sex is recognized by the state
SR 632 Designate; May as Scots-Irish Month; Lord Laird of Artigarvan
SR 671 Forsyth County Public Library System; commend
SR 672 Parents; urged to take their children with them to vote
SR 688 Women in Construction Week; proclaiming March 7-13
SR 728 United States Congress; urge to make federal tax cuts permanent
SR 729 United States Congress; urge to abolish death tax permanently
SR 786 Ten Commandments and acknowledgment of God; encouraging display
HB 1168 Motor vehicles; driver's license applicants; examination provisions
HB 1245 Code of Georgia; corrections
HR 1343 U.S. Constitution; prior calls for convention to amend; rescind and repeal

SCIENCE AND TECHNOLOGY

SR 754 Encourage use of consulting services with information technology

SPECIAL JUDICIARY

SB 147 Family Violence Shelter Confidentiality Act
SB 263 Vital records; birth certificate in legitimations, paternity, and adoptions
SB 281 Children; prohibit the sale or offer for sale of a child
SB 347 Homestead property; reciprocal exemption; resident judgment debtor; creditor resident in another state
SB 457 Sexual abuse protocol committee
SB 482 DNA; change provisions to require testing of persons serving life sentences or on death row.

HB 20	Driving under the influence; additional penalties; victim compensation awards
HB 208	Property Owners' Association Act; condominium owners; clarification of provisions
HB 484	Personal property in custody of law enforcement agencies
HB 810	Superior court clerks; fees and records; extend sunset dates
HB 1086	Bail bondsmen; allow service by local school board member
HB 1431	Executions; judgments; cancellation when satisfied
HB 1450	Judicial Emergency Act of 2004

STATE AND LOCAL GOVERNMENTAL OPERATIONS (GENERAL)

SB 421	Georgia Municipal Training Act; clarify training of municipal clerks
SB 444	County tax credit for businesses locating in counties belonging to more than one joint development authority
HB 666	Local governments; financial transactions; annual audits
HB 1247	Elections Code; corrections
HB 1321	Annexation; certain counties; repeal provisions
HB 1565	Municipal corporations; lease property to nonprofit corporations; recreation
HR 1308	Atlanta Regional Commission; certain counties; ratify partial incorporation
HR 1402	Regional development centers; ratify boundaries

STATE INSTITUTIONS AND PROPERTY

SR 589	State Properties Commission; convey real estate in Butts County
SR 651	Public Property; conveyance; grant utility easements; 13 counties
SR 652	Public Property; conveyances
SR 704	Richmond County; authorize conveyance of state property
HB 1026	Public Officers and Employees; preservation of property and records
HB 1702	Pardons and Paroles; board employees; police powers
HR 1530	Aaron Cohn Regional Youth Detention Center; designate

TRANSPORTATION

SB 553	Public Roads; limitations on power to contract; design-build; provide exception
SR 66	William S. Hutchings Bridge; designate
SR 184	Burke (County) Veterans Parkway; designate
SR 575	Transportation, Dept; HOT lanes; request to study implementation
SR 781	Alan Jackson Highway; designate
SR 787	Michael B. Mundy Memorial Bridge; designate
SR 797	George W. Potts Highway; designate
SR 829	Billy Jiles Memorial Highway; designate
SR 843	Woodpecker Trail Highway; designate
SR 866	Battlefield Parkway; Catoosa County; dedicate portion to Baxter Shavers
SR 869	Judge Jim Weeks Intersection; designate
HB 1063	Motorized cart; redefine; amend provisions
HB 1254	Railroad crossings; elimination; petition provisions
HR 132	Keith Kalland Connector; designate
HR 398	Purple Heart Highway; designate portion of State Route 232
HR 591	Judge Jim Weeks Intersection; designate
HR 940	Mayor George Merron Peters Memorial Highway; designate
HR 1190	John Pelham Memorial Parkway; designate
HR 1191	Purple Heart Highway; designate
HR 1262	Burke (Star) Veterans Parkway; designate
HR 1341	Bruton Smith Parkway; designate
HR 1349	Rembert Olen McAfee Bridge; designate
HR 1373	Julien B. Roddenbery, Sr. Memorial Drive; designate
HR 1404	Joy N. Kleeman Memorial Bikeway; designate
HR 1440	Bill Conn Parkway; designate
HR 1454	Max R. Davey Bridge; designate
HR 1455	C.L. Mapp Bridge; designate
HR 1456	Chief J. A. Fountain Bridge; designate
HR 1460	Bob Fulton Memorial Highway; designate
HR 1469	Forrest "Preacher" Sawyer Memorial Parkway; designate
HR 1472	Johnny Wayne Spivey Bridge; designate
HR 1473	Ricky L. Crockett Bridge; designate

VETERANS AND MILITARY AFFAIRS

SB 496	Adjutant General; appoint officers as deputy assistant adjutants general
SR 858	Redevelopment; authorize Governor by executive order to establish commissions

SPECIAL SESSION LEGISLATION

HB EX1 Statewide Indigent Defense System and Court Fees

INTERIM SENATE STUDY COMMITTEES

SR 281 Senate Study Committee on the Implementation of Children and Youth Services Improvement Plans
SR 321 Preservation of Evidence from Criminal Cases, Senate Study Committee, creating
SR 461 Senate Medicaid Study Committee; create
SR 680 Scope of Chiropractic Practice; Senate Study Committee; create
SR 989 Senate Study Committee on Excavation Safety; create

VETOED LEGISLATION

This list does not include local legislation.

SB 423 Stone Mountain Memorial Association; membership requirements
SB 431 Annual reports, budgets, audits; available to General Assembly; notification
SB 449 Registered Public Accountants; certification as CPA; repeal certain provisions
SB 604 Emergency medical technicians; indemnification; noncompulsory insurance
HB 183 Tattooing near the eye; prohibition; expand exception
HB 198 Codes of Ethics for local school board members
HB 267 Teachers Retirement; contribution rate; certain reduction
HB 502 Salary Adjustment of Juvenile Court Judges
HB 739 Judges of the Probate Courts Retirement; designated surviving beneficiary
HB 923 Judicial Retirement; certain local membership; transfer; service credit
HB 1162 Ignition Interlock Device Providers Act
HB 1394 Athletic trainers; licensing; exceptions
HB 1451 Application for Marriage License and Pre-marital Counseling
HB 1512 Chiropractors; board of examiners; additional authority