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2015 SESSION OF THE GEORGIA GENERAL ASSEMBLY LEGISLATION PASSED

This document is our final report of all legislation passed by the 2015 Georgia General Assembly, with the exception of local legislation. It contains summaries of passed legislation, an index of interim study committees, and an index of vetoed legislation. If further detail on legislation is needed, please contact the Senate Research Office.

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AGRICULTURE AND CONSUMER AFFAIRS

Senate Bill 148

Transferring Responsibilities of the Governor's Office of Consumer Affairs to the Attorney General's Office

Effective Date: July 1, 2015 (Signed by the Governor on May 6, 2015; Act 187)

This legislation transfers the powers and responsibilities of the Governor's Office of Consumer Affairs to the Attorney General's office. This change is designed to create a more efficient and streamlined process for addressing consumer complaints in Georgia. The Governor's Office of Consumer Affairs protects consumers and businesses from unlawful, deceptive, and unfair practices in the marketplace.

Senate Bill 175

Inspection of Certain Animals Entering Georgia

Effective Date: July 1, 2015 (Signed by the Governor on May 12, 2015; Act 304)

This bill amends current law to provide that the import of equines, poultry, livestock, or birds into this state without an official certificate of veterinary inspection is unlawful. Further, this bill allows the commissioner to determine additional animals that may pose a significant risk of disease. No certificate is required for poultry originating from flocks participating in the National Poultry Improvement Plan under the United States Department of Agriculture.

The commissioner shall maintain on the Department's website a list of all other types of animals determined to pose a significant risk of disease.

House Bill 255

Georgia Forest Products Used in Public Buildings

Effective Date: July 1, 2015 (Signed by the Governor on May 4, 2015; Act 47)

This bill provides that whenever green building standards are applied to the construction of any state building, the standards applied must give equal certification credits to Georgia forest products grown under the Sustainable Forestry Initiative, the American Tree Farm System, the Forest Stewardship Council, or other similar certifying organizations.

House Bill 397

State Soil and Water Conservation Commission; Erosion and Sediment Control Overview Council

Effective Date: Upon Approval by the Governor (Signed by the Governor on April 8, 2015; Act 17)

This bill assigns the State Soil and Water Conservation Commission to the Department of Agriculture for administrative purposes. The Governor will now appoint one at-large member from each of the five soil and water conservation district regions to serve on the Commission, rather than one supervisor from each of the five Georgia Association of Conservation Supervisors' groups. In addition, HB 397 sets procedures for approval and dissemination of the Manual for Erosion and Sediment Control in Georgia. This bill also updates the titles of officials serving on the Commission from the University of Georgia, and amends the Erosion and Sediment Control Overview Council's membership from two representatives of the highway contracting industry to one representative from such industry and one representative of the electric utility industry.

APPROPRIATIONS

House Bill 75

Supplemental Appropriations; State Fiscal Year July 1, 2014 - June 30, 2015

Effective Date: February 19, 2015 (Signed by the Governor on February 19, 2015; Act 1)

Please contact the Senate Budget and Evaluation Office with inquiries.

House Bill 76

General Appropriations; State Fiscal Year July 1, 2015 - June 30, 2016

Effective Date: Fiscal Year 2016 begins July 1, 2015 (Signed by the Governor on May 11, 2015; Act 198)

Please contact the Senate Budget and Evaluation Office with inquiries.

House Bill 279

Appropriations

Provide Salary Increases for Supreme Court Justices, Justices of the Appeals Court, Superior Court Judges, District Attorneys, and Circuit Public Defenders, Increase the Number of Court of Appeals Justices, Increase to Four Judges in the Western Circuit, Create the Compensation Commission for the Judicial, District Attorneys and Circuit Public Defenders.

Part I Effective Date: July 1, 2015 for the Sake of Appointments; Otherwise January 1, 2016.

Part II Effective Date: Upon Approval by Governor for Appointments; Otherwise April 1, 2016

**Part III Effective Date: Upon Approval by Governor
(Signed by the Governor on May 6, 2015; Act 138)**

Part I of the bill codifies pay increases for Supreme Court Justices, Justices of the Court of Appeals, Superior Court Judges, District Attorneys, and, Circuit Public Defenders.

Also, Supreme Court Justices and Justices of the Court of Appeals, residing 50 miles or more from the judicial building in Atlanta, will receive the same daily expense allowance as members of the General Assembly when official court business is being conducted, not to exceed 30 days during each term of court.

Additionally, new language provides for an annual state-paid supplement of \$6,000.00, for Superior Court Judges, District Attorneys, and Circuit Public Defenders in those circuits implementing a drug court division, mental health court division, or veterans' court division. Circuits with aggregate county supplements of \$50,000.00 or more may not increase such supplement.

Finally, the bill increases the number of Judges for the Court of Appeals from 12 to 15. The additional judgeships will be appointed by the Governor for the term beginning January 1, 2016. Thereafter, successors will be elected.

Part II of the bill increases the number of superior judges for the Western Circuit from three to four, with a term to begin April 1, 2016.

Part III of the bill establishes the Judicial, District Attorney, and Circuit Public Defender Compensation Commission (Commission) to conduct periodic reviews of all aspects of compensation paid to justices, judges, district attorneys, and circuit public defenders. The Commission will consist of five members: two appointees by the Governor; one appointee by the Chief Justice of the Supreme Court; and, one appointee each by the Lieutenant Governor and the Speaker. Additionally, the Chairs of the Appropriations Committees in the Senate and the House will serve as Ex-Officio members. The Commission will be attached for administrative purposes only, to the Criminal Justice Coordinating Council.

BANKING AND FINANCIAL INSTITUTIONS

Senate Bill 95

Real Estate Brokers' Acceptance of Funds into Federally Insured Account at Financial Institution Effective Date: July 1, 2015 (Signed by the Governor on May 6, 2015; Act 188)

Current law provides that real estate brokers who accept down payments, earnest money deposits, security deposits, rents, association fees, or other trust funds as part of a real estate transaction must maintain the received funds in a separate, federally insured bank checking account in Georgia. Such account must be designated as a trust or escrow account, and all trust funds received by the broker must be placed in that account. The failure of persons licensed as a real estate sales person, associate broker, or broker to maintain such trust funds in the segregated checking account is deemed an unfair trade practice, unless all parties to the transaction have agreed otherwise. Similarly, failure to obtain the prior written agreement of the parties as to whom the broker must pay the interest earned on trust funds deposited into interest-bearing accounts is deemed an unfair trade practice. This bill changes the depositing requirement by providing that trust funds must be deposited into a "federally insured account at a financial institution" rather than in a "federally insured checking account." The bill also makes conforming changes to the provisions relating to unfair trade practices by persons licensed as a real estate sales person, associate broker, or broker.

Senate Bill 104

State Depository Board: Composition and Power to Appoint State Depositories Effective Date: July 1, 2015 (Signed by the Governor on May 6, 2015; Act 176)

This bill removes the Commissioner of Insurance from the State Depository Board and replaces that position on the Board with the state chief financial officer. The bill also removes the authority of the State Depository Board to name building and loan associations as state depositories of state funds. Under this bill, banks, trust companies, and savings and loan associations which have deposits insured by FDIC may be appointed as state depositories.

House Bill 184

Department of Banking and Finance Annual Cleanup Bill

Effective Date: July 1, 2015 (Signed by the Governor on May 5, 2015; Act 64)

This is the annual Department of Banking and Finance cleanup bill. Along with various clarifications, this bill makes numerous changes relating to use of electronic notices and minimizes paperwork filing obligations. The bill also grants flexibility to the Commissioner of Banking and Finance to offer Georgia-chartered financial institutions regulatory parity to federal law. This privilege can only be conferred if it does not place the bank at risk.

House Bill 299

Convenience Fees for Electronic Payments

Effective Date: July 1, 2015 (Signed by the Governor on May 6, 2015; Act 140)

The bill permits merchants and lenders, subject to the terms and conditions of debit and credit card acceptance agreements (in addition to other charges, interest, or fees) to collect a nonrefundable convenience fee from any person electing to make a payment by electronic means. The fee must be in an amount that represents either: (a) the actual cost to the lender or merchant; or (b) an amount that does not exceed the average of the actual cost incurred for a specific type of payment by electronic means for which the merchant or lender imposes a convenience fee. The bill forbids the charging of a convenience fee unless a lender or merchant also permits payment by check, cash, or money order for which no convenience fee is charged. Lenders and merchants imposing convenience fees under this bill must also provide clear disclosure of the fee prior to imposing it. The notice must include the dollar amount or the fee, a statement that the fee is nonrefundable, and a statement that the fee is charged for electronic payments. The bill applies only to industrial loans, retail installment and home solicitation sales contracts, motor vehicle sales financing contracts, and insurance premium finance agreements.

ECONOMIC DEVELOPMENT

Senate Bill 4

Surface Transportation Projects in Urban Redevelopment Areas

Effective Date: July 1, 2015 (Signed by the Governor on May 12, 2015; Act 210)

Current law provides that certain projects or uses of land may qualify as rehabilitation or conservation in an urban redevelopment area. Such stipulated uses of land may qualify for public and private funding for the purpose of combating the development or spread of slums.

Transit facilities and improvements, sidewalks, streetscapes, trails, and bicycle facilities are also added to the list of improvement projects that satisfy the urban redevelopment provisions of this chapter.

To maximize private enterprise's role in rehabilitating urban redevelopment areas, this bill establishes guidelines applicable to contracts and agreements for surface transportation projects entered into pursuant to this chapter.

Additionally, this bill:

- Includes a new section dictating that liens filed for taxes, fees, or assessments levied for projects in a special district have the same priority as municipal liens;
- Restricts the application of the "surface transportation projects" to Beltline projects;
- Restores silence on the issue of parties' responsibility for paying for the relocation of a utility, ostensibly, leaving the matter up to contractual arrangement or agreement by the parties;
- Exempts trade secrets, private financial data, and private financial plans from public disclosure during and after the project bidding and selection process; and
- Provides for the formation of a metropolitan planning process for the Atlanta Urbanized Area and Atlanta Air Quality region.

Senate Bill 5

Georgia Ports Authority Indemnification

Effective Date: Upon Approval by the Governor (Signed by the Governor February 23, 2015; Act 2)

This legislation empowers the Georgia Ports Authority to agree to indemnify the United States as a term or condition of an agreement to receive loans or grants from the United States. Currently, the Ports Authority is allowed to accept loans or grants, but does not have the right to enter into an indemnification agreement with the United States.

Senate Bill 59

Creation of the Partnership for Public Facilities and Infrastructure Act

Effective Date: Upon Approval by the Governor (Signed by the Governor on May 5, 2015; Act 72)

This legislation creates a Guidelines Committee to prepare model guidelines for local governments to use through all stages of qualifying projects and empowers the State Financing and Investment Commission or the Board of Regents of the University System of Georgia to develop guidelines for any qualifying project undertaken by the State Properties Commission or the University System of Georgia, respectively. Further, this bill provides for the manner by which qualifying projects may be initiated, approved, evaluated, reviewed, negotiated, financed, and agreed upon.

Additionally, SB 59 provides that the Partnership for Public Facilities and Infrastructure Act Guidelines Committee must promulgate model guidelines to be used by a local government to streamline its procedure for project proposals. The bill outlines the minimum content that these model guidelines must include. The model guidelines must also include procedures for the use of an independent owner adviser to the local government to assist in the evaluation of a proposal and advise the local government if the government chooses to pursue any solicited bid process. However, the local government is not obligated to use the above services.

Senate Resolution 329

Commending Taiwan for Its Relations with the United States

This resolution commends and supports the democratization efforts of Taiwan. Taiwan and the United States are longstanding allies who both deeply cherish the common values of freedom, democracy, human rights, and the rule of law. Taiwan recently held its fifth presidential election, paving the way for Taiwan as a beacon of democracy in Asia and beyond.

Taiwan is the United States' eleventh-largest trading partner, and the United States is Taiwan's third-largest trading partner. Georgia welcomes all opportunities for an even closer economic partnership, such as the signing of a U.S.-Taiwan Bilateral Investment Agreement and a Free Trade Agreement.

Senate Resolution 494

Senate Study Committee on the Effect on Georgia of Normalization of Relations with Cuba

This resolution creates the five-member Senate Study Committee on the Effect on Georgia of Normalization of Relations with Cuba to examine the opportunities for Georgia businesses to trade with Cuba and determine what measures may be needed to capitalize on such opportunities. All five members are to be appointed by the President of the Senate. The abolishment date for this committee is December 1, 2015.

EDUCATION AND YOUTH

Senate Bill 2

Competencies and Core Curriculum in Elementary and Secondary Education

Effective Date: July 1, 2015 (Signed by the Governor on April 30, 2015; Act 33)

This bill authorizes a local board of education to award a high school diploma to a student that completes certain requirements relating to postsecondary coursework.

The Technical College System will annually identify areas of study where there is a critical need for trained personnel and provide that information to the State Board of Education. The State Board of Education will annually provide the information to the local school systems to emphasize these shortages to high school students to assist them in selecting their career pathway. If a student meets all of these requirements, then he or she meets the graduation requirements and is not subject to any other assessments. The rules and regulations of this Code section must be established by the State Board of Education, the State Board of the Technical College System, and the Board of Regents of the University System of Georgia.

Senate Bill 132

“Move on When Ready Act”

Effective Date: July 1, 2015 (Signed by the Governor on April 30, 2015; Act 34)

This bill expands and modifies dual enrollment. It modifies the current program where high school students can take post-secondary classes for high school course credit. The oversight for dual enrollment is moved from the Board of Education to the Georgia Student Finance Commission (Finance Commission). The bill requires the Finance Commission to enter into agreements with post-secondary institutions to offer dual credit enrollment for high school students. The bill expands the opportunity for dual enrollment by allowing any 9th–12th grade student at a Georgia public, private, or home-based school, to enroll in the program. The bill also modifies the funding structure for dual enrollment. Institutions are still required to waive tuition and fees and provide books for eligible high school students. However, the Finance Commission will determine the amount the institution will be paid per student. This amount will be determined by the number of participants and the allocation of funding from the legislature for the 2016 Fiscal Year. Should the amount of funding provided by the legislature not be enough to cover all students in the program, the amount per student paid to each institution will decrease in order to cover all of the students in the program.

Senate Bill 133

Opportunity School District – Enabling Legislation

Effective Date: January 2017, Only Upon Ratification of a Constitutional Amendment at the November 2016 General Election (Signed by the Governor on April 21, 2015; Act 24)

This bill establishes the Opportunity School District (OSD), with state-wide jurisdiction under the control of the Governor's Office of Student Achievement. The Governor will appoint the OSD Superintendent, subject to Senate confirmation, and establish the position's qualifications and salary. The OSD Superintendent must develop operational procedures for the OSD, report annually to the General Assembly, and make that report publically available. The OSD will select up to 20 schools in any single academic year, not to exceed a total portfolio of 100 schools, based upon an analysis of performance over the previous three-year period, taking into consideration various factors. The selection process will include a public hearing allowing for community and parent involvement. However, the final selection will be at the sole discretion of the OSD Superintendent.

The Act will only become effective upon passage of a constitutional amendment in the November 2016 general election, expressly allowing the General Assembly to authorize the establishment of an Opportunity School District. If the amendment does not pass, the Act will stand repealed on January 1, 2017.

Senate Bill 156

State Charter Schools Foundation

Effective Date: July 1, 2015 (Signed by the Governor on May 6, 2015; Act 182)

This bill allows the Commission to establish a 501(c)(3) nonprofit corporation for the sole purpose of actively seeking supplemental revenue and in-kind goods, services, and property to promote state charter schools, and any other purpose of the Commission.

Such corporation shall:

- Abide by the Constitution of Georgia;
- Upon its dissolution, remit all remaining assets to the Commission, or any successor thereof, or, if none, to the State of Georgia;
- Be prohibited from paying for direct employee costs of the Commission from private source donations;
- Be subject to laws relating to open meetings and inspection of public records;
- Maintain errors and omissions liability coverage insurance of at least \$1 million; and,
- Only be empowered to incur short-term credit obligations.

Senate Bill 164

Positive Behavioral Interventions and Supports; and Response to Intervention Programs

Effective Date: July 1, 2015 (Signed by the Governor on May 6, 2015; Act 183)

This bill encourages local boards of education to implement Positive Behavioral Interventions and Supports (PBIS) and Response to Intervention (RTI) programs and initiatives in their schools; particularly in high needs schools. The State Board of Education is authorized, based on the appropriations given by the General Assembly, to: fund and support PBIS and RTI programs, initiatives, and personnel; and establish rules and regulations for PBIS and RTI programs and initiatives that receive funding. "PBIS" is defined as evidence-based, data-driven framework to reduce disciplinary incidents, increase a school's sense of safety, and support improved academic outcomes through a multi-tiered approach while using disciplinary data and principles of behavior to improve individualized interventions and supports. "RTI" is defined in the bill as addressing the academic and behavioral needs of students through a tiered system.

Senate Resolution 287

Proposed Georgia Constitutional Amendment; Opportunity School District

Effective Date: (Signed by the Governor on May 12, 2015; Act 309)

This resolution proposes a constitutional amendment to be placed on the ballot for consideration by Georgia voters in the November 2016 general election. The proposed amendment establishes the

“Opportunity School District.” This allows the state to assume, supervise, manage, and operate failing public elementary and secondary schools.

Senate Resolution 564

Senate Study Committee on School Construction

The purpose of this study committee is to study: the issue of school construction and financing; the various methods of financing school construction; the differential of school construction costs; the practice of compensating architects based on a percentage of construction costs; and other pertinent matters. This resolution establishes a five-member Senate Study Committee with one member being appointed by the President of the Senate as chairperson. The abolishment date for this committee is December 1, 2015.

House Bill 62

Scholarship Program for Special Need Students

Effective Date: July 1, 2015 (Signed by the Governor on April 29, 2015; Act 32)

This bill waives certain qualifications for students whose parent is an active duty member of the military and was stationed in Georgia within the preceding year. Current law states that special needs students qualify for the scholarship program if their parent currently resides in Georgia and has been a Georgia resident for at least one year. This legislation removes the one-year residency requirement if the student's parent is an active duty military member and was stationed in Georgia within the previous year.

House Bill 91

Georgia High School Graduation Test

Effective Date: Upon Approval by the Governor (Signed by the Governor on March 30, 2015; Act 14)

This bill eliminates the Georgia High School Graduation Test and retroactively allows past students who failed the Georgia High School Graduation Test, but fulfilled all of the other requirements for graduation, to petition their local school board in order to obtain a degree from their high school. Past students receiving their diploma through this method will not count towards graduation rate calculations. Each local school system must advertise the provisions of this Code section in the legal announcements of the local newspaper one time per year, beginning no later than January 15, 2016, and each year thereafter. The Department of Education shall report on or before January 31, 2020 to the State Board of Education and the General Assembly the number of diplomas granted by the local school systems.

House Bill 131

Cyber-Bullying; “The End to Cyberbullying Act”

Effective Date: Upon Approval by the Governor (Signed by the Governor on May 6, 2015; Act 191)

This bill revises the definition for bullying and cyber-bullying. Bullying is prohibited in Georgia public schools. This bill revises the definition of bullying and cyberbullying to include acts that occur through the use of electronic communications, whether the act originated on school property or with school equipment. If the electronic communication is directed specifically at a student or school personnel, is maliciously intended to threaten the safety of students or personnel, is disrupting the orderly operation at school, creates fear that harm will be imposed to the student or school personnel or their property, and has a high likelihood of succeeding, it qualifies as cyberbullying. The term also applies to acts which originated on school property, in school vehicles, at designated school bus stops, or at school related functions or activities.

House Bill 164

Extending the Date for Professional Learning Requirements

Effective Date: July 1, 2015 (Signed by the Governor on May 6, 2015; Act 118)

Current law in Georgia does not require professional learning requirements for certificate renewal through the Professional Standards Commission for certified professionals and paraprofessionals until July 1,

2015. This bill extends that window until June 30, 2017. This bill also extends the time period for the Professional Standards Commission to revise their renewal rules until June 30, 2017.

House Bill 209

Special Needs Options Notification

Effective Date: July 1, 2015 (Signed by the Governor on May 12, 2015; Act 201)

This bill modifies the current notification process for parents of students with special needs, as it relates to the Georgia Special Needs Scholarship, by requiring the resident school system to provide specific written notice of the options available under the Georgia Special Needs Scholarship Act at the first Individualized Education Program (IEP) meeting. After this first IEP meeting, the resident school system shall annually notify the parent of a student with a disability, prior to the beginning of each school year by letter, electronic means, or by such other reasonable means, in a timely manner, of the options available to the parent.

House Bill 313

Leaves of Absence

Effective Date: July 1, 2015 (Signed by the Governor on May 6, 2015; Act 143)

This bill authorizes certain public employees to limited paid leave to promote education in this state. A non-temporary employee of any branch, department, board, bureau, or commission of the State of Georgia may apply for up to eight hours of paid leave, per calendar year, to promote education in the state. This paid leave is specific to academic support and student achievement; it is prohibited for political purposes or agendas.

House Bill 372

Charter Schools: Licensure

Effective Date: July 1, 2015 (Signed by the Governor on April 21, 2015; Act 25)

This bill prohibits any municipality, county, or other local political subdivision of this state from requiring the nonprofit corporation that holds the charter for a charter school that has passed the Department of Education's facility inspection and has a valid certificate of occupancy to obtain any additional licensure to operate. However, charter schools are subject to all applicable zoning, planning, and building permitting requirements when constructing or renovating a facility. Further, any for-profit vendor of the charter school is subject to any applicable local requirements related to doing business in Georgia.

This bill also adds a definition to the Code section that governs charter schools. "Educationally disadvantaged students" are defined as: students who are economically disadvantaged; students with disabilities; migrant students; limited English proficient students; neglected or delinquent students; and homeless students. Educationally disadvantaged students may have a greater chance of admission into a start-up or conversion charter school through a weighted lottery if allowed by the school's charter.

Current law allows charter schools to offer preference for: siblings of current students; children of governing board members or other full time employees; students enrolled before the school was converted to a charter school; students who reside in the attendance zone specified in the charter; and students who matriculate from a pre-k program associated with the school.

House Bill 401

Early Child Care and Learning Code Section Updates

Effective Date: January 1, 2016 (Signed by the Governor on May 6, 2015; Act 163)

This bill adds definitions for the following terms: change of ownership applicant; support centers; family child care learning home; license; permit; and registration. The bill then updates the current Code for these new definitions, as well as removes other outdated provisions. It also clarifies that the Department of Early Care and Learning can solicit and accept donations or grants from outside entities. Furthermore, the bill alters the process for fingerprinting and background checks. It allows temporary staffing agencies and students (those enrolled in institutes of higher learning) to have a background check prior to

employment with a care facility or prior to completion of their education. This bill clarifies the term “employee” so as not to discourage parental involvement. Individuals that desire to volunteer will be required to receive a background check if they are involved more than once a quarter. Finally, the bill allows the Department to establish a transition process for a change of ownership that would allow a change of ownership without a disruption of care.

House Bill 502

Title 20 Clean Up

Effective Date: July 1, 2015 (Signed by the Governor on May 12, 2015; Act 241)

This bill removes outdated provisions, updates definitions, and adds needed clarifications in Title 20. In this bill, there are several Code sections that are repealed; several name changes and updates for outdated language; several areas where the bill further clarifies current Code; and several new Code provisions.

New Code Provisions

The bill contains several new Code provisions:

- Currently, any student waiver must go through the Administrative Procedures Act. This bill allows for the State Board of Education to establish its own review process for student waivers and would eliminate the role of the Secretary of State in the process.
- The bill strongly encourages local school systems to implement a program of formative assessment and intervention in reading for kindergarten through third grade. They are also encouraged to develop a similar program for mathematics for kindergarten through fifth grade. This is to ensure that students are on track for grade level expectations.
- The bill allows the state board to affirm, reverse, remand, or refer disputes with a local board of education to remediation. Current law only allows reversal.
- The bill moves the annual report deadline, required of charter schools, to November 1st from October 1st.
- The bill allows a local school board 90 days to approve a charter petition.¹
- The bill strongly encourages schools to offer three hours of instruction, at each grade level, on the intent, meaning, and importance of the Declaration of Independence, and the United States Constitution including the Bill of Rights, in their historical context, including the background of the colonial era along with instruction about the Founding Fathers. This instruction is to take place the full week of September 17th, which is recognized in public elementary, middle, and high schools in this state as Celebrate Freedom Week.
- The bill provides the option for local school boards to require a semester course on the founding principles and philosophy of the United States.

FINANCE

Senate Bill 82

Distribution of Alternative Ad Valorem Tax Proceeds of Apportionable Vehicles

Effective Date: Upon Approval by the Governor (Signed by the Governor on March 31, 2015; Act 15)

This bill requires the Commissioner of the Department of Revenue to determine the amount of ad valorem tax on apportionable vehicles within a qualified tax jurisdiction received for the 2013 tax year. Beginning in 2015, the tax jurisdiction will receive an amount of alternative ad valorem tax proceeds on apportionable vehicles in an amount equal to the 2013 benchmark, which will then decrease by 20 percent each following year. For tax years beginning on or after January 1, 2020, tax distributions will be based on the preceding year’s tax digest, and in proportion to the total amount of all ad valorem taxes

¹ Current law allows only 60 days.

collected in this state. After the qualified tax jurisdiction has received the benchmark amount, any leftover distributions of alternative ad valorem tax proceeds must be based upon the immediately preceding year's tax digest, and in proportion to the total amount of ad valorem taxes collected in this state.

Additionally, the bill requires that publication of the Georgia Unclaimed Property List be published electronically on the Department of Revenue's website. Proceeds from the sale of abandoned property may be used to cover the direct administrative expenses required to identify, locate, secure, and transmit abandoned property prior to depositing such funds, with the remaining funds deposited into the general fund.

Senate Bill 122

SPLOST Proceeds

Effective Date: July 1, 2015 (Signed by the Governor on May 1, 2015; Act 39)

This bill allows an additional use for SPLOST proceeds to include the repair of capital outlay projects, including, but not limited to, roads, streets, and bridges that have been damaged or destroyed by a natural disaster. Also included are capital outlay projects that are owned, operated, or administered by the state.

Senate Resolution 350

Urging Congress to Enact the Fairtax

This resolution urges Congress to adopt the Fairtax and repeal the Sixteenth Amendment to the Constitution of the United States of America. Additionally, this resolution recommends that the Georgia Tax Code be amended accordingly.

House Bill 63

Basic Skills Education Tax Credit

Effective Date: Upon Approval by the Governor; Applicable to all taxable years beginning on or after January 1, 2016 (Signed by the Governor on May 1, 2015; Act 44)

This bill provides that any employer who pays for an employee's GED exam will qualify for a tax credit in the amount of \$400 per employee, provided the employee passes the GED exam. Additionally, an employer who provides or sponsors an approved basic skills education program for an employee who then passes a GED exam will qualify for a \$1,200 tax credit.

The amount of this credit cannot exceed the employer's income tax liability for that taxable year. The aggregate amount of credits allowed is capped at \$1 million dollars in any calendar year. The basic skills education tax credit will expire on January 1, 2020.

House Bill 94

Assessment of Penalties for Failure to Pay Tax on Cancelled Vehicle Registration

Effective Date: July 1, 2015 (Signed by the Governor on May 6, 2015; Act 107)

This bill provides that any Georgia resident who voluntarily cancels the registration of his or her motor vehicle shall not be assessed any penalty for failure to pay the tax due during that period of time. This does not affect the amount of taxes due, but it does apply to the penalties assessed for failure to pay taxes due.

House Bill 202

Comprehensive Ad Valorem Taxation Reform

Effective Dates: (a) Sections 1, 2, and 3, Section 27, and Section 28 of this Act shall become effective upon their approval by the Governor or upon their becoming law without such approval.

(b) Sections 13 and 15 of this Act shall become effective on July 1, 2015.

(c) The remaining sections of this Act shall become effective on January 1, 2016, and Sections 9, 12, and 15 of this Act shall be applicable to all appeals filed on or after such date.

(Signed by the Governor on May 6, 2015; Act 193)

This legislation provides for the comprehensive revision of provisions regarding ad valorem taxation, assessment, and appeal. This legislation makes it easier for taxpayers to navigate and argue their assessed property values. Also, this legislation provides for a license plate for automobile dealers headquartered in Georgia. Additionally, it provides an exemption from state sales and use taxes for certain private colleges.

House Bill 215

“Equalized Homestead Option Sales Tax (EHOST) Act of 2015”

Effective Date: Upon Approval by the Governor (Signed by the Governor on May 4, 2015; Act 45)

Local Sales & Use Tax Ceiling Exemptions

Current law provides for a 2 percent ceiling on local sales and use taxes levied by a political subdivision. Current law further provides for an exemption from this ceiling for sales and use tax for educational purposes and for taxes levied for a metropolitan area system of public transportation in certain counties. This bill retains these exemptions, and adds that a tax levied for a metropolitan area system of public transportation will also be exempt in a county in which a HOST (“Homestead Option Sales Tax”) is levied and collected.

“Equalized Homestead Option Sales Tax Act of 2015”

Current law provides for a HOST, which is currently implemented only in DeKalb County and Rockdale County. The HOST, as currently used, is applied to property tax reduction for homestead properties (80 percent of the tax) and infrastructure funding (20 percent of the tax). This bill only applies to DeKalb County, as it requires both a current HOST and a “MARTA penny.” This bill applies 100 percent of the proposed EHOST to property tax reduction, to apply equally to residents in unincorporated and incorporated municipalities. The eighth-penny SPLOST will be divided up in DeKalb County by population. Both the SPLOST and EHOST must be adopted by referendum for either to apply.

House Bill 234

Postponement for Payment of Taxes, License Fees

Effective Date: Upon Approval by the Governor (Signed by the Governor on May 6, 2015; Act 127)

This bill allows for postponed payment of taxes or filing of tax returns if such due date occurs on a day when the Federal Reserve Bank is closed. Current exceptions only apply when the due date falls on a Saturday, Sunday, or legal holiday.

House Bill 237

Extension of the Angel Investor Tax Credit

Effective Date: July 1, 2015 (Signed by the Governor on May 5, 2015; Act 66)

This bill extends the \$5 million tax credit through 2018 for angel investors making a qualified investment directly to a qualified business.

House Bill 275

Collection of Unpaid Lottery Proceeds

Effective Date: Upon Approval by the Governor (Signed by the Governor on May 6, 2015; Act 135)

This bill provides that the Georgia Lottery Corporation is entitled to pursue setoff debt collection on unpaid lottery proceeds. The Georgia Lottery Corporation is granted the lowest priority, as amended.

House Bill 277

Taxation Rate of Floor Covering Samples

Effective Date: July 1, 2015 (Signed by the Governor on May 6, 2015; Act 136)

This legislation changes the definition of “carpet samples” to an expanded list of “floor covering samples.” The fair market value of floor covering samples shall be equal to 21.9 percent of the total raw material cost, rather than its current value of 100 percent of the total raw material cost. The fair market value of floor covering samples manufactured exclusively for commercial use shall be equal to 1 percent of the total raw material cost.

House Bill 292

Internal Revenue Code Update

Effective Date: Upon Approval by the Governor (Signed by the Governor on May 6, 2015; Act 6)

This legislation updates the Georgia tax code to conform to changes enacted at the federal level. This bill incorporates several federal tax bills into Georgia tax code. These federal bills include: the Achieving a Better Life Act; the Tax Increase Prevention Act; the 2014 Tribal Welfare Exclusion Act; the Philippines Charitable Giving Assistance Act; the 2015 Appropriations Act; the Airlines Bankruptcy Payments Rollover Act; the Cooperative and Small Employer Charity Pension Flexibility Act; and the Highway and Transportation Act of 2014.

House Bill 308

Rehabilitation of Historic Structures Tax Credit

Effective Date: January 1, 2016 (Signed by the Governor on May 12, 2015; Act 211)

Current law provides that tax credits must not exceed \$100,000 for a historic home in any 120-month period or \$300,000 for a certified structure in any 120-month period. This bill modifies this provision to cap such credits on historic homes at \$100,000 and certified structures at *\$5 million*. However, the maximum tax credits allowed for an individual certified structure are increased to \$10 million if the project meets or exceeds the employment target of 200 full-time permanent jobs (or \$5 million in annual payroll). If a credit exceeds \$5 million, GADOR may elect to pay it over two years. Furthermore, this bill provides that credits issued under this Code section must not exceed \$25 million per calendar year. This bill disallows the sale or transfer of such tax credits. This credit has a sunset date of December 31, 2021.

House Bill 312

Tobacco Licensing Requirements

Effective Date: Upon Approval by the Governor (Signed by the Governor on May 6, 2015; Act 142)

This legislation eliminates the bonding requirement for tobacco manufacturers and importers. Ordinarily, tobacco manufacturers and importers have no tax liability in Georgia.

House Bill 319

Ratification of the Governor's Executive Order Suspending the Gas Tax

Effective Date: Upon Approval by the Governor (Signed by the Governor on April 15, 2015; Act 19)

This bill ratifies Governor Deal's Executive Order, 12.05.14.02, which suspended, commencing on December 5, 2014, the collection of any rate of prepaid state taxes on motor fuels and aviation gasoline to the extent it differed from the rate levied as of June 1, 2014.

House Bill 339

Qualified Interactive Entertainment Production Company Tax Credit Extension

Effective Date: Applicable to Tax Years beginning January 1, 2016 (Signed by the Governor on April 30, 2015; Act 35)

This bill extends the current tax credit for qualified interactive entertainment production companies to January 1, 2019. The aggregate amount of such tax credit is not allowed to exceed \$12.5 million; any individual qualified interactive entertainment production company may not claim more than \$1.5 million in credits in a single year. Qualified companies are allowed to request pre-approval of such tax credits by the Commissioner. This legislation also provides for reporting requirements.

House Bill 374

"Farm Equipment" Modification; Lease Purchase Agreements

Effective Date: July 1, 2015 (Signed by the Governor on May 6, 2015; Act 153)

Current law exempts self-propelled farm equipment owned by a dealer and held in inventory for sale or resale from ad valorem taxation. This bill adds to the definition of farm equipment: "self-propelled equipment designed and used primarily for...forestry."

Additionally, this bill provides for a definition of “lease purchase agreement” for the purpose of exemption of qualified farm products from ad valorem taxation.

House Bill 426

Health Center Sales Tax Exemption; Food Bank Sales and Use Tax Exemption

Effective Date: July 1, 2015 (Signed by the Governor on May 12, 2015; Act 202)

This bill reinstates a three-year sales tax exemption, to expire on June 30, 2018, for certain federally qualified nonprofit health centers and nonprofit volunteer health clinics. The tax exemption given to qualified nonprofit health centers does not apply to local sales and use tax. The bill also provides for reporting requirements.

Additionally, current law provides for a use tax to be applied to grocers that donate food to food banks. This bill amends this section to exempt such grocers from use tax on food donated to food banks, to expire June 30, 2020.

House Bill 428

Georgia Aquarium and Zoo Atlanta Tax Exemptions

Effective Date: July 1, 2015 (Signed by the Governor on May 5, 2015; Act 51)

This bill extends tax exemptions to:

- The Georgia Aquarium, to apply until January 1, 2017 or until the aggregate state sales and use tax refunded pursuant to this subsection exceeds \$750,000, whichever occurs first; and
- Zoo Atlanta, to apply until June 30, 2018, or until the aggregate state sales and use tax refunded exceeds \$350,000.00.

The items that qualify for this exemption include all property that will remain at the Georgia Aquarium or Zoo Atlanta after completion of construction and all property that becomes incorporated into the real property structures of such institution. This exemption does not apply to property that remains in possession of a contractor after completion of construction.

House Bill 457

Ad Valorem Tax Exemption on Watercraft Owned by Dealers

Effective Date: Applicable to Tax Years beginning January 1, 2016 (Signed by the Governor on May 12, 2015; Act 225)

This exemption provides that watercraft owned by a dealer and held in inventory for sale or resale is not to be returned for ad valorem taxation, and no taxes are to be collected on the watercraft until it is transferred and becomes subject to taxation. Upon this bill becoming law, the ad valorem tax exemption for watercraft dealers is to apply to all tax years beginning on and after January 1, 2016. This exemption will sunset on December 31, 2019.

House Bill 464

Repeal of Unused Tax Credits

Effective Date: July 1, 2015 (Signed by the Governor on May 5, 2015; Act 65)

This bill repeals the tax credit for water conservation facilities and qualified water conservation investment property, effective December 31, 2016. Additionally, this legislation repeals the tax credit for the shift from ground-water usage, effective December 31, 2016. Finally, this bill mandates that the Department of Natural Resources shall not accept applications for the tax credit for qualified donation of real property after December 31, 2016.

GOVERNMENT OVERSIGHT

House Bill 70

State Mammal

Effective Date: July 1, 2015 (Signed by the Governor on April 30, 2015; Act 37)

This bill designates the white-tailed deer as the official Georgia state mammal.

House Bill 252

Calvin Hill, Jr., Act

Effective Date: July 1, 2015 (Signed by the Governor on May 5, 2015; Act 70)

This bill revises Georgia Code to modernize terms, repeal obsolete provisions, remove or correct certain inconsistent references, and to consolidate various provisions.

House Bill 259

Georgia Business Act

Effective Date: July 1, 2015 (Signed by the Governor on May 6, 2015; Act 197)

This bill allows for new vehicle purchases to be exempt from competitive bidding requirements if: the manufacturer of the automobile constructs or assembles the automobile in the state of Georgia, the vehicle is considered a light duty vehicle with a gross vehicle weight rating under 12,500 pounds, and there is a reasonable expectation the vehicle can be acquired for less than \$25,000.

House Bill 385

Cost of Copying and Transmitting Medical Records

Effective Date: July 1, 2015 (Signed by the Governor on May 6, 2015; Act 156)

This bill moves the responsibility of annually determining the price increase for copying and transmitting medical records from the Office of Planning and Budget to the Department of Community Health. Currently, these costs are limited by statute, but are adjusted each year to reflect changes in the medical component of the Consumer Price Index.

House Bill 386

Title 32 Chapter 12 Repeal

Effective Date: July 1, 2015 (Signed by the Governor on May 6, 2015; Act 157)

This bill repeals in its entirety Chapter 12 of Title 32, which relates to the Georgia Coordinating Committee for Rural and Human Services Transportation.

HEALTH AND HUMAN SERVICES

Senate Bill 51

Interchangeable Biological Products (IBPs); Pharmaceutical Substitutions for Biological Products

Effective Date: July 1, 2015 (Signed by the Governor on May 6, 2015; Act 189)

In anticipation that certain IBPs will be granted FDA approval, this bill amends Title 26 of the O.C.G.A. to provide the standards and parameters pharmacists are to follow in dispensing substitutions for biological products. The requirements set forth under this bill reflect nationally recognized principles for biologic substitution and include: adhering to FDA designations for IBPs; respecting requests by patients or orders by prescribers to not substitute a product; providing notice to patients of substitutions; communicating to prescribing physicians that a substitution has been made within 48 hours; and maintaining records of substitutions by pharmacists and physicians.

Senate Bill 53

Licensed Professional Counselors' (LPCs') Authority; Persons Requiring Involuntary Treatment Effective Date: Upon Approval by Governor (Signed by the Governor on March 10, 2015; Act 8)

Current law provides that an LPC has the authority in emergency situations to "certify" a person for the purpose of transporting them to a facility where a physician can perform a formal evaluation as to whether such person requires involuntary treatment. In such a situation, an LPC can perform an emergency examination of a person who appears to be mentally ill; or an alcoholic, drug dependent individual, or drug abuser; and then determine whether the person should be transported for a physician's evaluation. This legislation revises the sunset provision for LPCs to perform emergency evaluations and certifications from March 15, 2015, to June 30, 2018.

Senate Bill 109

POLST (Physician Orders for Life-Sustaining Treatment) Forms

Effective Date: July 1, 2015 (Signed by the Governor on May 5, 2015; Act 55)

Under this bill, the Department of Public Health (DPH) is to continue to make available a POLST form that is to be voluntarily executed by: (1) a patient with decision-making capacity and a treating physician; or (2) the patient's authorized person and the patient's physician. A POLST is to be portable and to follow the patient to any health care facility where the patient receives treatment. This bill clarifies POLST forms in Georgia law and allows providers and health care facilities to reference a patient's POLST form and rely on its orders as giving legal consent regarding a patient's end of life care decisions. A POLST form can also be executed at any time if a person has been diagnosed with dementia or another progressive, degenerative disease or condition that attacks the brain and results in impaired memory, thinking, and behavior. This bill provides immunity for providers and health care facilities from civil or criminal liability or discipline for unprofessional conduct in certain situations. Additionally, a POLST is to remain effective unless it is revoked by the attending physician upon the consent of the patient or the patient's authorized person.

Senate Bill 126

Auto-injectable Epinephrine to Authorized Entities & Levalbuterol Sulfate in Schools

Effective Date: July 1, 2015 (Signed by the Governor on May 5, 2015; Act 56)

This bill expands current law to allow authorized medical professionals to prescribe, and pharmacists to dispense, auto-injectable epinephrine to authorized entities. Under this bill, authorized entities and properly trained personnel are permitted to stock and administer auto-injectable epinephrine when an individual is experiencing anaphylaxis. By January 1, 2016, the State Board of Pharmacy is to identify the entities and organizations to be authorized under this bill. The State Board of Pharmacy is also tasked with annually updating or providing rules and guidance concerning the identified entities.

This legislation also contains the language of House Bill 362, which provides that a public or private school in Georgia can be prescribed and stock a supply of levalbuterol sulfate. Levalbuterol sulfate is an orally inhaled medication used to treat respiratory distress such as wheezing, shortness of breath, or difficulty breathing. In the event that a school employee has a good faith belief that the student is experiencing respiratory distress and the employee has received the requisite training provided under this bill, he or she can administer levalbuterol to a student or provide it to the student for immediate self-administration. Each local board of education is to adopt a policy authorizing school personnel to administer levalbuterol sulfate and provide information to school personnel on recognizing symptoms of respiratory distress and how to correctly administer the medication. By July 1, 2015, the State Board of Education is to consult with the Department of Public Health and adopt rules and regulations necessary for the implementation of the provisions relating to levalbuterol sulfate under this bill.

Senate Bill 131

Crisis Stabilization Units (CSUs)

Effective Date: July 1, 2015 (Signed by the Governor on May 6, 2015; Act 179)

Current Georgia law authorizes the Department of Behavioral Health and Developmental Disabilities (DBHDD) to license CSUs. This bill amends current law by removing all licensing language relating to DBHDD's regulation of CSUs and replacing it with language that gives DBHDD the authority to certify CSUs. DBHDD is required under this bill to establish minimum standards and requirements for the certification of CSUs in its policies and procedures. The House Substitute added language related to DBHDD's policies and procedures for CSUs. Any changes to such policies and procedures are to be posted on DBHDD's website within 45 days and are to remain online for at least six months.

Senate Bill 138

Child Welfare Reform and Child Abuse Registry

Effective Date: July 1, 2015 (Signed by the Governor on May 5, 2015; Act 77)

This bill reforms the child welfare system in Georgia, creates an interagency central data repository to maximize sharing of important data among certain agencies, and restores the child abuse registry. The Director of Division of Family and Children Services (DFCS) is to be appointed by and report directly to the Governor. The Department of Human Services (DHS) is to develop and implement a state-wide interagency system that enables agencies to gather and actively share important information relating to the care and protection of children. To streamline access to such data, DHS is to work with the agencies and use state-wide data repositories and delivery systems to the greatest extent possible during the development phase of the interagency system. Agencies to be included in such effort are: DFCS, the Department of Early Care and Learning, the Department of Community Health, the Department of Public Health, the Department of Behavioral Health and Developmental Disabilities, the Department of Juvenile Justice, the Department of Education, and the Georgia Crime Information Center.

The child abuse registry provided under O.C.G.A. § 49-5-180 has been dormant since 1998 when the Supreme Court of Georgia declared it to be unconstitutional (*State v. Jackson*, 496 S.E.2d 912). This bill serves to restore the registry by addressing the federal due process issues cited by the Court in support of its ruling. This bill specifically provides for entry of substantiated cases and reported convictions into the registry, notification of DFCS by prosecuting attorneys and abuse investigators regarding convictions and substantiated cases of child abuse, inclusion of such information in the child abuse registry, and distribution of information from the registry to authorized individuals. For substantiated cases of abuse, DFCS is required under this bill to use certified mail to give notice to the alleged child abuser. Individuals can also inquire with DFCS as to whether such person is included in the registry as well as to request a hearing to remove that person's records in the registry if they have been included in error.

This legislation provides for confidentiality of records kept in the registry as well as criminal punishments for either knowingly providing false information from the child abuse registry to an unauthorized person or for obtaining information from the registry under false pretenses.

Senate Bill 194

Home Dialysate Drugs and Equipment & Ophthalmic Prescriptions

Effective Date: July 1, 2015 (Signed by the Governor on May 5, 2015; Act 81)

This bill adds a new Code section under the Georgia Pharmacy Practice Act that provides an exemption for facilities engaging solely in the distribution of certain home kidney dialysis products. Under this bill, such facilities are to be exempt from the provisions that apply to pharmacists and pharmacies under the Georgia Pharmacy Practice Act so long as certain criteria are met. Section 3 of the bill contains the language of House Bill 47, which provides a mechanism to prevent unintended interruptions in drug therapy for topical ophthalmic products by giving pharmacists the authority to permit refills at 70 percent of the predicted days use. Section 1 of the bill amends the current definition of "practitioner" or "practitioner of the healing arts" in the O.C.G.A. to include an optometrist.

Senate Resolution 84

Urging Congress to Reform Federally Financed Graduate Medical Education Programs

Under this resolution, the Senate urges the Congress of the United States to address the funding caps slowing the expansion of graduate medical education across the country and Georgia. This resolution further recognizes that Georgia is projected to rank 50th in the nation in primary care physicians per 100,000 population by 2020.

Senate Resolution 462

Urging Congress to Amend the Controlled Substances Act of 1970; Study of Medical Marijuana

It is to be resolved by the Senate that the members of its body urge the Congress of the United States to authorize the study of medical marijuana. This resolution cites the need to promote uniformity, the ability to protect public health and safety, and the desire to prevent state citizens from becoming medical refugees as reasons for changing existing federal law.

Senate Resolution 487

Senate Preventing Youth Substance Use Disorders Study Committee

This resolution creates the Senate Preventing Youth Substance Use Disorders Study Committee. The Committee is to examine and study the best pathways to cost-effective prevention and early intervention strategies to reduce addiction and prevent suicide among Georgia's adolescents. The committee is to be composed of four members of the Senate to be appointed by the President of the Senate. This study committee stands abolished on December 31, 2015.

Senate Resolution 560

Senate Women's Adequate Healthcare Study Committee

This resolution creates the Senate Women's Adequate Healthcare Study Committee for the purpose of studying the issues surrounding women's healthcare in Georgia. The committee is to be composed of four members of the Senate to be appointed by the President of the Senate. The abolishment date for this committee is December 1, 2015.

Senate Resolution 561

Senate Study Committee on the Consumer and Provider Protection Act

This resolution creates the Senate Study Committee on the Consumer and Provider Protection Act (Senate Bill 158). The committee is to examine and study the conditions, needs, and issues surrounding the contractual relationship between insurers and primary care providers. The committee is to be composed of 10 members appointed by the President of the Senate. The committee members shall include four members of the Senate, one of which is to be designated as chair, and six non-legislative members as follows:

- One physician representative from the Medical Association of Georgia;
- One practice administrator who represents at least 500 physicians;
- One dentist representative from the Georgia Dental Association;
- One dental office manager or dental office insurance coordinator;
- One consumer member; and,
- One health insurance industry representative.

The abolishment date for this committee is December 1, 2015.

Senate Resolution 594

Senate Rate of Diagnosis for Children with Attention Deficit Hyperactivity Disorder (ADHD) and Related Disorders Study Committee

This resolution creates the Senate Rate of Diagnosis for Children with ADHD and Related Disorders Study Committee and recognizes that about 11 percent of school-age children have received a medical diagnosis of ADHD and that about two-thirds of those children receive prescriptions for stimulants, such as Ritalin or Adderall. The committee is to undertake a study of the conditions and needs surrounding

this issue. The committee is to be composed of five members of the Senate to be appointed by the President of the Senate, and the chair of the Senate Health and Human Services Committee is to be designated as chair. The abolishment date for this committee is December 1, 2015.

House Bill 1

“Haleigh’s Hope Act”

Effective Date: Upon Approval by the Governor (Signed by the Governor on April 16, 2015; Act 20)

The Governor signed an Executive Order on March 27, 2015, ordering all state agencies involved in the implementation of HB 1 to immediately begin executing the requirements set forth under this Act. This Act allows certain persons with certain conditions or those involved in research programs to legally possess 20 fluid ounces of “low THC oil,” cannabidiol (CBD) oil containing no more than 5 percent by weight of tetrahydrocannabinol (THC) and at least a 1:1 ratio of CBD to THC. This Act restricts lawful possession to persons or caregivers participating in either the Department of Public Health’s (DPH’s) Low THC Oil Patient Registry or a clinical research program by the Board of Regents of the University System of Georgia (USG). In either case, the person must show proof of participation through a registration card or permit, and the substance in the person’s possession must be in a pharmaceutical container labeled by the manufacturer indicating the percentage of THC therein. The Georgia Department of Public Health is to establish procedures, rules, and regulations, and operate a registration process for individuals or caregivers who are authorized to possess low THC oil.

To participate in the Registry, a patient must be certificated to DPH by the treating physician for the purpose of treatment with low THC oil for a qualifying condition. Any patient with one of the conditions listed below may be eligible to participate in the Registry:

- A severe or end stage diagnosis of: amyotrophic lateral sclerosis; multiple sclerosis; Parkinson’s; or sickle cell disease.
- Crohn’s disease.
- Mitochondrial disease.
- “Cancer” diagnosed as end stage or when the treatment “produces related wasting illness, recalcitrant nausea and vomiting.”
- Seizure disorders related to diagnosis of epilepsy or trauma related head injuries.

The Board of Regents of USG is to create or work with other institutions to develop a low THC oil research program for children with medication-resistant epilepsies. This Act also creates a 17-member Georgia Commission on Medical Cannabis to establish recommendations regarding the potential regulation of medical cannabis in Georgia. By December 31, 2015, the Commission is to submit a detailed report of its review of the issues, needs, and problems related to medical cannabis and any recommended action or legislation to the Governor, the Office of Planning and Budget, and the chairpersons of the House and Senate Appropriations Committees, Judiciary Non-Civil Committees, and Health and Human Services Committees. The Commission is to be housed under DPH for administrative purposes only and is to stand abolished on June 30, 2016.

House Bill 72

Abuse, Neglect, and Exploitation of Disabled Adults and Elder Persons

Effective Date: July 1, 2015 (Signed by the Governor on May 5, 2015; Act 86)

Section 1 of this bill strengthens current law by providing more tools to detect, report, and prosecute cases involving the abuse, neglect, and/or exploitation of disabled adults and elder persons. This bill allows evidence obtained pursuant to an inspection warrant to be admissible in a criminal case, provides for preferred scheduling of court cases to preserve testimony, and updates reporting and venue provisions to allow for more opportunity to prosecute cases. Section 2 contains language from Senate Bill 34 to expand the Good Samaritan law to allow a person to rescue a person from a locked vehicle. Additionally, the bill contains the language of House Bill 119 relating to disclosure of AIDS confidential information.

House Bill 177

Child Abuse Reporting by School Employees; Requirements for Entities Receiving Reports

Effective Date: July 1, 2015 (Signed by the Governor on May 6, 2015; Act 119)

This bill closes the reporting loop between child welfare or protection agencies (entities) and school personnel who file reports of suspected child abuse. This legislation creates a process to ensure school personnel receive certain follow-up information after filing a report of suspected child abuse to the appropriate entity. Within 24 hours of a school employee filing a report of suspected child abuse, the entity is to acknowledge in writing its receipt of such report to the school employee. Within five days of completing an investigation, the entity that received the report is required to make a written disclosure to the corresponding school counselor stating whether the suspected child abuse was confirmed or unconfirmed by the investigation.

House Bill 183

“Home Care Patient Protection Act”

Effective Date: July 1, 2015 (Signed by the Governor on May 5, 2015; Act 60)

Current law mandates that every private home care provider obtain a license or provisional license from the Department of Community Health. This Act clarifies that such licensure requirements apply only to private home care providers. Licensure is not required for individuals employed by a private home provider, such as those providing “companion or sitter tasks,” or contractual agreements between private home providers and independent contractors who are licensed under Title 43 of the O.C.G.A. This Act is not to interfere with entities acting as independent contractors for the purpose of locating and referring a person to a service that is provided by a licensed health care professional.

House Bill 198

“Jason Flatt Act-Georgia”

Effective Date: July 1, 2015 (Signed by the Governor on May 5, 2015; Act 91)

This Act requires the Department of Education (DOE) to adopt rules mandating that all certificated public school personnel in Georgia to receive annual training in suicide awareness and prevention. DOE is to develop criteria for training materials and a model policy for use by local school systems. Under this Act, each local school system is required to adopt a policy on student suicide prevention that, at a minimum, addresses procedures relating to suicide prevention, intervention, and postvention.

House Bill 288

Two Additional Members to the Behavioral Health Coordinating Council

Effective Date: July 1, 2015 (Signed by the Governor on May 5, 2015; Act 90)

This bill adds two members to the Behavioral Health Coordinating Council to be appointed by the Governor.

House Bill 316

Professional Services by Professional Corporations; Practice of Medicine, Surgery, & Optometry

Effective Date: July 1, 2015 (Signed by the Governor on May 6, 2015; Act 194)

Currently, a professional corporation may practice only one profession unless O.C.G.A. § 14-7-4 specifies otherwise. This bill adds language to this Code section to provide that the practice of medicine, surgery, and optometry may be considered the practice of only one profession for the purposes of professional corporations. This is to allow physicians specializing in ophthalmology to organize and jointly own a professional corporation with optometrists.

House Bill 342

Nursing Home Violations and Advertisements

Effective Date: Upon Approval by the Governor (Signed by the Governor May 12, 2015; Act 203)

This bill provides that any violation of federal or state nursing home regulations is not to constitute “negligence per se”; however, in any civil action, a court is required to take judicial notice of such regulations and admit them into evidence. This bill also regulates the information that can be used in

advertisements and solicitations referencing the results of federal or state surveys or inspections of nursing homes, such as offers for legal counsel. Such advertisements are to include information that is comprehensive and not misleading to the public. Required information includes, but is not limited to: the date of the inspection; whether a finding has been substantially corrected and the date of such correction; and a disclosure of the severity level of each finding or deficiency cited.

House Bill 394

The Georgia Board of Nursing; Authority

Effective Date: Upon Approval by the Governor (Signed by the Governor on May 6, 2015; Act 160)

This bill revises the powers and duties of the Georgia Board of Nursing relating to the licensure of registered professional nurses and licensed practical nurses. The Georgia Board of Nursing is to have the same authority as the former Georgia Board of Examiners of Licensed Practical Nurses when it comes to issuing and enforcing investigative and disciplinary orders. This bill further updates graduate nursing education provisions, including adding a provision allowing the board to determine, in cases where a person has graduated from a nursing education program located outside the United States, if such program is equivalent to an approved nursing program under Title 43 of the O.C.G.A.

House Bill 416

“Consumer Information and Awareness Act”

Effective Date: Upon Approval by the Governor (Signed by the Governor May 12, 2015; Act 200)

This Act requires each health care practitioner to clearly post and affirmatively communicate his or her specific licensure to all current and prospective patients in certain facilities. Requirements under this Act apply only to health care practices and facilities where more than one type of health care practitioner interacts with patients in exam settings. An “identifier” is defined under this Act and may be in the form of a coat or badge that is worn by the practitioner and clearly displays his or her licensure. A violation of any provision of this Act may be subject to disciplinary action by the practitioner’s professional licensing board. This Act specifies that an identifier is not to be required in a setting where surgical or invasive procedures are performed or in any setting that must be kept sterile or in a mental health setting if it could impede the psychotherapeutic relationship between the practitioner and patient. This Act has limited application for certain practitioners and applies only to: (1) a dentist if the dentist practices in a hospital; and (2) a chiropractor or optometrist only if such chiropractor or optometrist is practicing in a hospital, nursing home, assisted living community, or personal care home.

House Bill 436

Georgia HIV/Syphilis Pregnancy Screening Act of 2015

Effective Date: July 1, 2015 (Signed by the Governor May 12, 2015; Act 218)

This bill updates the current Georgia HIV Pregnancy Act of by requiring that physicians providing prenatal care are to offer HIV and syphilis testing to any pregnant woman during the third trimester of pregnancy. At the time of delivery, if there is no evidence of such testing having been performed during the third trimester of gestation, a physician may order HIV and syphilis testing of the mother. However, the pregnant woman or mother may refuse any of these offers to test for HIV and syphilis.

The bill also contains the language of Senate Bill 114 and relates to the current limitation that a delegating physician can enter into no more than four nurse protocol agreements with advanced practice registered nurses (APRNs). This limitation does not apply when the APRN falls in a statutory exception. An exception is added for any APRN who practices in any community service board.

House Bill 504

Immunizations; Vaccine Protocol Agreements (VPAs)

Effective Date: July 1, 2015 (Signed by the Governor on May 5, 2015; Act 54)

This bill provides regulations for pharmacists and nurses to administer vaccines for pneumonia, shingles, and meningitis pursuant to a vaccine protocol agreement (VPA) with a physician to certain persons. Sanctions for noncompliance with certain regulations are to be issued by the appropriate entity

designated under this bill, either the Georgia Drugs and Narcotics Agency (GDNA) or the Georgia Board of Pharmacy. After a vaccine is administered, patients are to receive a vaccine card to carry and be updated with future vaccinations. The person who administered the vaccine is required to report the vaccination and related patient information to the Georgia Registry of Immunization Transactions and Services (GRITS). This bill authorizes GDNA to issue sanctions for noncompliance with GRITS reporting requirements.

This bill also provides that the pharmacist or nurse is to post proof of the VPA in a conspicuous location onsite in the facility where the vaccine is being administered and to maintain individual liability insurance coverage or be individually covered by his or her employer's liability insurance for no less than \$250,000.00. The Georgia Board of Pharmacy is to monitor and issue sanctions for noncompliance with such requirements.

House Bill 505

Licensed Physical Therapists; Self-referral by Patients

Effective Date: July 1, 2015 (Signed by the Governor on May 5, 2015; Act 53)

This bill revises the "Georgia Physical Therapy Act" to allow a patient to "self-refer" oneself to a licensed physical therapist (PT) for a limited period of time without needing a referral from a physician. This bill requires a licensed PT to refer the patient to a licensed health care provider after the patient is treated for eight visits or once 21 days have passed from the initial visit, whichever occurs first. Nothing in this bill is to be used to prevent any other health care provider from administering techniques authorized within his or her scope of practice.

House Bill 511

Automated Medication Systems

Effective Date: July 1, 2015 (Signed by the Governor May 12, 2015; Act 235)

Current Georgia law allows for skilled nursing facilities and hospices to use automated medication dispensers. However, the law does not specify whether a pharmacist must travel to the nursing facility or hospice to restock an automatic dispenser. This bill allows a pharmacy technician to transport a refill supply of medication from the pharmacy to the automated medication dispenser.

House Bill 512

Department of Behavioral Health and Developmental Disabilities (DBHDD); Mental Health Services

Effective Date: July 1, 2015 (Signed by the Governor May 12, 2015; Act 236)

This bill clarifies that DBHDD is solely responsible for its planning and budgeting, and the authority to do so is not delegated to any local or advisory bodies. To reinforce that the role of these bodies is not to plan or budget on behalf of DBHDD, this bill renames the regional offices as "local offices" and regional planning boards as "regional advisory councils." This bill also requires DBHDD to develop a central data system to increase consistency in service delivery and to help ensure that the services being delivered are meeting the needs of persons across the state of Georgia.

HIGHER EDUCATION

House Bill 3

Todd Gurley Bill

Effective Date: Upon Approval by the Governor (Signed by the Governor on May 6, 2015; Act 101)

This bill prohibits any person from soliciting or enticing a student-athlete in a transaction that would cause the student-athlete to permanently or temporarily lose Athletic scholarship eligibility, the ability to participate on an intercollegiate team, or the ability to participate in one or more intercollegiate sporting competitions. Any person that violates this provision will be guilty of a misdemeanor of a high and aggravated nature. This bill also allows colleges and universities to file a civil action suit privately to recover any losses they may have incurred.

House Bill 320
Student Privacy

Effective Date July 1, 2015 (Signed by the Governor on May 6, 2015; Act 144)

This bill dictates that the Georgia Student Finance Commission, the Georgia Higher Education Assistance Corporation, and the Georgia Student Finance Authority keep confidential all records, except zip codes, that identify a student or former student, unless such identifying information has been redacted.

House Bill 353

Nonpublic Postsecondary Educational Institutions Act Revisions

Effective Date: July 1, 2015 (Signed by the Governor on April 20, 2015; Act 23)

This bill cleans up the title section relating to nonpublic secondary educational institutions. It increases the size of the Tuition Guarantee Trust Fund, as well as exempts the Nonpublic Postsecondary Education Commission from the Administrative Procedures Act. The bill cleans up outdated provisions as well as modifies the process for a change in ownership of an institution.

House Resolution 304

Gerontology and Dementia Education

This resolution encourages Georgia's technical schools, colleges, and universities to expand gerontology and dementia education and training in order to address the growing economic, social, and healthcare needs created by our aging population.

INSURANCE AND LABOR

Senate Bill 88

Crediting Wages through Payroll Card Account

Effective Date: Upon Approval by the Governor (Signed by the Governor on May 15, 2015; Act 85)

This legislation authorizes employers to pay employee wages and salaries by credit to a payroll card account.^[1] Employers electing this method must provide their employees with each of the following:

- A written explanation of any fees associated with the payroll card account. This written explanation must be issued at least 30 days prior to the date the payroll card account is to become available to existing employees while new employees will be notified at the time of hiring;
- The ability to opt-out by submitting a request for a check in writing; and
- The ability to opt-out by providing the proper designation and authorization for an electronic credit transfer.

Senate Bill 108

Own Risk and Solvency Assessments

Effective Date: July 1, 2015 (Signed by the Governor on May 5, 2015; Act 87)

This legislation requires insurers to conduct an ORSA consistent with a process comparable to the ORSA Guidance Manual. The ORSA must be conducted at least once per year as well as any time when there are significant changes to the insurer's risk profile. In essence, an ORSA is an internal process undertaken by an insurer or insurance group to assess the adequacy of its risk management, and current and prospective solvency positions under normal and severe stress scenarios. An ORSA requires insurers to analyze all reasonably foreseeable and relevant material risks (i.e., underwriting, credit, market, operational, liquidity risks, etc.) that could have an impact on an insurer's ability to meet its policyholder obligations.

[1] "Payroll card account" is defined as an account that is directly or indirectly established through an employer and to which electronic fund transfers of the consumer's wages, salary, or other employee compensation are made on a recurring basis, whether the account is operated or managed by the employer, a third-party payroll processor, a depository institution, or any other person.

Upon the Insurance Commissioner's request, but no more than once a year, an insurer must submit a confidential ORSA Summary Report. If the insurer is a member of an insurance group, the insurer will submit the report or reports if the Commissioner is the lead state commissioner of the insurance group. Alternatively, an insurer may comply with the Commissioner's request by providing the most recent and substantially similar report or reports provided by the insurer to the commissioner of another state, or to a supervisor or regulator of a foreign jurisdiction, if that report provides information that is comparable to the information described in the ORSA Guidance Manual.

Senate Bill 111

Continuing Care Providers and Facilities

Effective Date: July 1, 2015 (Signed by the Governor on May 5, 2015; Act 79)

This legislation expands the types of services that continuing care providers and facilities may provide. Specifically, it allows continuing care providers to offer continuing care at home. "Continuing care at home" is defined as the furnishing of services by a licensed private home care provider pursuant to a continuing care at home agreement at a location other than at a facility and which includes the obligation to provide nursing care, assisted living care, or personal care home services. A continuing care at home agreement may, but is not required to, include an obligation of lodging or food.

Providers are also authorized to offer continuing care at home at resident-owned living units. A resident-owned living unit is a residence or apartment, the purchase or sale of which is not included in an entrance fee, which is a component part of a facility and in which the resident has an individual real property ownership interest.

Finally, this legislation allows residents under a continuing care agreement to live at a home on or off of a facility.

House Bill 84

Aircraft Insurance

Effective Date: July 1, 2015 (Signed by the Governor on May 6, 2015; Act 105)

This legislation requires all aircraft insurance policies that contain any of the specific exclusions related to pilots and aircraft certification or requirements in Code Section 33-24-30(b) to include a conspicuous notice advising the insured that the policy contains such exclusions or conditions. The notice must also provide specific instructions as to what actions the insured must undertake in order to protect and preserve his or her rights and coverages under the policy.

House Bill 117

Employment Security

Effective Date: Upon Approval by the Governor (Signed by the Governor on May 6, 2015; Act 113)

Sections 1, 2, and 5 redefine "most recent employer" to solely mean the last employer for whom an individual worked. The current system uses a complex calculation based on the individual's recent employment history and base period.

Sections 3 and 6 extend the statute of limitations from three to seven years when:

- An employer seeks an adjustment or a refund of contributions or payments erroneously collected by Georgia DOL; and
- For any actions Georgia DOL takes to recover an overpayment to a claimant.

Section 4 – Unemployment Compensation Paid to Victims of Family Violence

Current law provides that a person who leaves a place of employment voluntarily, and without good cause, will be disqualified from receiving unemployment benefits. This legislation creates a presumption

that a person has left for good cause if that person leaves an employer due to family violence^[2] verified by reasonable documentation demonstrating that:

- Leaving the employer was a condition of receiving services or shelter from a family violence shelter; or
- Such family violence caused the individual to reasonably believe that the claimant's continued employment would jeopardize the safety of the claimant or the safety of any member of the claimant's immediate family.^[3]

The employer's account will not be charged for any benefits paid out to an individual who leaves an employer under these circumstances.

When voluntarily leaving an employer, the burden of proof of good cause in connection with the individual's most recent work will be on the individual.^[4]

House Bill 162

Insurance Compliance Self-Evaluative Audits

Effective Date: July 1, 2015 (Signed by the Governor on May 6, 2015; Act 117)

The intended effect of this legislation is to allow insurers to conduct self-evaluative audits in an effort to ensure that the insurer is in compliance with various laws and to not penalize the insurer for efforts to maintain compliance with such laws. In doing so, this legislation makes insurance compliance self-evaluative audit documents privileged information that are not admissible as evidence in any legal action in any civil, criminal, or administrative proceeding, except as provided by this legislation.

House Bill 185

Life Insurers – Principle-Based Reserving; and Mutual Insurance Holding Company Act

Effective Date: July 1, 2015 (Signed by the Governor on May 6, 2015; Act 120)

Sections One and Two: Life Insurers – Principle-Based Reserving

In 2009, the National Association of Insurance Commissioners (NAIC) adopted a revised model Standard Valuation Law (SVL) which introduced a new method for calculating life insurance policy reserves to more easily adapt requirements for changing products. This new method is referred to as Principle-Based Reserving (PBR). Once adopted, PBR would replace the current formulaic approach to determining policy reserves with an approach that more closely reflects the risks of the highly complex products. The improved calculation is intended to reduce reserves that are too high for some products and increase reserves that are too low for other products. It should also reduce the incentive for company “workarounds” designed to manipulate reserves. The revised SVL would authorize creation of a Valuation Manual that contains reserving requirements. The Valuation Manual was adopted by a supermajority of NAIC members in December 2012, paving the way for states to begin adopting revisions to the SVL in their legislative sessions.^[5]

This legislation is essentially a compact; PBR will only be implemented only after at least 42 states and territories, representing 75 percent of the total U.S. premiums, adopt substantially similar.

^[2] “Family violence” means the occurrence of one or more of the following acts between past or present spouses, persons who are parents of the same child, parents and children, stepparents and stepchildren, foster parents and foster children, or other persons living or formerly living in the same household:

- Any felony; or
- Commission of offenses of battery, simple battery, simple assault, assault, stalking, criminal damage to property, unlawful restraint, or criminal trespass.

^[3] “Family violence shelter” means a facility approved by the department for the purpose of receiving, on a temporary basis, persons who are subject to family violence.

^[4] The language in Section 4 is identical to the language in Senate Bill 42.

^[5] http://www.naic.org/documents/committees_ex_pbr_implementation_tf_130621_legislative_brief.pdf

Section Three: Mutual Insurance Holding Company Act

Section Three of this legislation establishes the framework for allowing a domestic mutual insurer to reorganize as a mutual insurance holding company – continuing the corporate existence of the reorganizing insurer as a stock insurer. A reorganization plan must be approved by the Insurance Commissioner and must be adopted by the affirmative vote of at least two-thirds of the mutual insurer's board of directors.

After holding at least one public hearing, and satisfied that the interests of the policyholders are properly protected, the Insurance Commissioner may approve the proposed reorganization plan. The Commissioner may also require, as a condition of approval, modifications to the reorganization plan.

The mutual insurer must hold a meeting of its policyholders to vote upon the reorganization plan within 45 days after the Commissioner approves the plan.

The membership interests of the policyholders of the mutual insurer will automatically convert to membership interests in the mutual insurance holding company as long as the policy is in force on the date the reorganization plan was adopted by the board of directors. Additionally, the assets of the mutual insurance holding company are deemed to be assets of the estate of the reorganized stock insurer for purposes of satisfying the claims of the reorganized stock insurer's policyholders. A mutual insurance holding company may not be dissolved or liquidated without the prior approval of the Commissioner.

Merging as an alternate Method of Reorganizing

The legislation also allows both foreign and domestic insurers to reorganize by merging with an existing mutual insurance holding company. The merger must be approved by the Commissioner. A foreign mutual insurer that is a party to the merger may at the same time redomesticate in Georgia by complying with the applicable requirements of Georgia and its state of domicile.

Public Offerings of Stock

Voting stock offerings to any person other than the mutual insurance holding company will be made only in accordance with the provisions contained within the reorganization plan governing the initial offering or with the Commissioner's approval. The reorganization plan must describe the terms on which members, officers, and directors, as well as any other persons, may participate in such offering.

House Bill 190

Rideshare – Mandatory Insurance Coverage

Effective Date: January 1, 2016 (Signed by the Governor on May 6, 2015; Act 196)

Requires all Transportation Network Company (TNC)^[6] drivers to maintain a minimum motor vehicle liability insurance policy that:

1. Recognizes the driver as a TNC driver and explicitly covers the driver's provision of TNC services;^[7]
2. Provides a minimum of \$100,000 for bodily injuries to, or death of, all persons in any one accident; with a maximum of \$50,000 for bodily injuries to or death of one person; and \$50,000 for loss of or damage to property of others, excluding cargo, in any one accident, during the time a driver is logged on to the TNC's digital network and available to accept a ride request until the

^[6] "Transportation Network Company" or "TNC" means a corporation, partnership, sole proprietorship, or other entity, such as Uber or Lyft, that uses a digital network or other means to connect customers to TNC company drivers for the purposes of providing transportation for compensation including, but not limited to, payment, donation, or other item of value. The term does not include emergency or nonemergency medical transports.

^[7] "Transportation network company services" or "services" means: (A) The period of time a driver is logged on to the TNC's digital network and available to accept a ride request until the driver is logged off; and (B) The period of time a driver accepts a ride request on the transportation network company's digital network until the driver completes the transaction or the ride is complete, whichever is later.

driver is logged off. This coverage is required in the absence of any other liability coverage with such minimum limits; and

3. Provides a minimum of \$1 million for death, personal injury, and property damage per occurrence and provides uninsured and underinsured motorist coverage of at least \$1 million per incident during the time a driver accepts a ride request on the TNC's digital network until the driver completes the transaction or the ride is complete, whichever is later.

This legislation authorizes personal vehicle insurance policies to exclude coverage for any loss or injury that occurs while a driver is logged on to a TNC's digital network or while providing TNC services. However, insurers may offer a personal policy, amendment, or an endorsement that covers a driver's vehicle while being used for TNC services. The insurance requirements may be satisfied by either a commercial motor vehicle insurance coverage purchased by the TNC or by the driver. The requirement may also be satisfied by a rider to the driver's liability policy which may be combined with an excess policy provided by the TNC but a driver's policy will not provide any coverage to the driver or any third party, unless the policy expressly provides for such coverage.

House Bill 348

Workforce Development

Effective Date: July 1, 2015 (Signed by the Governor on May 6, 2015; Act 186)

This legislation abolishes the Workforce Investment Board and the Governor's Office of Workforce Development, and replaces them with the State Workforce Development Board and the Workforce Division, respectively, and places them within the Department of Economic Development.

House Bill 366

Employment of Minors

Effective Date: July 1, 2015 (Signed by the Governor on May 6, 2015; Act 150)

Under current law, minors between the ages of 12 and 18 may be employed to work after receiving the proper employment certificates and approval from their school, or parent if home-schooled. This legislation repeals the approval and certificate requirement for minors who are 16 years or older. This legislation also exempts labor-related data and records of child actors and performers from public disclosure.

House Bill 409

Insurance Coverage for Specific Burn Treatments

Effective Date: July 1, 2015 (Signed by the Governor on May 12, 2015; Act 207)

This legislation prohibits health insurance policies that provide coverage for burn treatments from limiting or excluding such coverage on the basis that the use of cryopreserved cadaver derived skin tissue is an experimental or investigational medical treatment.

House Bill 412

Workers' Compensation

Effective Date: July 1, 2015 (Signed by the Governor on May 6, 2015; Act 185)

Section 1 – Exclusivity of Rights and Remedies Granted to Employee

This section clarifies that an employer may be liable to an employee for rights and remedies beyond those provided under Workers' Compensation laws by expressly agreeing in writing to specific additional rights and remedies. However, contractual provisions generally relating to workplace safety, generally relating to compliance with laws or regulations, or generally relating to liability insurance requirements cannot create rights and remedies beyond those provided in this chapter.

Section 2 – Conformed Panel of Physicians Repealed

This section repeals the provision allowing an employer to maintain a Conformed Panel of Physicians. Under current law, a fully-insured employer has the option of maintaining either a Panel of Physicians of at least six physicians or professional associations or corporations of physicians who are reasonably

accessible to the employees, or a Conformed Panel of Physicians in conformity with the guidelines and criteria established and contained in the Rules and Regulations of the State Board of Workers' Compensation and containing at least ten physicians or professional associations. The major difference between the traditional Panel of Physicians and the Conformed Panel is the expanded number of physicians or professional associations and the addition of general surgeon and chiropractor.

Sections 3 and 4 – Maximum Weekly Benefits Increased

Section 3 increases the maximum weekly benefit for a temporary total disability from \$525 to \$550, while Section 4 increases the maximum weekly benefit for a temporary partial disability from \$350 to \$367.

Section 5 – Compensation for Death

The maximum death benefit to a surviving spouse as a sole dependent at the time of death, and where there is no other dependent, is increased from \$150,000 to \$220,000.

Section 6 – Subsequent Injury Trust Fund

On and after January 1, 2016, all insurers and self-insurers must submit to the Trust Fund their portion of the \$100 million of total workers' compensation claims set to be paid by all insurers and self-insurers during the preceding calendar year.

Section 7 – Dissolution of the Trust Fund

Current law dissolves the Trust Fund on December 31, 2020. This section extends its termination date to December 31, 2023. The transfer of the Trust Fund's books, records, and property will now be made to the Insurance Commissioner's Office instead of the State Board of Workers' Compensation.

House Bill 429

End-of-Life Care; and Required Coverage for Autism Spectrum Disorders (ASD)

Effective Date: July 1, 2015 (Signed by the Governor on April 29, 2015; Act 31)

- Section One requires insurance coverage for end-of-life care;
- Requires insurers to cover children six years of age or younger who are diagnosed with an ASD;
- Coverage for applied behavior analysis (ABA)^[8] may be capped at \$30,000.00 annually;
- After December 31, 2016, an insurer is exempt from this mandate for one year if that insurer can actuarially demonstrate that the mandated ABA coverage resulted in a premium increase of at least one percent and would lead to a one percent increase in average premiums for all policies commencing on inception or the next renewal date;
- This mandate does not apply to any policy offered by employers with 10 or fewer employees;
- Directs the Insurance Commissioner's office to submit an annual report to the General Assembly detailing the cost of ASD and ABA coverage; and
- Sunsets the ASD coverage provisions on January 1, 2017 in the event the State Constitution is amended to provide for a .2 percent statewide sale tax to fund ASD treatment as provided for in HR 808 (2015/2016).^[9]

House Bill 470

The Pharmacy Audit Bill of Rights

Effective Dates: July 1, 2015 for Sections 1 and 6; January 1, 2016 for Sections 2, 3, and 4 (Signed by the Governor on May 5, 2015; Act 61)

This legislation makes various changes and clarifications to The Pharmacy Audit Bill of Rights. The most significant changes involve the following:

^[8]“Applied behavior analysis” is defined as the design, implementation, and evaluation of environmental modifications using behavioral stimuli and consequences to produce socially significant improvement in human behavior, including the use of direct observation, measurement, and functional analysis of the relationship between environment and behavior.

^[9] The autism provision was added to the bill in Committee and is nearly identical to **SB 1**. The ONLY differences are that the maximum benefit cap is lowered from \$35,000 to \$30,000 and a sunset repealer has been included.

- An entity conducting an initial on-site audit must now give the pharmacy at least 14 days' prior notice, instead of the current one week notice, of the impending audit. The notice must also include a comprehensive list of claims by prescription number to be audited;
- Eliminates recoupments for transcription errors that result in an underpayment or the improper dispensing of drugs or medical supplies but retains recoupment if such error results in an overpayment;
- Prohibits entities conducting an audit from paying their auditors a commission based on the amount recovered;
- Grants the Insurance Commissioner the power to enforce The Pharmacy Audit Bill of Rights;
- Provides how contracts between a pharmacy benefits manager (PBM) and a pharmacy address multi-source generic drug placement, pricing, and a process to internally appeal, investigate, and resolve disputes regarding multi-source generic drug pricing; and
- Requires multi-source generic drug pricing to be updated at least every five business days, or fourteen days if a Medicaid contract.

House Bill 552

Pure Captive Insurers; and Federal Home Loan Bank

Effective Date: July 1, 2015 (Signed by the Governor on May 5, 2015; Act 67)

Part I of this legislation makes several changes to current statutes related to pure captive insurance companies. A pure captive insurance company is a licensed insurance company with one corporate owner, insuring only the risks of the parent organization, its subsidiaries, and its controlled unaffiliated businesses.^[11] There are currently no pure captive insurers operating in Georgia and this legislation is an attempt to attract more of these entities. Significant changes include:

- Requires captive insurers to hold at least one meeting each year in Georgia;
- The minimum number of captive insurer directors who must be a Georgia resident has been reduced from three to one;
- The amount of surplus a pure captive insurance company must maintain is lowered from \$500,000 to \$250,000. Association captive insurers, industrial captive insurers, and risk retention groups must all maintain \$500,000 in surplus;
- Provides for the confidentiality and exceptions to confidentiality of pure captive documents submitted to the Insurance Commissioner;
- Under current law, captive insurers are required to pay a combined premium tax rate on premiums of 4.75 percent (2.25 percent to the state and 2.5 percent to cities and counties). This legislation exempts pure captive insurers from the traditional premium tax structure and instead implements the following tax rate:
 - A premium tax rate of 0.4% on the first \$20 million direct premiums collected, and 0.3% on each dollar thereafter, after relevant deductions are made;
 - A premium tax rate of 0.225% on the first \$20 million of assumed reinsurance premiums, 0.150% on the next \$20 million, 0.050% on the next \$20 million, and 0.025% on each dollar thereafter;
 - The maximum annual premium tax payment is capped at \$100,000 per pure captive insurer; and
 - Two or more pure captive insurers under common ownership are to be taxed as separate and individual insurers.

^[11] A "Controlled unaffiliated business" is defined as a person that is not an affiliate; has an existing contractual relationship with an affiliate under which the affiliate bears a potential financial loss; and whose risks of which are managed by a captive insurance company under an arrangement approved by the Commissioner. It can also be a reinsurance pooling arrangement with other captive insurance companies that is approved by the Commissioner.

Part II of this legislation establishes federal home loan bank rights regarding collateral pledged by an insurer-member subject to a delinquency proceeding. Additionally, it provides for certain limitations for a receiver to void a transfer of certain property in connection with any federal home loan bank security agreement.

INTERSTATE COOPERATION

Senate Bill 103

Sale of Alcohol on Premises One Sunday a Calendar Year

Re: St. Patrick's Day

Effective Date: Upon Approval by the Governor (Signed by the Governor on March 13, 2015; Act 10)

This legislation authorizes local governments that allow for the sale of alcoholic beverages to allow for the sale of alcoholic beverages for consumption on the premises on one Sunday during each calendar year as designated in such local government's resolution or ordinance.

House Resolution 395

Creates the Joint Georgia-Alabama Study Committee

Effective Date: (Signed by the Governor on April 30, 2015; Act 36)

This resolution creates the Joint Georgia-Alabama Study Committee. The Speaker of the House and the President of the Senate are to each appoint five members from their respective Chambers whose districts abut any part of the boundary between the two states, creating a 10-member committee. Additionally, the Speaker is to designate a member of the House as co-chair, and the President of the Senate must designate a member of the Senate as co-chair. The purpose is to provide a formal means for members of the Georgia General Assembly to meet with their counterparts from the State of Alabama to discuss issues that are common to both states and to seek solutions to common problems. The committee stands abolished on December 1st, 2016.

JUDICIARY

Senate Bill 65

"Wild Card" Bankruptcy Exemption; Debtor-Creditor Uniform Law Modernization Act of 2015

Effective Date: July 1, 2015 (Signed by the Governor on May 6, 2015; Act 167)

State law currently provides a blanket exemption from the levy and sale of any property of a debtor in the amount of \$5,000, or \$21,500 for property that is the debtor's primary residence. In lieu of these exemptions, a debtor who is a natural person may elect to utilize the exemptions set forth in O.C.G.A. § 44-13-100 for purposes of bankruptcy. Among those exemptions, O.C.G.A. § 44-13-100(a)(1) provides an exemption for the debtor's aggregate interest not to exceed \$21,500 in value, in property that the debtor or a dependent of the debtor uses as a residence, in a cooperative that owns property that the debtor or a dependent of the debtor uses as a residence, or in a burial plot for the debtor or a dependent of the debtor. In the event that the title to the property used for this exemption is in one of two spouses' names who is a debtor, the amount of the exemption is \$43,000. This is commonly referred to as the "homestead exemption." Additionally, O.C.G.A. § 44-13-100(a)(6) creates a residual exemption which allows a debtor to exempt his aggregate interest in any other property in an amount of up to \$600, plus any unused amount of the homestead exemption provided in paragraph (1) in amount of up to \$5,000. This bill amends paragraph (6) by doubling the applicable residual exemption amounts provided in that paragraph from \$600 to \$1,200 and \$5,000 to \$10,000, respectively.

This bill also modernizes certain existing uniform laws relating to debtor-creditor relations so as to adapt such laws to the most current versions of the uniform laws put forth by the National Conference of Commissioners on Uniform State Laws.

Senate Bill 135

Repeal of Sunset and Review Provisions in Statutes Regarding Certified Process Servers; Protection and Disclosure of Records Held by the Clerk of Superior Court

Effective Date: Part I: Effective May 6, 2015; Part II: Effective July 1, 2015

(Signed by the Governor on May 6, 2015; Act 181)

Code Section 9-11-4.1 sets forth qualifications, certification procedures, provisions relating to renewal and revocation of certification, registration fees (including distribution of fees received), and credentialing for persons serving as certified process servers under the Georgia Civil Practice Act. These provisions were enacted during the 2010 Legislative Session. The bill enacting these provisions included language: (a) calling on the General Assembly to review these provisions during the 2013 Legislative Session to determine whether it should be continued in effect (the "Review Provision"); and (b) repealing these provisions on July 1, 2015 unless continued in effect by the General Assembly (the "Sunset Provision"). This bill repeals the Review Provision and the Sunset Provision, but it does not make any substantive changes to other parts of O.C.G.A. § 9-11-4.1, relating to provisions governing certified process servers.

The bill also updates and modernizes provisions relating to storage, archiving, and disclosure of records held by clerks of superior court.

House Bill 17

Hidden Predator Act

Effective Date: July 1, 2015 (Signed by the Governor on May 5, 2015; Act 97)

The current statute of limitations ("SOL") to bring a civil action as a result of childhood sexual abuse is the age of majority *plus* five years. This bill amends the current law by specifying that the SOL expires: (1) on the day following the victim's twenty-third birthday, *or*, (2) after two years following the victim's discovery of such abuse. This provision would only apply to childhood sexual abuse committed on or after July 1, 2015. This provision also applies to individuals legally incompetent because of mental retardation or mental illness. If the so-called "discovery plus two" approach is invoked when bringing a civil action, this bill requires that the court make a determination from admissible evidence in a pretrial finding when the discovery of the alleged sexual abuse occurred. Such pretrial finding must be made within six months of filing of the civil action.

This bill also provides that an entity may be liable for abuse carried out by a volunteer or employee in its control. The bill implements a preponderance of the evidence standard in cases where a victim brings a claim before turning 23 against an entity for vicarious liability on a negligence claim. The bill also provides that if a claim is brought against an entity based on the "discovery plus two" provision, the victim must establish by a preponderance of the evidence there is a finding that there was gross negligence on the part of such entity, that the entity knew or should have known of the alleged conduct giving rise to the civil action and that such entity failed to take remedial action. For the period between July 1, 2015, and July 1, 2017, all victims of childhood sexual abuse who would otherwise be barred because of a lapsed or expired SOL may file such civil actions.

Current law dictates that investigatory authorities (GBI, DFACS, etc.) cannot release records or reports of child sexual abuse, even to victims. This bill seeks to provide victims with access to evidence to be used in a civil proceeding by allowing disclosure of these records, upon request of the victim, when such criminal case has been closed.

House Bill 90

Updates and Corrections Proposed by the Georgia Code Revision Commission

Effective Date: July 1, 2015 (Signed by the Governor on March 13, 2015; Act 9)

This bill incorporates numerous updates and corrections to grammar, terminology, and punctuation to the Official Code of Georgia recommended by the Georgia Code Revision Commission (CRC). These revisions were proposed pursuant to the CRC's authority in O.C.G.A. § 28-9-3(17).

House Bill 98

Georgia Code of Military Justice

Effective Date: July 1, 2015 (Signed by the Governor on May 6, 2015; Act 99)

Current laws governing Georgia's organized militia date back to 1955. This bill's purpose is to remove inapplicable provisions in the Georgia Code of Military Justice (GCMJ), and to reflect concerns over conflict between state law and federal law arising on the numerous occasions that the Georgia National Guard has been federalized since 1955. This bill generally aligns the GCMJ with federal law governing service men and women.

House Bill 99

Severance of Joint Tenancy with Rights of Survivorship

Effective Date: July 1, 2015 (Signed by the Governor on May 6, 2015; Act 109)

Current law provides that a joint tenancy with rights of survivorship can be created in Georgia so long as the title instrument refers to the takers as "joint tenants," or uses similar language. Current law also allows for the severance of such form of property ownership if any owner records an instrument which results in the lifetime transfer of his/her interest. This bill adds that, absent disposal of such issue in a divorce or annulment decree, a joint tenancy with rights of survivorship will also be severed if a party/owner files an affidavit with the appropriate superior court clerk stating that the parties/owners have been lawfully divorced or their marriage has been annulled and that the party intends to terminate the joint tenancy. The owner must also identify the book and page of recordation of the deed creating the joint tenancy and attach a copy of the final decree and a legal description of the property to the petition. The party's interest in the property will then be converted into a tenancy in common.

House Bill 153

Unauthorized Practice of Law: Real Estate Transactions

Effective Date: July 1, 2015 (Signed by the Governor on May 5, 2015; Act 76)

This bill permits real estate brokers to take the following actions in regard to a real estate transaction without violating rules prohibiting the unauthorized practice of law:

- Provide information regarding the listing, management, sale, purchase, and other related areas of real estate conveyance or improvements;
- Prepare special stipulations to forms that were prepared by an attorney in connection with the above listed matters related to real estate;
- Provide legal forms that were prepared by an attorney; and
- Complete legal instruments prepared by an attorney.

Under this bill, brokers remain unauthorized to close a real estate transaction or to express or issue a legal opinion as to the status of title to real or personal property (only active State Bar members in good standing can do these things), but brokers are not prevented from engaging in activities that are otherwise authorized by statute. The bill also creates a civil action for damages for persons injured by violations of these rules.

House Bill 245

Condominium Assessment Fees

Effective Date: July 1, 2015 (Signed by the Governor on May 6, 2015; Act 128)

Current law provides that a condominium instrument recorded on or after July 1, 1990, cannot authorize the board of directors to impose a special assessment fee per unit above an average of \$200 per fiscal

year without the approval of the majority of the unit owner, subject to four carve-outs for certain specially assessed fees. This bill amends this language to provide that, beginning on July 1, 2015, the board of directors of a condominium cannot impose a special assessment fee per unit in excess of one-sixth of the annual common expense assessment for the unit levied per fiscal year without the approval of a majority of the unit owners, subject to the same four carve-outs noted above.

House Bill 322

Witnessing Deeds, Mortgages, and Bills of Sale; Unclaimed Savings Bonds; & Foreclosure Deeds Effective Date: July 1, 2015 (Signed by the Governor on May 6, 2015; Act 145)

The bill changes provisions relating to the requirements for witnessing deeds, mortgages, and bills of sale; establishes a process for claiming unclaimed U.S. savings bonds; and provides penalties for late filing deeds following the sale of property in foreclosure.

House Bill 347

Interest Payments in Certain Domestic Relations Cases

Effective Date: July 1, 2015 (Signed by the Governor on April 2, 2015; Act 16)

This bill relates to the payment of interest on awards in domestic relations cases, including cases involving child support and alimony. Under current law, awards expressed in monetary amounts (i.e., a child support order requiring a certain amount of money to be paid each month) accrue interest at the rate of 7 percent per year commencing 30 days after the date any payment is due. Under the bill, the 30-day period will continue to be the default, but a judge in a domestic relations case will have the authority to establish a different time period. The bill also provides that when a court issues a judgment for alimony or equitable division of assets and liabilities, if the judgment is payable in installments, interest on the installment payment will not begin to accrue until a payment is 30 days late. As with the other provision in the bill, a court can change the 30-day period in a given case. These changes will apply only to civil actions pending on or after the bill takes effect.

House Bill 567

Jurisdiction in Child Support Cases

Effective Date: July 1, 2015 (Signed by the Governor on May 5, 2015; Act 89)

The bill provides that jurisdiction to enforce a child support order entered by a Georgia court is vested in the following courts: (a) the court issuing the order; (b) the court in the county where the person owing the duty of support can be found or is employed; and (c) for in rem proceedings only, the court in the county where the property may be found which is subject to seizure, sale, foreclosure, or other process for application toward the support obligation.

House Bill 568

Paternity Testing

Effective Date: July 1, 2015 (Signed by the Governor on May 12, 2015; Act 252)

Under this bill, in cases involving collection of child support involving the Department of Human Services (DHS) in which the paternity of the child has not been established or in which the individual receiving services alleges that someone other than the previously established father is the father, DHS must order genetic testing. The bill forbids genetic testing by DHS if the child was adopted by the applicant for services or other alleged parent if the child was conceived by artificial insemination.

The bill provides that if testing excludes the possibility of the alleged father being the biological father, the applicant for services who named the alleged father is liable to DHS for reimbursement of the paternity testing fee. After a first test, the bill permits a second test if the person requesting the test makes payment for the full cost of both the first and second test at the time of the request. The bill also permits DHS to sanction anyone who fails to cooperate with paternity testing.

The bill requires genetic testing to be done so that the results meet the standards required by the American Association of Blood Banks so that the results can be admitted in court as evidence. The bill

prohibits DHS and courts from attaching written genetic testing results to pleadings and court orders. The bill also provides for destruction of genetic material submitted for testing.

JUDICIARY NON-CIVIL

Senate Bill 8

“Safe Harbor/Rachel’s Law Act”

Effective Date: Contingent on Passage of Constitutional Amendment in SR 7 (Signed by the Governor May 5, 2015; Act 95)

This bill extends the statute of limitations for actions defined as “childhood sexual abuse”; tolls the statute of limitations for a minor’s civil cause of action for childhood sexual abuse until a minor reaches the age of 18 and amends the tolling limitations for tort actions while a defendant’s criminal prosecution is pending. The bill also provides for state regulation of certain adult entertainment businesses and establishes the Safe Harbor for Sexually Exploited Children Fund and Commission.

Senate Bill 79

Expansion of Victim Compensation Claimant Pool and Allowable Amount for Funeral Expenses

Effective Date: Upon Approval by the Governor (Signed by the Governor on May 6, 2015; Act 169)

Current law caps the maximum award for funeral expenses that can be granted from the Victim Compensation Fund at \$3,000. This bill doubles the maximum award for funeral expenses from \$3,000 to \$6,000. Current law also omits children and individuals related by marriage (other than a spouse) from eligibility for victim compensation awards. In addition, individuals related by marriage (other than a spouse) are omitted from award eligibility for the cost of psychological counseling in any case where a crime results in death. This bill adds parents, step-parents, and step-children of the victim as persons who may be eligible for victim compensation awards, as well as an award for the cost of psychological counseling when a crime results in death.

Senate Bill 94

Use of Police Cameras; Protocol for Witness Identifications

Effective Date: July 1, 2015 (Signed by the Governor on May 6, 2015; Act 173)

This bill allows for the use of body-worn cameras by law enforcement officers and provides for limited public access to recordings. The bill also establishes guidelines for conducting witness identifications through lineups, photo lineups, and showups.

Senate Bill 99

Remedies When a Judge Expresses an Opinion Regarding Proof in a Criminal Case

Effective Date: July 1, 2015 (Signed by the Governor on May 6, 2015; Act 174)

Current law provides that it is error for a judge in a criminal case to express or imply to the jury the judge’s opinion as to what has or has not been proved in the case or as to the guilt of the accused. Current law directs Georgia appellate courts to deem violations of this provision as an error, to reverse the case, and to direct that a new trial be held. This bill revises these provisions by providing that it is error for a judge to express or intimate to the jury the judge’s opinion as to “whether a fact at issue has or has not been proved or as to the guilt of the accused.” This bill bifurcates the analysis and remedy, depending on the nature of the judge’s comment. Under this bill, if a judge comments on a fact at issue in the case, the party alleging a violation of this rule must make a timely objection and inform the court of the specific objection and the grounds for the objection, outside of the jury’s hearing and presence. After the objection has been made, and if it is sustained, the court must give a curative instruction to the jury or declare a mistrial, if appropriate. If a party does not make a timely objection to a violation of these provisions, appellate review of the judge’s error is precluded unless a judge’s statement “constitutes plain error which affects substantial rights of the party.” Such plain error can be reviewed on appeal even if it was not brought to the court’s attention as part of a contemporaneous objection. If the judge expresses an opinion as to the guilt of the accused, a new trial is to be granted.

Senate Bill 195

Bonds and Recognizances

Effective Date: July 1, 2015 (Signed by the Governor on May 6, 2015; Act 192)

This bill doubles the maximum amount of the annual fee for continuing education programs for professional bondsmen from \$125 to \$250. Continuing education programs are approved by the Georgia Association of Professional Bondsmen.

This bill also makes changes to provisions regarding appearance bonds. In instances where the principal fails to appear in court, the bill directs the judge to issue a bench warrant for the principal's arrest at the end of the court day. Current law provides that judgments on forfeiture of appearance bonds cannot be rendered if the principal of the bond cannot attend a hearing because such person is involuntarily under arrest or in jail, prison, or a mental institution. The holding institution may provide the court with written notice of the principal's detention, which is considered satisfactory proof of the detention. Section 3 of this bill permits such notices to be delivered to the court by e-mail. Similarly, current law provides that judgments on forfeiture of appearance bonds cannot be rendered if the principal of the bond cannot attend a hearing because such person was deported by federal authorities. Section 3 clarifies that this also applies to instances in which the principal is "removed from the United States" by federal authorities. The bill provides that official documentation from a federal official or agency is satisfactory proof of the principal's deportation or removal. Such documentation may be mailed, emailed, or faxed to the court.

Senate Resolution 7

Constitutional Amendment for Safe Harbor for Sexually Exploited Children Fund

Effective Date: Upon Ratification of November 2016 Ballot (Signed by the Governor on May 12, 2015; Act 306)

This resolution proposes that a constitutional amendment be placed on the 2016 ballot for consideration by Georgia voters. The proposed amendment would permit the General Assembly to provide for additional penalties or fees in cases in which a person is found guilty of keeping a place of prostitution, pimping, pandering, pandering by compulsion, solicitation of sodomy, masturbation for hire, trafficking of persons for sexual servitude, or sexual exploitation of children. The proposed amendment would also permit the General Assembly to impose assessments on adult entertainment establishments.

The proposed amendment provides that amounts appropriated for such purpose will not lapse as required by the Georgia Constitution, are not subject to the state constitutional rule that all state appropriations must be for a specific sum, and need not be paid into the general fund of the state treasury, as otherwise required by the Georgia Constitution. The proposed amendment also provides that it is not subject to the constitutional requirement that bills for raising revenue or appropriating money must originate in the House of Representatives or the provision which limits the General Assembly's ability to increase the maximum marginal rate of state income tax. The amendment further provides that the General Assembly may provide for the allocation of the additional assessments and penalties to the Safe Harbor for Sexually Exploited Children Fund for the purpose of providing care and rehabilitative and social services to certain Georgia citizens found to have been sexually exploited, as defined in statute.

House Bill 71

Pardons and Paroles: Transparency and Notification

Effective Date: July 1, 2015 (Signed by the Governor on May 1, 2015; Act 43)

This bill creates new requirements for the State Board of Pardons and Parole to notify victims when it renders a decision and to notify district attorneys when it considers granting a pardon for a serious offense or a commutation of a death sentence. The bill also requires the board to issue written statements when it makes decisions regarding pardons for serious offenses and commuting death sentences. The bill also establishes standards the board should consider in determining when to declassify records and information it receives in the performance of its duties.

House Bill 89

Date of Incorporation of Local Ordinances for Drug-Free Commercial Zones

Effective Date: July 1, 2015 (Signed by the Governor on May 5, 2015; Act 88)

The current criminal statute relating to manufacturing, distributing, dispensing, and possessing with intent to distribute controlled substances or marijuana in drug-free commercial zones contains a provision adopting and incorporating into the statute all drug-free commercial zones which were established by municipal or county ordinance and registered with the Department of Community Affairs as of July 1, 2013. This bill changes the date of incorporation of the local ordinances to July 1, 2015.

House Bill 211

Controlled Substances Act Cleanup Bill

Effective Date: July 1, 2015 (Signed by the Governor on May 6, 2015; Act 125)

This is the annual drug-update bill relating to the Controlled Substances Act (CSA). The bill adds eleven new substances to Schedule I. The bill deletes certain provisions relating to hydrocodone in Schedule III of the CSA and adds four new substances to Schedule IV of the CSA. The bill revises the definition of the term “dangerous drug” to include 43 new substances and creates exceptions for the substance “fluticasone” from the definition of “dangerous drug.” The bill also changes labeling requirements relating to containers of dangerous drugs. Instead of the name of the “physician” prescribing the drug, this bill requires the name of the “practitioner” prescribing the drug.

House Bill 233

Uniform Civil Forfeiture Procedure Act; Eligibility to Serve on Grand Jury

Effective Date: July 1, 2015 (Signed by the Governor on May 6, 2015; Act 98)

This bill repeals the various current procedures established for civil forfeitures in Georgia and creates a uniform procedure under which all civil forfeitures must occur. The bill also provides that individuals who are serving in accountability courts, pretrial release programs, and first offender programs are not eligible to serve as grand jurors.

House Bill 263

Criminal Justice Coordinating Council

Effective Date: July 1, 2015 (Signed by the Governor on May 6, 2015; Act 132)

This bill adds “juvenile justice agencies” as a component of the Georgia criminal justice system, to which the Criminal Justice Coordinating Council (the “Council”) must disseminate certain criminal justice information. This bill also vests the Council with the authority to “supervise the preparation, administration, and implementation of the three-year juvenile justice plan.” This bill also establishes, provides for the composition of, and assigns duties and authority to, a Council advisory board. The bill also makes various changes regarding required consultations between the Council and various criminal justice agencies, and it changes provisions relating to the receipt of grants. Current law grants powers and duties of the Department of Human Services (the “DHS”) related to family violence shelters. Current law also requires that shelters meet certain standards promulgated by the DHS to be eligible for funding. This bill replaces the DHS with the Council as it relates to these powers, duties, and requirements.

House Bill 268

Mandatory Reporting of Child Abuse

Effective Date: July 1, 2015 (Signed by the Governor on May 6, 2015; Act 134)

Current law mandates the reporting of suspected child abuse by certain persons. This bill requires that when a mandatory reporter has reasonable cause to believe that child abuse has occurred by a person who attends to a child through a facility like a school or agency, then there is a duty to report such belief to the person in charge of such school or agency. The person receiving the information is barred from controlling, restraining, or modifying the information received, but he or she may consult the person providing the information before reporting it. This report can be submitted by oral communication, telephone, or a written report by electronic submission or facsimile.

House Bill 328

Criminal Justice Reform: Adult Offenders

Effective Date: July 1, 2015 (Signed by the Governor on May 5, 2015; Act 74)

This bill implements the reforms suggested by the Criminal Justice Reform Council relating to adult offenders, as follows:

- When a consumer report issued for employment purposes by a consumer reporting agency is likely to have an adverse effect on the consumer's ability to obtain employment, the bill requires the agency to notify the consumer that the information is being reported and the identity of the requester, and maintain strict procedures to ensure that information reported is accurate and up to date.
- Current law provides that after being convicted of three felonies (or equivalent offenses), upon conviction of a fourth offense, a person must serve the maximum time provided in the sentence and will not be eligible for parole until the sentence is served. This bill provides a new exception to this provision for instances where the Code specifies eligibility for parole.
- The bill requires a professional licensing board to issue an applicant a probationary license if such applicant provides proof of completion of a drug court diversion program along with the application. A board can still consider other prior criminal history when deciding whether to issue a license or renewal.
- Current law provides that it is a felony to defraud DHS relating to public assistance, food stamps, or medical assistance if such fraud results in a total amount of services exceeding \$500. This bill raises this total value to \$1,500 to constitute a felony.
- The bill creates an accountability court judges' council, composed of the judges, senior judges, and judges emeriti of Georgia accountability courts. The council is tasked with improving the accountability courts, and establishing rules for accountability court record keeping.
- The bill allows a local government to contract with private businesses to collect moneys owed to court pursuant to a judgment. No contract can be entered into to collect probation fees if the sentence was imposed because the defendant is unable to pay the court imposed fines.
- The bill changes provisions relating to the Georgia Public Defender Standards Council and the Council's legislative oversight committee.
- The bill also adds the chairperson of the Council of Accountability Court Judges of Georgia as an additional member of the Criminal Justice Coordinating Council, bringing the total number of members to 25.

House Bill 361

Recommendations of Criminal Justice Reform Council: Juvenile Reforms

Effective Date: July 1, 2015 (Signed by the Governor on May 5, 2015; Act 75)

This bill implements the reforms suggested by the Criminal Justice Reform Council relating to juvenile offenders, as follows:

- The bill clarifies that commission of a juvenile traffic offense by an individual under the age of 17 gives the juvenile court exclusive original jurisdiction over the child and the offense.
- It also clarifies current law to state that when placement with a parent, adopted parent, or permanent guardian is not in the best interest of the child, the Department of Family and Children Services must include in its permanency plan whether and when such child shall be placed in another planned permanent living arrangement.
- The bill requires that notice of a guardianship petition must be given to a parent of the child who was adjudicated as a dependent child in addition to the notice required to be given to other relatives.
- The bill also requires an adjudication hearing for a child alleged to be a child in need of services (CHINS) to be conducted in accordance with Georgia Rules of Evidence.
- Current law provides that the superior court has original jurisdiction over a case involving a child 13 to 17 years of age alleged to having committed certain offenses. The superior court may transfer such cases to the juvenile court after investigation and for extraordinary cause. This bill removes the necessity of extraordinary cause, so that a superior court needs only to perform an

investigation. This bill also instructs the superior court to consider transfer criteria such as the age and culpability of the child and the impact on victims when ruling on whether to transfer such cases.

- Current law provides that any person may file a complaint alleging that a child is in need of services. This bill adds that a prosecuting attorney may file such a complaint or intervene to represent the state.
- Current law provides that a petition alleging that a child is a child in need of services will not be accepted unless the court has determined and endorsed on the petition that the filing of the petition is in the best interests of the public and the child. This bill removes this requirement if the petition is filed by a prosecuting attorney. The prosecutor will have the burden of proving the allegations of a child in need of services.
- The bill requires a filing prosecuting attorney to be consulted in developing and revising the comprehensive services plan for a child.

House Bill 452

Protective Order Registry Act

Effective Date: July 1, 2015 (Signed by the Governor on May 12, 2015; Act 222)

This bill changes the title of the “Family Violence and Stalking Protective Order Registry Act” to the “Protective Order Registry Act.” Current law provides for a Georgia Protective Order Registry to centralize data for state-wide protective orders. “Protective order” is defined under current law, and this bill adds that a pretrial release or sentencing order that prohibits contact is included as a “protective order,” and thus, that person is subject to inclusion in the Registry.

NATURAL RESOURCES AND THE ENVIRONMENT

Senate Bill 62

Probate Court Jurisdiction over Game and Fish Violations

Effective Date: July 1, 2015 (Signed by the Governor on May 6, 2015; Act 166)

Under current law, probate courts have jurisdiction over violations of the Game and Fish Code that are punishable as misdemeanors, except for violations of a high and aggravated nature and a first violation of hunting deer at night with the aid of a light. This bill removes these exceptions, thereby granting probate courts the jurisdiction over all game and fish violations.

Senate Bill 101

Coastal Marshland Buffer

Effective Date: Upon Approval by the Governor for purposes of promulgating rules and regulations; December 31, 2015 for all other purposes (Signed by the Governor on May 6, 2015; Act 175)

The Erosion and Sedimentation Act establishes a 25-foot buffer along the banks of all state waters, as measured horizontally from the point where vegetation has been wrested by normal stream flow or wave action, with certain exceptions. This bill establishes a 25-foot buffer along coastal marshlands, as measured horizontally from the coastal marshland-upland interface, which is determined in accordance with the Coastal Marshlands Protection Act and any rules and regulations promulgated under the Act. SB 101 also provides exceptions to the buffer requirement, as well as provisions for variances and variances by rule.

Senate Bill 112

Harvest Recording and Reporting Requirements; Reference Date of Certain Regulations

Effective Date: July 1, 2015 (Signed by the Governor on May 6, 2015; Act 177)

Current law prohibits the removal and storage of deer carcasses unless certain reporting and processing requirements are met. This bill removes these provisions and adds a new Code section that requires the Board of Natural Resources (Board) to establish harvest recording and reporting requirements for all

game animals and game birds. Any person found in violation of these provisions is guilty of a misdemeanor and, upon conviction, is punished by a fine of not more than \$200, imprisonment of not more than 30 days, or both. For purposes of establishing criminal violations of the Game and Fish Code to rules and regulations of the Board, current law references rules and regulations in force and effect on January 1, 2014. This bill updates the reference date to mean January 1, 2015.

Senate Bill 119

Water Professionals Appreciation Day

Effective Date: July 1, 2015 (Signed by the Governor on April 29, 2015; Act 27)

This bill establishes the first Monday of May as Water Professionals Appreciation Day, in recognition of their commitment to keeping Georgia's water clean.

Senate Resolution 26

Joint House and Senate Coastal Greenway Study Committee

Effective Date: (Signed by the Governor on May 12, 2015; Act 307)

This resolution creates the Joint House and Senate Coastal Greenway Study Committee (Committee) to examine the proposed Coastal Georgia Greenway trail, which would connect various historical areas and green spaces across the Georgia coast, and link to the proposed East Coast Greenway trail that runs from Maine to Florida.

The Committee consists of 13 members:

- Four members appointed by the Lieutenant Governor;
- Four members appointed by the Speaker of the House of Representatives;
- The Commissioner of the Department of Transportation or his designee;
- The Commissioner of Natural Resources or his designee;
- The Commissioner of the Department of Community Affairs or his designee;
- The Director of the Department of Economic Development; and
- The Executive Director of the Coastal Georgia Greenway.

The abolishment date for this committee is December 1, 2015.

Senate Resolution 449

Urges EPA to Withdraw the Clean Power Plan

Effective Date: July 1, 2015

The Clean Power Plan is detrimental to Georgia because it penalizes states like Georgia which took early actions to reduce CO2 emissions. Additionally, the plan does not properly account for power production and reliability needs. Therefore, this resolution encourages the United States Environmental Protection Agency to withdraw the Clean Power Plan.

House Bill 160

Raccoons

Effective Date: Upon Approval by the Governor or Upon Becoming Law without Such Approval (Signed by the Governor on April 29, 2015; Act 26)

House Bill 160 repeals the provision in current law which prohibits the trapping of raccoons in the area north of, and including, Carroll, Fulton, DeKalb, Gwinnett, Barrow, Jackson, Madison, and Elbert counties at any time during the year.

House Bill 199

Timber Harvesting Notice Requirements

Effective Date: Upon Approval by the Governor or Upon Becoming Law without Such Approval (Signed by the Governor on May 6, 2015; Act 124)

This bill clarifies and requires 24-notice to be given to the local government before and after timber harvesting operations, which is now authorized to be given via email. The bill also requires that any local

ordinance require the information in the notification form to be limited to what is required in statute and in the Georgia Forestry Commission's regulations. Finally, if a county chooses to require a bond in addition to the required notice, the county is only authorized to require one bond regardless of the number of tracts harvested in the county or city by the timber harvesting firm. If a bond is surrendered, a replacement bond must be issued within five days.

House Bill 475

Feral Hog Control Act

Effective Date: July 1, 2015 (Signed by the Governor on May 12, 2015; Act 228)

This bill provides for the control and transport of feral hogs by removing certain restrictions on the hunting of feral hogs and requiring a newly-created permit to transport feral hogs.

House Resolution 419

Augusta Canal Federal Reauthorization

Effective Date: July 1, 2015

This resolution urges the U.S. Congress to extend the authorization of the Augusta Canal National Heritage Area to receive federal funding through 2021.

PUBLIC SAFETY

Senate Bill 72

Tanja's Law; and Redefines the Crimes of Incest and Harassing Communications

Effective Date: July 1, 2015 (Signed by the Governor on May 1, 2015; Act 40)

This legislation establishes new crimes and punishments for harming or killing a law enforcement animal. In order for these enhanced penalties to be triggered, the crimes must have been committed while the law enforcement animal was in the performance of its duties or committed in response to the performance of its duties.

Harming a Law Enforcement Animal in the Fourth Degree

Knowingly and intentionally causing physical harm to a law enforcement animal is a misdemeanor of a high and aggravated nature, punishable by up to 12 months in prison, a fine up to \$5,000, or both.

Harming a Law Enforcement Animal in the Third Degree

Knowingly and intentionally using a deadly weapon or any object, device, instrument, or body part which, when used offensively against a law enforcement animal, is likely to, or actually does, cause serious physical injury to a law enforcement animal is a misdemeanor of a high and aggravated nature, punishable from six to 12 months in prison, a fine up to \$5,000, or both.

Harming a Law Enforcement Animal in the Second Degree

Knowingly and intentionally shooting a law enforcement animal with a firearm or causing debilitating physical injury to a law enforcement animal is a felony, punishable from one to five years in prison, a fine up to \$25,000, or both.

Harming a Law Enforcement Animal in the First Degree

Knowingly and intentionally causing the death of a law enforcement animal is a felony punishable from 18 months to five years in prison, a fine up to \$50,000, or both. The Division of Forensic Sciences of the GBI is directed to perform forensic pathology services upon any law enforcement animal whose death occurred under these circumstances.

Miscellaneous Provisions

In addition to the penalties, the offender must pay restitution to the law enforcement agency, fire department, or the state fire marshal in the amount of associated veterinary expenses or the actual replacement value of the law enforcement animal, whichever the case may necessitate. The actual replacement value must include the value of an animal and all costs associated with training such animal and its handler or handlers.

Nothing in this legislation prohibits the killing or euthanasia of a law enforcement animal for humane purposes. Additionally, nothing in this legislation prohibits the defense of a person against a law enforcement animal that attacks such person without or in spite of commands given by its handler.

Incest

Section 1-1 of this legislation modifies the definition of incest to include half-blood grandparents, aunts, and uncles.

Harassing Communications

Section 2-1 of this legislation redefines the crime of “harassing phone calls” as “harassing communications” and modernizes the definition to include other types of electronic communications.

Senate Bill 100

Motor Carrier Regulations; and Elimination of Driver’s License Suspensions for of Non-moving Violations

Effective Date: Section 4-9 becomes effective on July 1, 2016. All other sections become effective on July 1, 2015 (Signed by the Governor on April 16, 2015; Act 21)

- Creates new classifications of motor carriers and amends the registration and fee requirements to reflect the changes in motor carrier classification;^[13]
- Eliminates mandatory driver’s license suspensions for non-highway safety related or non-moving violations; and
- Makes various changes to provisions related to driver’s licenses and permits.^[14]

Senate Bill 134

Determining Improper Use of Speed Detection Devices

Effective Date: July 1, 2015 (Signed by the Governor on May 6, 2015; Act 180)

Current law prohibits law enforcement agencies from issuing speeding fines by speed detection devices that equal or exceed 40 percent of an agency’s total budget. This legislation reduces the maximum amount to 35 percent. Additionally under current law, when determining this calculation, current law exempts all fines for speeding violations exceeding 17 miles per hour over the speed limit. This legislation reduces that exemption by including all violations under 20 miles per hour over the limit. Furthermore, citations issued for travelling too fast for conditions are also included in the calculation.

This legislation also requires every local government to submit an annual report to DCA identifying the total amount of speeding fine revenue collected.

Senate Bill 160

Purchase or Possession of Alcoholic Beverages by Persons under 21; and Kelsey’s Act

Effective Date: July 1, 2015 (Signed by the Governor on May 6, 2015; Act 190)

Under current law, a law enforcement officer may arrest, by issuance of a citation, summons, or accusation, a person accused of purchasing, attempting to purchase, or possession of alcoholic

^[13] **“Motor Carrier”:** (A). Any entity subject to the terms of the federal Unified Carrier Registration Agreement whether engaged in interstate or intrastate commerce, or both; or (B). Any entity who operates or controls commercial motor vehicles as defined in 49 C.F.R. Section 390.5 or in state law whether operated in interstate or intrastate commerce, or both.

^[14] This legislation contains some language from **House Bill 114, House Bill 210, and House Bill 375.**

beverages by a person under 21. This legislation requires the officer to simply issue a citation to the accused. The citation, summons, or accusation must enumerate the specific charges against the person and either the court date or a notation that the person will be later notified of a court date.

If the arresting officer has probable cause to believe that the accused person is intoxicated to the extent that he or she poses a danger to himself or herself or to the person or property of another, the arresting officer may conduct a custodial arrest.

This legislation also contains language from Kelsey's Act which prohibits persons from intentionally identifying a minor in an obscene depiction in such a manner that a reasonable person would conclude that the image depicted was that of such minor. Identification includes the minor's name, address, telephone number, e-mail address, username, or other electronic identification. Identification also includes the photo-shopping of the minor's face onto an obscene depiction.

House Bill 48

Prestige License Plates

Effective Date: July 1, 2015 (Signed by the Governor on May 6, 2015; Act 104)

- Creates a special license plate for first responders suffering major injury in the line of duty;
- Creates a special license plate for members of the Georgia State Defense Force;
- Clarifies the requirements for free motor vehicle license plates issued to disabled veterans;
- Permits the issuance of prestige plates for motorcycles;
- Allows the surviving spouse of a service member's sibling to retain a special veteran's license plate or Gold Star license plate; and
- Amends the current Code allowing disabled veterans to receive ad valorem tax exemptions to allow for unmarried surviving spouses or minor children to receive the exemption.

House Bill 110

Consumer Fireworks

Effective Date: July 1, 2015 (Signed by the Governor on May 5, 2015; Act 50)

This legislation legalizes the sale, use, possession, manufacturing, transporting, and storing of consumer fireworks by any person 18 years of age or older. Sixteen and 17 year olds may also possess and sell consumer fireworks if they are serving as an employee for a licensed seller. The 2001 American Pyrotechnics Association Standard 87-1 establishes a comprehensive definition for "consumer fireworks."

Consumer fireworks essentially include:

- Ground and hand-held sparkling devices;
- Aerial devices, such as sky rockets and roman candles;
- Audible ground devices such as firecrackers; and
- Various novelty items, such as party poppers and caps.

Consumer fireworks can be sold from a permanent building, a retail store such as Wal-Mart, or temporary stands only if such structure is in compliance with NFPA 1124.^[15] Consumer fireworks may be used on any day between the hours of 10am and Midnight only. On January 1, July 3, July 4, and December 31 of each year, consumer fireworks may be used up until 2am. Local governments may issue special permits that allow for the use of consumer fireworks beyond those specified times.

Local governing authorities may only prohibit the sales and use of consumer fireworks by general law.

^[15] National Fire Protection Association Standard 1124, Code for the Manufacture, Transportation, Storage, and Retail Sales of Fireworks and Pyrotechnic Articles, 2006 Edition.

Five Percent Excise Tax Imposed on Consumer Fireworks

In addition to all other taxes, this legislation imposes a 5 percent excise tax on all consumer fireworks, including sparklers and sparkling devices, snake and glow worms, smoke devices, trick noise makers, party poppers, string poppers, snappers, and drop pops. The excise tax will be paid by the seller and submitted in the same manner as any other sales tax. A seller who knowingly and willfully fails to pay this excise tax will be assessed a maximum civil penalty of \$10,000 in addition to the amount of tax due.

House Bill 118

Commercial Driver's Licenses

Effective Date: Upon Approval by Governor (Signed by Governor on May 12, 2015; Act 240)

This legislation brings Georgia in compliance with the Federal Motor Carrier Safety Act.

House Bill 123

Secure Cargo and Trailers

Effective Date: July 1, 2015 (Signed by the Governor on May 5, 2015; Act 80)

Current law requires all loads (cargo) on a motor vehicle to be adequately secured to prevent the dropping or shifting of such load onto the roadway in such a manner as to create a safety hazard. This legislation requires registered trailers to be adequately secured as well.

House Bill 147

Two-year Vehicle Registration

Effective Date: July 1, 2015 (Signed by the Governor on May 6, 2015; Act 115)

This legislation allows new passenger motor vehicles to be initially registered for a two-year period.^[16] The owner must submit a fee of \$40 at the time of registration. The vehicle will be required to be registered annually following the two-year initial registration period.

House Bill 206

Procedure for Passing Sanitation Vehicles

Effective Date: July 1, 2015 (Signed by the Governor on May 5, 2015; Act 58)

This legislation establishes procedures for motor vehicles when approaching and passing a vehicle with active sanitation workers that is displaying flashing yellow, amber, white, or red lights.^[17] This procedure is in a manner similar to the current Move-Over Law for stopped emergency vehicles. Specifically, and absent any other direction by a peace officer, the vehicle must proceed as follows:

1. Make a lane change into a lane not adjacent to the vehicle if possible; or
2. If a lane change is impossible, prohibited by law, or unsafe, reduce the speed of the motor vehicle to at least 25 miles per hour or 10 miles per hour less than the posted speed limit, whichever is higher, and be prepared to stop.

A violation of this legislation is punishable by a maximum fine of \$250.

House Bill 278

Public Employee Hazardous Chemical Protection and Right to Know Act

Effective Date: January 1, 2016 (Signed by the Governor on May 6, 2015; Act 137)

This legislation transfers the enforcement of the "Public Employee Hazardous Chemical Protection and Right to Know Act" from the Department of Labor to the Office of the Safety Fire Commissioner. This legislation also repeals certain provisions made redundant by subsequent state and federal statutes and regulations, while making other clarifying changes.

^[16] "New motor vehicle" is defined as any motor vehicle which is not a demonstrator and has never been the subject of a sale at retail to the general public. "Passenger car" is defined as every motor vehicle designed for carrying ten passengers or less and used for the transportation of persons. The term excludes all-terrain vehicles, motorcycles, motor driven cycles, multipurpose off-highway vehicles, personal transportation vehicles, and low-speed vehicles.

^[17] "Sanitation worker" is defined as an individual engaged in the collection and transport of residential or commercial solid waste and recyclables as authorized by a county or municipal governing authority.

House Bill 310

Reform; Probation, Parolees, Sentence Modification, and Reentry Services

Effective Date: July 1, 2015 (Signed by the Governor on May 5, 2015; Act 73)

- Establishes the Board of Community Supervision, the Department of Community Supervision, and the Governor's Office of Transition, Support, and Reentry;
- Repeals the entirety of Article I of Chapter 8, which includes the Advisory Council for Probation;
- Harmonizes the Georgia Code to reflect the changes in responsibilities between agencies, departments, courts, and probationers; and
- Creates and regulates administrative process and reporting procedures pertaining to misdemeanor probation, including private probation entities.

House Bill 325

Passenger Vans and Safety Belts

Effective Date: July 1, 2015 (Signed by the Governor on May 6, 2015; Act 146)

Under current law, occupants in vans designed to carry 10 or fewer passengers are required to use a safety belt. This legislation applies this mandate to larger vans by requiring occupants in vans designed to carry up to 15 passengers to use a safety belt. This legislation does not apply to 11 to 15 passenger vans, manufactured before July 1, 2015, that do not have safety belts installed.

House Bill 393

Tesla Bill

Effective Date: July 1, 2015 (Signed by the Governor on May 6, 2015; Act 159)

This legislation allows manufacturers of zero emissions vehicles that were doing business in Georgia prior to January 1, 2015, to sell factory-direct to consumers through no more than five physical dealerships within Georgia. The manufacturers are also allowed to operate any number of facilities that engage exclusively in the repair of such manufacturer's make of motor vehicles. A qualified manufacturer must manufacture or assemble zero emissions motor vehicles exclusively and must have never sold its motor vehicles in Georgia through a franchised new motor vehicle dealer.

House Bill 492

Weapons Carry Licenses – Cleanup Legislation

Effective Date: July 1, 2015 (Signed by the Governor on May 6, 2015; Act 100)

Section One

Under the Juvenile Code, a Class B designated felony act is a delinquent act committed by a child at least 13 years old which, if committed by an adult, would be one of a number of criminal offenses. Current law provides that an act constituting a violation of the Georgia statute relating to carrying weapons within school safety zones, at school functions, or on transportation furnished by a school is a Class B designated felony.

This section provides that a violation of the Georgia criminal statute relating to carrying weapons within school safety zones, at school functions, or on transportation furnished by a school by a child 13 years of age or older will only be considered a Class B designated felony if the act involves: a firearm; a dangerous weapon or machine gun; or any weapon, together with an assault.

This bill provides that Class B designated felonies will also include acts by children 13 years of age or older which constitute a second or subsequent adjudication of delinquency based on a violation of the Georgia criminal statute relating to carrying weapons within school safety zones, at school functions, or on a bus or other transportation furnished by a school.^[18]

^[18] Sections 1 and 11 were amended from **Senate Bill 141**.

Sections Two, Four, and Five

These sections clarify that the restrictions on carrying a firearm in specific locations in no way limit or undermine the exemptions granted to certain individuals such as peace officers, judges, or district attorneys.

Section Three

- Clarifies that the restrictions on carrying a firearm in and around polling places only applies during elections and in no way limits or undermines the exemptions granted to certain individuals; and
- Clarifies that the restrictions on carrying a firearm in specific locations in no way limit or undermine the exemptions granted to certain individuals such as peace officers, judges, or district attorneys.

Section Six

This section makes the following clarifying changes:

- A probate judge must issue a weapons carry license to any applicant who meets all of the codified requirements. Carry license holders must also maintain their eligibility;
- Carry licenses may be renewed up to 90 days before, or up to 30 days after, the expiration of a current license;
- Includes a definition for “Armed Forces” and establishes the process in which a current or former service and reserve member who is under 21, but at least 18, can provide proper documentation for being issued a carry license;
- Fingerprinting for a renewal license is no longer required when the applicant presents their current carry license;
- Probate judges must report carry license revocations to the GCIC within ten days;
- Requires superior and state courts to notify probate courts whenever a person is convicted of any crime or involved in any matter which makes the maintenance of a carry license unlawful. The judge hearing the case must inquire whether such person is a license holder;
- Repeals the provision that requires probate judges to notify law enforcement when a license has been lost, canceled, and replaced; and
- Narrowly defines when probate judges must release carry license information.

Section Seven

Current law precludes public and private employers from prohibiting employees from storing a firearm within a locked compartment of their vehicle while the vehicle is parked on the employer’s parking lot. This legislation clarifies that provision to include ammunition.

Sections Eight and Ten

These sections delete a cross reference made redundant by federal law.

Section Nine

- Clarifies that only the General Assembly possesses the authority to regulate firearms;
- Clarifies that local governments can restrict their employees and volunteers from possessing a firearm during the course of their employment or volunteer activities; and
- Redefines “weapon” as it relates to preemption of local regulations.

Section Eleven

This section makes conforming changes to provisions of the education code (Title 20) relating to reporting of student violations of this statute by teachers, school employees, and administrators on school property and at school functions.

Section Twelve

Clarifies that the restrictions on carrying a firearm in and around polling places only applies during elections and in no way limits or undermines the exemptions granted to certain individuals.

Section Thirteen

Clarifies that weapons carry license records of probate courts are protected from public disclosure, but are accessible by other probate courts.

REAPPORTIONMENT AND REDISTRICTING

House Bill 566

Revision of State House Districts

Effective Date: Upon Approval by the Governor or Upon Becoming Law without Such Approval

This bill redistricts 17 state house districts in Chatham, Fulton, Gwinnett, Henry, Hall, Lowndes, Newton, and Spalding Counties. The bill provides for the population composition of each district.

REGULATED INDUSTRIES

Senate Bill 63

Beer Bill

Effective Date: July 1, 2015 (Signed by the Governor on May 5, 2015; Act 57)

This bill: authorizes licensed brewpubs to manufacture malt beverages for retail sale off the premises; and authorizes licensed brewers and licensed distillers to apply for an annual permit to conduct tours of the licensed premises, which may include free souvenirs and free tastings. On-site tastings for breweries are limited to no more than 36 ounces of malt beverages to an individual in one day; free souvenirs must be in a sealed container(s) with a total liquid capacity that does not exceed 72 ounces. On-site tastings for distilleries are limited to no more than three samples to one person in one day; free souvenirs are limited to a single bottle of distilled spirits, not to exceed 750 milliliters.

Senate Bill 190

Coin Operated Amusement Machines; Manufacturer/Distributor Licenses

Effective Date: July 1, 2015 (Signed by the Governor on April 8, 2015; Act 18)

This bill requires the payment of manufacturer/distributor license fees, license transfer, and application renewal fees, that relate to coin operated amusement machines, to the Georgia Lottery Corporation; clarifies what revenues are excluded from the 50 percent limitation on the amount of total revenue that can be from machine proceeds; authorizes the Corporation to issue certain licenses through a competitive auction process; removes the local option to allow more than nine machines in one store/location; and provides a procedure for resolution of disputes between licensees and location operators and owners; and prohibits tied interests between manufacturers, distributors, machines owners.

House Bill 18

Practice of Professional Engineers and Surveyors; Exemptions

Effective Date: Upon Approval by the Governor (Signed by the Governor on May 5, 2015; Act 63)

House Bill 18 exempts defense, aviation, space, and aerospace companies, including certain employees and contractors of such companies, from complying with the provisions in law governing the practice of professional engineers and land surveyors.

House Bill 57

Solar Power Free Marketing Act of 2015

Effective Date: July 1, 2015 (Signed by the Governor on May 12, 2015; Act 300)

The Georgia Territorial Electric Services Act, enacted in 1973, assigned most geographic areas in Georgia to one electric supplier, within which the assigned electric supplier has the exclusive right to extend and continue furnishing service to new premises, with limited exceptions. The Georgia Cogeneration and Distributed Generation Act of 2001 authorizes a customer generator to sell excess

electricity to an electric service provider without being subject to most regulations of the Public Service Commission. This bill allows solar technology, at or below a defined capacity limit, to be financed by a retail electric customer through a solar financing agent, utilizing a solar energy procurement agreement so long as proper notice is given to the electric service provider serving the premises, and the solar technology and installation complies with all applicable local government ordinances and permitting requirements.

House Bill 85

Sale of Alcohol; Distance Requirements

Effective Date: July 1, 2015 (Signed by the Governor on April 20, 2015; Act 22)

This bill allows licensed, retail grocery stores to sell wine or malt beverages near school buildings and school grounds, where permitted by local resolution or ordinance; and removes and clarifies existing prohibitions on the sale or furnishing of alcohol to and near the Central State Hospital and the Georgia War Veterans Home. The term “grocery store” is redefined to mean a retail establishment which has a total retail floor space of at least 10,000 square feet of which at least 85 percent is reserved for the sale of food and other nonalcoholic items.

House Bill 152

Bars; Bouncers; Powdered Alcohol

Effective Date: July 1, 2016; Section 4 – Upon Governor’s Signature (Signed by the Governor on May 5, 2015; Act 78)

This bill requires bars to provide notification of disciplinary actions to the Department of Revenue; prohibits persons under the age of 21 from serving as bouncers and entering bars alone; and bans the use of powdered alcohol, with certain exceptions. Additionally, this bill allows a person to enter a bar alone if attending a musical performance or concert or presentation of the performing arts.

House Bill 232

Hearing Aid Dealers and Dispensers

Effective Date: July 1, 2015 (Signed by the Governor on May 12, 2015; Act 209)

House Bill 232 changes and clarifies provisions in current law relating to hearing aid dealers and dispensers, including the composition of the Board, dispensing licensing requirements, and the number of hours of continuing education required for the renewal of a dispenser’s license.

House Bill 246

State Board of Accountancy

Effective Date: July 1, 2015 (Signed by the Governor on May 5, 2015; Act 59)

House Bill 246 revises and clarifies provisions in current law relating to the State Board of Accountancy relating to powers and duties of the Board, certification and license requirements, and sanctions for violations.

House Bill 253

Real Estate Appraisal Management Fees

Effective Date: Upon Approval by the Governor (Signed by the Governor on April 29, 2015; Act 29)

Current law places certain restrictions and requirements on real estate appraisal management companies doing business in Georgia. This includes a requirement to separately state to the client the appraisal service fees and the management company fees. This bill adds a further restriction on the company from paying any fees to an appraiser performing an appraisal activity in a federally related transaction, without complying with the rules and regulations established by the Georgia Real Estate Appraiser’s Board, in accordance with federal law. This includes, but is not limited to, the compensation to appraisers that is customary for appraisals being performed for one to four family residential units in the same market area.

House Bill 314**State Board of Cosmetology and Barbers****Effective Date: July 1, 2015 (Signed by the Governor on May 12, 2015; Act 199)**

This bill combines the State Board of Barbers and the State Board of Cosmetology. The bill also revises and clarifies provisions in current law to merge and ensure consistency between the two professions.

House Bill 341**Qualified Inspectors; Certification****Effective Date: July 1, 2015 (Signed by the Governor on May 6, 2015; Act 148)**

Current law defines the term "qualified inspector" to mean a person inspecting compliance with certain building, plumbing, and electrical codes who holds a certification from the ICC as an inspector. This bill provides that a qualified inspector is also a person that holds a certification from the Building Officials' Association of Georgia meeting the minimum experience and testing requirements set forth in certain certification levels, each level requires a tested certification from ICC or other Building Officials' Association of Georgia Certification Committee approved testing agency. Any person possessing such a certification on the effective date of this bill is deemed a qualified inspector.

House Bill 368**Safety Glazing; Repeal****Effective Date: Upon Approval by the Governor (Signed by the Governor on May 6, 2015; Act 151)**

House Bill 368 repeals and reserves the provisions in current law which govern safety glazing so as to be in alignment with federal law.

House Bill 461**Scrap Metals Recyclers****Effective Date: July 1, 2015 (Signed by the Governor on May 5, 2015; Act 84)**

This bill revises regulated metals law relating to verifiable information required in purchase transactions involving certain secondary metals, records of such purchase transactions, and the GBI database of such transactions. Certain information submitted to the GBI is required to be submitted electronically, and the database is required to also be accessible by certain certified employees of electric suppliers and employees of telecommunications companies.

RETIREMENT

House Bill 217**Expansion of Allowable Investments for Public Retirement Funds****Effective Date: July 1, 2015 (Signed by the Governor on May 6, 2015; Act 126)**

This bill expands the list of allowable investments for public retirement funds to include shares of mutual funds registered with the SEC under the Investment Company Act of 1940, and commingled funds and collective investment funds regulated by the U.S. Department of Treasury, including common and group trusts.

House Bill 266**Georgia Retirement Systems Boards of Trustees Subject to Public Retirement Systems Investment Authority Law; and****Amendments and Clarifications to the Georgia Firefighters' Pension Fund****Effective Date: July 1, 2015 (Signed by the Governor on May 6, 2015; Act 133)**

Current law provides that mandatory contributions for retirement benefits established under the Georgia Municipal Employees Benefit System must be returned to the employee or his/her estate in the event of death before retirement. This bill clarifies this provision so that the mandatory contributions are returned to the employee's spouse or his/her estate in the event of death before retirement.

This bill was amended to include the entirety of HB 256, regarding the Georgia Firefighters' Pension Fund to:

- Allow a member to select up to five beneficiaries for optional benefits or for death benefits of an active member;
- Increase the maximum fine imposed on a person who makes false statements from \$500 to \$2,000, and authorizes the Board to order a member to forfeit all rights and benefits allowed under the Fund if, after July 1, 2015, they make false statements, obtain benefits they are not entitled to receive, or obtain an amount greater than that which they are entitled to receive.
- Certain members who have a break in service greater than 30 days must meet current criteria for active status to be reinstated;
- An active member who leaves work as a firefighter may take a leave of absence and keep his/her contributions in the fund. The member would become "inactive" and would be required to reapply for a leave of absence every two years;
- "Inactive members" may become reinstated as an "active member," provided they meet the eligibility requirements for membership; and
- Each active member is to pay a monthly member contribution of \$25. Any active member who is in arrears for six months is deemed a suspended member.

RULES

Senate Resolution 609

Senate Annexation, Deannexation, and Incorporation Study Committee

This Resolution creates the Senate Annexation, Deannexation, and Incorporation Study Committee. The committee is to be composed of five members of the Senate appointed by the President of the Senate, who will also designate the chair of the committee. Any report of the committee filed with the Secretary of the Senate must be filed by the abolishment date of the committee, December 1st, 2015.

SCIENCE AND TECHNOLOGY

Senate Bill 89

Elementary and Secondary Education Instructional Materials; Electronic or Digital Format; Student Data Privacy, Accessibility, and Transparency Act

Effective Dates: Part I of this Act shall become effective on July 1, 2016; Part II of this Act shall become effective on July 1, 2015 (Signed by the Governor on May 6, 2015; Act 171)

Local boards of education are encouraged, on and after July 1, 2020, to:

- Purchase all instructional material in either digital or electronic format; and
- Provide a free laptop, tablet, or otherwise electronic device to each student, or allow students to provide their own.

The State Board of Education is to, annually:

- Determine an amount of funding needed to assist local boards of education in attaining complete digital access; and
- Present their recommended level of funding to the General Assembly for consideration. Such funding will be subject to appropriations.

Additionally, this bill enacts the Student Data Privacy, Accessibility, and Transparency Act. This measure provides for the protection of sensitive student data.

Senate Resolution 590

Encouraging the Representation of Diverse Populations of Different Racial and Ethnic Backgrounds in Clinical Research

Because developing new medicines requires clinical trials, and because clinical trials are often not representative of United States demographics, this resolutions encourages the inclusion of African Americans and Hispanics in clinical research. African Americans represent 12 percent of the United States population, but only 5 percent of clinical trial participants. Hispanics represent 16 percent of the population but, only 1 percent of clinical trial participants. This resolution recommends the dedication of additional community resources to increase awareness on the importance of participating in clinical trials.

House Bill 225

Regulation of Ride Share Network Services: Uber, Lyft, etc.

Effective Date: Sections 2, 3, 5, 6 shall become effective on July 1, 2015; Sections 4 and 7 shall become effective on July 1, 2016. (Signed by the Governor on May 6, 2015; Act 195)

This bill provides for the regulation of for-hire, ride share network services² (primarily Uber and Lyft). Key provisions of the bill include:

- Requiring drivers for ride-sharing companies to be subject to background checks, either by the Department of Driver's Services OR a private company;
- Requiring any company engaging in for-hire transportation to purchase annually a master license based on the number of vehicles owned; and
- Placing a freeze on the issuance of taxicab medallions by municipalities and counties.

House Resolution 103

Recognizing December 10th as Georgia's Day of Coding

The resolution recognizes December 10th as Georgia's Day of Coding. Georgia's Day of Coding is designated to spotlight the field of computer programming and encourage more students to continue studying coding languages.

The resolution recommends the Georgia General Assembly to:

- Support the designation of Georgia's Day of Coding on December 10th during Computer Science Education Week;
- Encourage schools, educators, parents, and policy makers to participate in Computer Science Education Week by enabling their students to participate in the Hour of Code from Code.org;
- Encourage policy makers to remove barriers that prevent select computer programming classes from being counted as math or science credits toward graduation requirements; and
- Encourage opportunities for females and underrepresented minorities in computer programming.

STATE AND LOCAL GOVERNMENTAL OPERATIONS **(Does Not Include Local Legislation)**

House Bill 95

Local Government Investment Pool

Effective Date: July 1, 2015 (Signed by the Governor on May 6, 2015; Act 108)

Current law allows funds in the local government investment pool to be consolidated with state funds under the control of the state treasurer for investment purposes under certain circumstances. This legislation gives the state treasurer the option to also place the funds in a separate trust fund to be administered by the state treasurer pursuant to policies established by the State Depository Board.

² "Ride share network service" means any person or entity that uses a digital network or Internet network to connect passengers to ride share drivers for the purpose of prearranged transportation for hire or for donation.

House Bill 174

Urban Redevelopment Law – Revising Terminology

Effective Date: July 1, 2015 (Signed by the Governor on May 12, 2015; Act 208)

This legislation revises terminology within the Urban Redevelopment Law. Specifically, the outdated terms “Slum Area” and “Slum Clearance and Redevelopment” are replaced with “Pocket of Blight” and “Pocket of Blight Clearance and Redevelopment” respectively. The definitions remain unchanged.

House Bill 192

Purchasing Cards (P-Cards); and Funding of Local Projects

Effective Date: July 1, 2015 (Signed by the Governor on May 5, 2015; Act 49)

Purchasing Cards (P-Cards)

Section Five of this legislation prohibits county commissioners, city council members, and school board members, from using government purchasing cards or government credit cards (P-Cards) except for:

- Purchases that are solely for items or services directly related to the official's public duties; and
- Purchases that are in accordance with guidelines adopted by the local government or local school system.

Documents related to such purchases must be available for public inspection.

Local governments and local school systems are prohibited from issuing P-Cards to elected officials on or after January 1, 2016, until the local governing authority or local school system publicly votes to authorize the issuance, and has promulgated specific policies regarding the use of P-Cards for elected officials. The policies must include the following:

- Designation of officials who will be authorized to be issued P-Cards;
- A requirement that, before being issued a P-Card, authorized users must sign and accept an agreement that they will use the cards only in accordance with the established policies;
- Transaction limits for the cards;
- A description of purchases that will and will not be authorized;
- Designation of a P-Card administrator;
- A process for auditing and reviewing purchases made with the cards; and
- Procedures for addressing a violation of the P-Card policies and penalties for violations including, but not limited to, revocation of P-Card privileges and misdemeanor prosecution.

Financial Transaction Cards

Sections One through Four clarify language on the proper use of financial transaction cards by state and local government officials and employees.

Funding Local Projects

Section Six of this legislation authorizes local economic development authorities to finance, construct, and maintain any project, and to pay the cost of such project from funding derived from public and private sources. The projects are limited to hospitals, healthcare facilities, dormitories, office buildings, clinics, housing accommodations, nursing homes, rehabilitation centers, extended care facilities, and other health-related facilities, whether public or private.

House Bill 432

Unincorporated Islands

Effective Date: July 1, 2015 (Signed by the Governor on May 12, 2015; Act 217)

Current law prohibits the creation of unincorporated islands. This legislation creates an exception to this rule when an incorporated island is created by deannexation by one city, but is annexed by another city on the same date.

House Bill 477

Disposition of Certain Property; Notification Requirements

Effective Date: Upon Approval by Governor (Signed by the Governor on May 12, 2015; Act 229)

Current law authorizes the Department of Transportation, a county, or a municipality to dispose of formerly acquired property that is no longer needed because of changed conditions. These entities must follow certain requirements and procedures that include mandatory notification to the owners of the property at the time of its acquisition. However, if the tract has been subsequently sold, notification must be made to the owner of abutting land.

This bill addresses situations where all or a portion of a roadway, subject to disposition, is located in a subdivision with a duly formed property owner's association. The bill allows for notice to be sent to the property owner's association instead of the individual owners.

This legislation also clarifies that when a new city is created by the General Assembly, the new city will assume the ownership, control, care, and maintenance of county road rights of way located within its boundaries unless the city and county agree otherwise by joint resolution.

House Bill 515

Incorporation of the City of Tucker

Effective Date: Governor's Signature (Signed by the Governor on May 12, 2015; Act 237)

This legislation proposes the incorporation of the City of Tucker in DeKalb County, contingent upon voter approval by the qualified voters of the proposed city on November 3, 2015. The legislation establishes the city government structure, its powers and duties, as well as its corporate limits (Appendix A).

Other significant provisions include the following:

- Should voters approve the proposed city, the first general municipal elections will be held in conjunction with the 2016 presidential preference primary. Thereafter, general municipal elections will be held in November in each odd-numbered year beginning in 2017;
- Councilmembers will serve staggered four-year terms so that three seats are chosen every two years;
- The first mayor and initial councilmembers will take office on the first business day following the certification of the initial election; and
- Starting from the day the referendum results are certified, a two-year transition period will be carried out for an orderly transition of various government functions from DeKalb County to the City of Tucker.

House Bill 520

Incorporation of the City of LaVista Hills

Effective Date: Governor's Signature (Signed by the Governor on May 12, 2015; Act 242)

This legislation proposes the incorporation of the City of LaVista Hills in DeKalb County, contingent upon voter approval by the qualified voters of the proposed city on November 3, 2015. The legislation establishes the city government structure, its powers and duties, as well as its corporate limits (Appendix A).

Other significant provisions include the following:

- Should voters approve the proposed city, the first general municipal elections will be held in conjunction with the 2016 presidential preference primary. Thereafter, general municipal elections will be held in November in each odd-numbered year beginning in 2017;
- The first mayor and initial councilmembers will take office on the first business day following the certification of the initial election; and
- Starting from the day the referendum results are certified, a two-year transition period will be carried out for an orderly transition of various government functions from DeKalb County to the City of LaVista Hills.

House Bill 551

Public Employee Purchasing Programs

Effective Date: July 1, 2015 (Signed by the Governor on May 12, 2015)

Under current law, state and local government employees may purchase personal computers and computer-related equipment through an employee purchase program facilitated by and through the Georgia Technology Authority. These purchases can be made through voluntary deductions from their paycheck. This legislation establishes an additional program facilitated by and through the Department of Administrative Services in which state and local government employees may purchase consumer goods.

House Bill 554

Henry County Board of Commissioners

Effective Date: Governor's Signature; except for Section 1 which becomes effective on January 1, 2017 (Signed by Governor on March 27, 2015; Act 12)

This legislation:

- Provides for the compensation of district commissioners and the chairperson of the board of commissioners;
- Allows the board of commissioners to retain control over the hiring, firing, and discipline of personnel, including the county manager, county clerk, and county attorneys; and
- Establishes the powers and duties of the chairperson.

STATE INSTITUTIONS AND PROPERTY

Senate Resolution 266

Conveyance of Specific State-Owned Real Property

Effective Date: July 1, 2015 (Signed by the Governor on May 12, 2015; Act 308)

This legislation authorizes the conveyance of specific state-owned real property in the counties of Appling, Baldwin, Cherokee, Clinch, Douglas, Fulton, Gordon, Hall, Lamar, Meriwether, Monroe, Paulding, Sumter, Tattnall, Thomas, Troup, and Upson.

Senate Resolution 267

Granting of Nonexclusive Easements

Effective Date: July 1, 2015 (Signed by the Governor on April 30, 2015; Act 38)

This legislation grants nonexclusive easements for the construction, operation, and maintenance of facilities, utilities, and ingress and egress in, on, over, under, upon, across, or through property owned by the State of Georgia in the counties of Baldwin, Barrow, Bartow, Chatham, Clarke, Clayton, Cobb, DeKalb, Floyd, Fulton, Gordon, Houston, Laurens, Liberty, Lowndes, Macon, McIntosh, Meriwether, Newton, Polk, Richmond, Troup, Walton, and Wayne.

House Bill 104

Conveyances and Easements

Effective Date: July 1, 2015 (Signed by the Governor on May 6, 2015; Act 112)

This legislation clarifies and streamlines existing law related to public competitive bidding procedures by exempting low-cost conveyances and easements from certain bidding requirements.

House Resolution 519

Wiregrass Georgia Technical College – Renaming Building

This legislation authorizes the Technical College System of Georgia to rename Irwin Hall on the Wiregrass Georgia Technical College campus, to Dorminy-Mixon Hall, in honor of Mr. Harry Mixon and Mr. Brad Dorminy.

TRANSPORTATION

Senate Bill 125

Managed Lanes; Toll Collection

Effective Date: Upon Approval by the Governor (Signed by the Governor on May 6, 2015, Act 178)

This bill authorizes the development of a system of managed lanes, including toll collection by the State Road and Tollway Authority (SRTA). The bill also adds a definition for “managed lane” and authorizes the SRTA to collect tolls on its projects, as well as DOT and local governing authority projects.

Senate Bill 169

Title 32 Revisions

Effective Date: July 1, 2015 (Signed by the Governor on May 6, 2015, Act 184)

This bill revises various provisions in Title 32 relating to DOT acquisitions of right of way, disposal of acquired property, federal-aid funding, and submissions of accident reports by law enforcement agencies. Of significance, the bill allows for relocation of an outdoor advertising sign from a property or right of way that is acquired by DOT; and authorizes delivery personnel for certain commercial delivery programs to operate personal transportation vehicles (PTVs) under certain conditions, regardless of whether a local ordinance has been approved regarding the use of such PTVs. However, the company must remit a \$50 fee to the local governing authority every five years, and the PTV must not pull multiple trailers.

Senate Resolution 126

Road Dedications

Effective Date: (Signed by the Governor on May 6, 2015, Act 94)

This resolution makes road dedications in honor of various people.

House Bill 106

Transportation Special Purpose Local Option Tax; Joint County and Municipality Tax; and Innkeeper Fees

Effective Date: July 1, 2015 (Signed by the Governor on May 12, 2015, Act 301)

This bill authorizes counties to impose a transportation special purpose local option sales and use tax, of up to 1 percent, subject to voter approval, the proceeds of which must be used for transportation purposes; requires the joint county and municipality tax that is on motor fuel to be at the rate of 1 percent of the retail sales price of motor fuel, which is not more than \$3.00 per gallon; and requires that innkeepers must charge a \$5 per night fee to customers, excluding extended stay rentals.

House Bill 170

Transportation Funding Act of 2015

Effective Date: July 1, 2015 (Signed by the Governor on May 4, 2015, Act 46)

This bill:

- Requires the Georgia Department of Transportation to annually submit a 10-year strategic plan outlining the use of department resources for the upcoming fiscal years;
- Requires an additional, annual license registration fee for certain alternative fueled vehicles and heavy vehicles; innkeepers must charge a \$5 per night fee to customers, excluding extended stay rentals;
- Eliminates the prepaid state tax on the sales of motor fuel; exempts sales of motor fuel entirely from state sales and use taxes; increases the rate, and changes the method of computation, of the excise tax on motor fuel; requires local option sales and use taxes on motor fuel to be at the rate of 1 percent of the retail sales price of motor fuel, which is not more than \$3.00 per gallon;
- Revises the procedures in current law for imposition of the special district transportation sales and use tax; authorizes counties to impose a transportation special purpose local option sales and use tax, of up to 1 percent, subject to voter approval, the proceeds of which must be used for transportation purposes;

- Reduces the income tax credit for the purchase or lease of new, low and zero-emission vehicles; sunsets the current tax exemption for jet fuel from the 1 percent of the 4 percent state sales and use tax on June 30, 2015, and imposes certain requirements on the use of any revenue for jet fuel taxes;
- Limits the Governor's authority to suspend or modify the collection of any rate of state taxes on the sales of motor fuel and aviation gasoline; requires the General Assembly to ratify any suspension or modification;
- Provides new criteria for any preference given by the Board of the State Road and Tollway Authority to projects eligible to receive financial assistance from the Georgia Transportation Infrastructure Bank; and
- Creates the Special Joint Committee on Georgia Revenue Structure to receive and report out tax reform legislation during the 2016 Legislative Session that will be considered in a separate legislative process.

House Bill 213

MARTA

Effective Date: Upon Approval by the Governor (Signed by the Governor on May 5, 2015, Act 62)

This bill:

- Extends the date for which the MARTA sales and use tax must be levied at the 1 percent rate from June 30, 2017 to June 30, 2027; thereafter, the tax is imposed at one-half of 1 percent;
- Permanently suspends the restrictions on the use of proceeds of the tax as long as MARTA submits an independent management audit to certain officials every four years;
- Removes language which currently allows local governments that enter into a new rapid transit contract for the provision of public transportation services and facilities to levy a retail sales and use tax at either .5 or 1 percent and, instead, requires any such levy to be at the rate of 1 percent;
- Revises the Board of Directors of MARTA so that the Executive Director of GRTA is a voting member;
- Adds clarifying language relating to DeKalb County appointments;
- Staggers the terms of new Board members;
- Revises Board approval provisions relating to the acquisition and disposition of unique property;
- Requires inclusion of certain items in the independent management;
- Authorizes suspensions from the system and property for violations of rules and regulations; and
- Establishes an appeals process.

House Resolution 36

Road Dedications

Effective Date: Signed by the Governor on May 6, 2015, Act 93)

This resolution dedicates roads and bridges in honor of various people.

House Resolution 215

Judge Ronald L. Newton Memorial Highway

Effective Date: Signed by the Governor on May 12, 2015, Act 311)

This resolution dedicates State Route 60 in Fannin County from its intersection with State Route 60 Spur in Mineral Bluff to the city limits of McCaysville as the Judge Ronald L. Newton Memorial Highway.

VETERANS, MILITARY AND HOMELAND SECURITY

Senate Bill 69

State Defense Force

Effective Date: July 1, 2015 (Signed by the Governor on May 5, 2015; Act 52)

Under current law, all rights and duties imposed by military law or other state statutes relating to the National Guard and Reserves are extended to the State Defense Force except for Code Section 38-2-

279, relating to rights of public officers and employees absent on military duty, and Code Section 38-2-280, relating to the reemployment in private industry. This legislation repeals these exceptions and grants members of the State Defense Force the same rights as members of the National Guard and Reserves.³

Senate Bill 203

Georgia World War I Centennial Commission

Effective Date: July 1, 2015 (Signed by the Governor on May 5, 2015; Act 71)

This legislation creates the six-member Georgia World War I Centennial Commission consisting of two members appointed by the Governor, two members appointed by the Senate President, and two members appointed by the Speaker.

The purpose of the Georgia World War I Centennial Commission is:

1. To plan, develop, and execute programs, projects, and activities to commemorate the centennial of World War I and Georgia's role in it;
2. To encourage private organizations and local governments in Georgia to organize and participate in activities commemorating the centennial of World War I; and
3. To serve as a clearinghouse for the collection and dissemination of information about events and plans, in Georgia, for the centennial of World War I.

House Bill 180

Georgia War Veterans' Nursing Home and the Georgia State War Veterans' Home

Effective Date: July 1, 2015 (Signed by Governor on May 5, 2015; Act 82)

Under current law, a veteran wishing to be admitted into the Georgia State War Veterans' Nursing Home or the Georgia State War Veterans' Home must be a Georgia resident for at least five years immediately prior to the time of applying for admission.

This legislation reduces the residency requirement to two years. A veteran may also fulfill the residency requirement if he or she is a current Georgia resident and has been a resident for at least five out of the last 15 years prior to application for admission. The Veterans Service Board is authorized to adopt appropriate rules to determine if a war veteran qualifies under this legislation.

House Bill 443

Voluntary Veterans' Preference Employment Policy Act

Effective Date: July 1, 2015 (Signed by Governor on May 5, 2015; Act 92)

This legislation allows employers to create and maintain a veterans' preference employment policy, which must be in writing and applied uniformly, to employment decisions regarding hiring, promotion, or retention during a reduction in force.⁴

An employer's use of a veterans' preference employment policy does not constitute a violation of any local or state equal employment opportunity law.

³ The Georgia State Defense Force is an unpaid, volunteer component of the Georgia Department of Defense, under direction of the Governor and the Adjutant General of Georgia. Its mission is to provide an organized, trained, disciplined, rapid response volunteer force to assist state and local government agencies and civil relief organizations during emergencies.

⁴ "Veteran" is defined as an individual who served on active duty in the armed forces of the U.S. and was honorably discharged from such service.

2015 SENATE AND JOINT STUDY COMMITTEES

SENATE STUDY COMMITTEES

SR 487	Senate Preventing Youth Substance Use Disorders Study Committee
SR 494	Senate Study Committee on the Effect on Georgia of Normalization of Relations with Cuba
SR 560	Senate Women's Adequate Healthcare Study Committee
SR 561	Senate Study Committee on the Consumer and Provider Protection Act
SR 564	Senate Study Committee on School Construction
SR 594	Senate Rate of Diagnosis for Children With Attention Deficit Hyperactivity Disorder and Related Disorders Study Committee
SR 609	Senate Annexation, Deannexation, and Incorporation Study Committee

JOINT STUDY COMMITTEES

SR 26	Joint House and Senate Coastal Greenway Study Committee
HR 395	Joint Georgia-Alabama Study Committee

2015 VETOED LEGISLATION

The following Veto Messages are from the website of Governor Nathan Deal. For the purpose of this document, we have only included general bills. For a complete list of vetoes, including local bills, please visit the Governor's website at the following address:

<http://gov.georgia.gov/press-releases/2015-05-12/deal-issues-2015-veto-statements>

Additionally, the following link is for a line-item veto issued by the Governor on the 2016 Budget.

<http://gov.georgia.gov/press-releases/2015-05-11/deal-signs-2016-budget>

Veto Number 1

SB 76 Senate Bill 76 would allow motorcycle and bicycle operators to enter an intersection without providing a definitive regard to the traffic signal in instances where the lightweight nature of their vehicle will not activate a traffic-control device. While I am sympathetic to the concerns and causes of motorcyclists and bicyclists, this legislation does not provide an adequate solution and presents a confusing exception to motorists. Furthermore, Senate Bill 76 would eliminate the current 15-inch height restriction placed on motorcycle handlebars. Motorcycles equipped with handlebars more than 15 inches in height pose a safety hazard due to the increased difficulty in steering and decreased control. In 2014, crashes involving motorcycles and bicycles accounted for 13 percent of the fatalities on Georgia roads, and I do not see how this legislation will enhance roadway safety. Therefore, in the interest of providing the necessary roadway safety Georgians deserve, **I hereby VETO Senate Bill 76.**

Veto Number 2

HB 439 House Bill 439, the Georgia New Markets Jobs Act, contains two major tax policy initiatives that affect the Georgia insurance premium tax. It provides for \$55 million in tax credits against insurance premium tax liability for certain equity investments in qualified community development entities. During the legislative process, language was added to HB 439 authorizing the Invest Georgia Fund to sell up to \$55 million in tax credits against insurance premium tax liability. Each of these concepts merit serious discussion standing on their own; however, the combination of these policy initiatives into one piece of legislation and the prospect of implementing these initiatives at the same time under our current budget environment would have too much of an impact on the general fund. It is my opinion that these initiatives require further study and, thus, **I hereby VETO House Bill 439.**

Veto Number 3

HB 510 House Bill 510 sets up a separate fund of the OneGeorgia Authority to be known as the Georgia Sports Commission Fund. The bill specifies that funding shall be provided by any source allowable by law. The OneGeorgia Authority already has an existing mechanism in place which serves a similar purpose as the proposed legislation. Due to its lack of necessity, **I hereby VETO House Bill 510.**

Veto Number 4

HB 86 House Bill 86 seeks to transfer the Division of Aging Services (DAS) from the Department of Human Services (DHS) to create the Georgia Adult and Aging Services Agency as an attached agency to the Department of Community Health. The legislation would transfer social services such as senior employment services, elderly legal assistance, in-home services, home delivered meals and adult protective services to the Department of Community Health, an agency responsible for the planning and delivery of health care to the citizens and employees of the State of Georgia.

This legislation attempts to merge two agencies with diverse missions and methods of service delivery while failing to align elderly services to the agency whose mission and scope is to deliver human services throughout the state. I welcome the opportunity to revisit the restructuring of Division of Aging Services in the future to create a more tailored alignment of services to agency mission. Accordingly, **I hereby VETO House Bill 86.**

Veto Number 5

HB 524 This legislation would create a statewide registry of business trade names to be housed and maintained by the Georgia Superior Court Clerks' Cooperative Authority. This legislation would require those who have already lawfully registered their trade names in the appropriate superior court, and paid that court's fee for doing so, to pay an additional fee to take advantage of the proposed online registry. I also have significant concerns about language in the bill attempting to dedicate a portion these new fees for a specific purpose. For these reasons, **I hereby VETO House Bill 524.**