



Angie Fiese
Acting Director

Senate Research Office
204 Coverdell Legislative Office Building
18 Capitol Square
Atlanta, Georgia 30334

404.656.0015 (P)
404.657.0929 (F)

UPCOMING ISSUES FOR THE 2016 LEGISLATIVE SESSION

AGRICULTURE AND CONSUMER AFFAIRS

Trade with Cuba

On December 17, 2014, President Barack Obama and Cuban President Raúl Castro announced the beginning of a process of normalizing relations between Cuba and the United States. This has resulted in the relaxation of many trade restrictions with Cuba, including agricultural equipment and commodities.

Senate Resolution 494, which was passed during the 2015 Legislative Session, created the Effect on Georgia of Normalization of Relations with Cuba Senate Study Committee to study what these new developments mean for Georgia businesses and to determine what measures may be needed to allow Georgia businesses to take advantage of any opportunities. This Committee, also discussed in the Economic Development section, is being intently monitored by Georgia's agriculture producers and other stakeholders. Legislation may be introduced in the 2016 Legislative Session based on the Committee's findings and recommendations.

Senate Members: Senator David Lucas, Sr., Chairperson; Senator John Wilkinson; Senator Mike Dugan; Senator Frank Ginn; and Senator Michael Rhett.

Drones

The University of Georgia is working with the Georgia Department of Agriculture and South Georgia farmers to determine the benefits of using drones in our state's agricultural industry. Two Georgia companies received clearance last April from the Federal Aviation Administration (FAA) to use unmanned aerial systems (UAS) for agricultural imaging and data collection service. In each case, the FAA determined that the clearance is in the public interest, noting that UAS-gathered data helps agricultural operations improve efficiency in the use of farm inputs, reduces costs, and provides safety advantages over much larger manned aircraft which carry larger quantities of flammable fuel.

The House Study Committee on the Use of Drones, created by House Resolution 744 in the 2015 Legislative Session, has been holding meetings this fall to study public safety concerns relating to privacy, security, and individual rights that have come with the dramatic increase in the use of drones in the past few years.

ECONOMIC DEVELOPMENT

Trade with Cuba

President Obama recently announced his intention to normalize relations with Cuba. Senate Resolution 494 created the Effect on Georgia of Normalization of Relations with Cuba Senate Study Committee to strategize on opportunities for Georgia to grow or expand its trade relations with Cuba. Since 2000, U.S. companies have been able to sell food to Cuba, but cannot extend credit as offered by Asian and South American countries. This cash-only restriction gives other trading partners an advantage over U.S. producers. Georgia is already a top exporter to Cuba among U.S. states, shipping poultry and soybean oil cake through exceptions to the embargo permitted by the U.S. Commerce Department. Georgia is well-positioned with its ports and close proximity to Cuba to ship products to the Cuban markets. Legislation may be introduced in the 2016 Legislative Session based on the Committee's findings and recommendations.

Senate Members: Senator David Lucas, Sr., Chairperson; Senator John Wilkinson; Senator Mike Dugan; Senator Frank Ginn; and Senator Michael Rhett.

EDUCATION

Education Reform Commission

The Education Reform Commission, created by Governor Deal, is convening in the interim to study the state's education system, including its funding formula, and provide recommendations intended to improve the system, increase access to early learning programs, recruit and retain high-quality instructors, and expand school options for Georgia's families. Governor Deal has indicated in several news articles that he plans to introduce legislation during the 2016 Legislative Session creating a special joint legislative committee to review and act on the Commission's funding suggestions. The Commission's final report and recommendations are due in December.

Revision of the Advanced Placement U.S. History Framework

Legislation is expected to be introduced in the 2016 Legislative Session urging the College Board to reverse its recent decision to replace its brief outline with a new lengthy framework for the Advanced Placement United States History (APUSH) Framework. The new framework differs from the social studies requirements under the Georgia Performance Standards.

Possible legislation could urge the State Board of Education to instruct the College Board to return to an approach more compatible with the traditional topic outline. Alternately, legislation could allow for a return to the APUSH test that incorporates the Georgia Performance Standards for Social Studies in classroom teaching. This would allow for an emphasis on America's founding principles and America's uniqueness in the world.

Senate Study Committee on School Construction

Senate Resolution 564, which passed during the 2015 Legislative Session, created the Senate Study Committee on School Construction to study:

- The issue of school construction and financing, including historical data on school construction prior to the implementation of the local option sales tax and adjustment of such data for inflation;
- The various methods of financing school construction;
- The differential of school construction costs, including both cost per square foot and cost per full-time equivalent student, in various regions, counties, and municipalities of the state; and
- The practice of compensating architects based on a percentage of construction costs; and other pertinent matters.

Legislation may be introduced in the 2016 Legislative Session based on the Committee's findings and recommendations.

Senate Members: Senator Ellis Black, Chairperson; Senator Lindsey Tippins; Senator Freddie Powell Sims; Senator Mike Dugan; and Senator Chuck Hufstetler.

ETHICS

Senate Bill 127 – Omnibus Ethics Legislation

Even though the conference committee report for Senate Bill 127 failed by a 22-33 Senate vote, a number of the bill's provisions are sure to be considered again come the 2016 Legislative Session. The Secretary of State requested a number of the bill's provisions in an effort to clean up some of the elections statutory language, and a number of provisions requested by localities were included as well.

FINANCE

Tax Reform

House Bill 170, the Transportation Funding Act of 2015, enacted by the General Assembly during the 2015 Legislative Session, included a provision to create the Special Joint Committee on Georgia Revenue Structure designed to propose tax reform legislation in 2016. This legislation could include a combination of lowering the state income tax, raising the sales tax, raising the cigarette excise tax, and reinstating the sales tax on groceries. The focus of the Committee will likely be an effort to broaden the tax base while lowering the overall tax burden for Georgia taxpayers.

The Lieutenant Governor has appointed the following Senate members; however, the House has yet to make its appointments.

Senate Members: Senator David Shafer; Senator Bill Cowsert; Senator Steve Henson; Senator Judson Hill; Senator Michael Williams; Senator Jack Hill; and Senator Emanuel Jones.

Senator Judson Hill, Chairman of the Senate Finance Committee, created the Senate Subcommittee for Tax Reform to review topics and ideas relating to tax reform. At its first meeting, the subcommittee heard presentations on how to revitalize Georgia's economy by lowering the income tax rate and expanding the base of each tax by eliminating exemptions, with the exception of the standard and personal exemptions, which should be raised to reduce any regressive effects of changing the tax rates. The Subcommittee is also examining recent tax reform efforts in both North Carolina and Kansas.

Senate Members: Senator Judson Hill, Chairperson; Senator David Shafer; Senator Hunter Hill; Senator Jack Hill; Senator Bill Heath; Senator Bruce Thompson; and Senator Freddie Powell-Sims.

HEALTH AND HUMAN SERVICES

Georgia's Certificate of Need (CON) Program

The Department of Community Health (DCH) recently proposed changes to its Certificate of Need (CON) Rules and Regulations that would allow Cancer Treatment Centers of America (CTCA) to reclassify itself. To obtain a CON, CTCA must meet the following requirements set forth under O.C.G.A. § 36-6-40 (d) to be classified as a "destination cancer hospital":

- The facility must be located within 25 miles of Hartsfield-Jackson Atlanta International Airport;

- It must provide at least 3 percent of its annual adjusted gross revenues for uncompensated indigent or charity care, and it must provide services to Medicaid patients;
- CTCA must demonstrate that its annual patient base will be composed of a minimum of 65 percent of patients who reside outside the state of Georgia. Failure to meet this requirement will result in a fine of up to \$2 million in the first year, \$4 million in the second year, \$6 million in the third year, and an additional \$8 million if it fails to meet this requirement three out of five years; and
- DCH may revoke its CON if CTCA falls below the 65 percent requirement three out of five years.

Under the proposed changes to the rules, CTCA could submit a conversion application to reclassify itself to a short-stay facility. However, CTCA would still need to apply for an additional CON to authorize any increase in “available beds” in its facility (which is currently 50 under its “destination cancer hospital” classification). At the November 12th Board meeting and during the Commissioner’s Report, it was announced that the proposed rule changes involving CTCA have been tabled as the CTCA proposal had triggered a reaction from the Georgia hospital industry that was “overwhelmingly negative.” While DCH has the authority to promulgate rules and regulations, Commissioner Reese decided the state agency is “not the proper venue to vet the proposal.” Therefore, it is likely that legislation will be introduced during the 2016 Legislative Session to change Georgia’s CON law.

Women’s Adequate Healthcare Senate Study Committee

The Senate Women’s Adequate Healthcare Study Committee was created for the purpose of studying the issues surrounding women’s healthcare in Georgia. Legislation may be introduced in the 2016 Legislative Session based on the Committee’s findings and recommendations.

Senate Members: Senator Renee Unterman, Chairperson; Senator Dean Burke; Senator Greg Kirk; and Senator Nan Orrock.

Youth Mental Health and Substance Use Disorders Senate Study Committee

The Youth Mental Health and Substance Use Disorders Senate Study Committee reflects the merger of the following Senate resolutions that were adopted during the 2015 Legislative Session: (1) Senate Resolution 487, which created the Senate Preventing Youth Substance Use Disorders Study Committee; and (2) Senate Resolution 594, which created the Senate Rate of Diagnosis for Children with Attention Deficit Hyperactivity Disorder and Related Disorders Study Committee. Legislation may be introduced in the 2016 Legislative Session based on the Committee’s findings and recommendations.

Senate Members: Senator Renee Unterman, Chairperson; Senator Fran Millar; Senator Gloria Butler; and Senator Joshua McKoon.

Health and Human Services Senate Subcommittee on Abusive Billing Practices

Senator Renee Unterman, Chairwoman of the Senate Health and Human Services Committee, created the Senate Subcommittee on Abusive/Surprise Billing Practices to study issues related to cases where patients are “surprised” to receive a bill for out-of-network services when those services are in connection to the patient receiving in-network services at the same medical facility. Issues being studied include balance billing practices, insurance company reimbursement rates, as well as in-network and out-of-network billing practices by health care providers. Legislation may be introduced in the 2016 Legislative Session based on the Subcommittee’s findings and recommendations.

Senate Appointees: Senator Renee Unterman, Chairperson; Senator Fran Millar; Senator Chuck Hufstetler; Senator Lester Jackson; and Senator Ben Watson.

Sexual Assaults on Campus Senate Study Committee

Senate Resolution 479, which would have created the Senate Ending Campus Sexual Assaults Study Committee, was reported favorably out of the Senate Health and Human Services Committee but was not brought before the entire Senate for adoption last session. This fall, the Lieutenant Governor appointed the Sexual Assaults on Campus Senate Study Committee to allow for discussion on Senate Resolution 479. Legislation may be introduced in the 2016 Legislative Session based on the Committee's findings and recommendations.

Senate Members: Senator Renee Unterman, Chairperson; Senator Fran Millar; Senator Dean Burke; Senator Lester Jackson; Senator Harold Jones; Senator Nan Orrock, and Senator Jesse Stone.

HIGHER EDUCATION

Alleged Campus Sexual Assault Investigations

Senate Bill 37, sponsored by Senator Ronald Ramsey, was introduced during the 2015 Legislative Session and is currently in the Senate Higher Education Committee. This legislation requires certain persons with arrest powers at university or college campuses to: report allegations of rape to a local law enforcement agency with concurrent jurisdiction; hand over all information and evidence; and cooperate with said law enforcement agency. It also requires all law enforcement agencies with information on a sexual assault to cooperate with colleges and universities investigating a student for sexual assault. Any campus policeman who knowingly and willfully fails to make a report would be guilty of a misdemeanor.

As mentioned in the Health and Human Services section, Senate Resolution 479, which creates a study committee to end sexual assaults on campus, was reported favorably out of the Senate Health and Human Services Committee but was not brought before the entire Senate for adoption last session. The Lieutenant Governor appointed the Sexual Assaults on Campus Senate Study Committee this fall to allow for discussion on Senate Resolution 479. Legislation may be introduced in the 2016 Legislative Session based on the Committee's findings and recommendations.

Senate Members: Senator Renee Unterman, Chairperson; Senator Fran Millar; Senator Dean Burke; Senator Lester Jackson; Senator Harold Jones; Senator Nan Orrock, and Senator Jesse Stone.

Anonymous Lottery Winners

Senate Bill 179, sponsored by Senator Joshua McKoon during the 2015 Legislative Session, was favorably reported out of the Senate Higher Education Committee but did not make it to the Senate Floor. This legislation allows lottery winners to stay anonymous upon a written request and a contribution of their earnings to the Lottery for Education Account. Currently, the lottery is subject to the Open Records Act and has to release the winner's information.

Deferred Action for Childhood Arrivals

Senate Bill 44, sponsored by Senator Nan Orrock, is currently in Senate Higher Education Committee. The bill allows an exception for students who have received a grant of deferred action for childhood arrivals from the Department of Homeland Security to be extended the same consideration for in-state tuition and fees for University System of Georgia institutions, as well as Technical College System of Georgia institutions, as citizens. Currently, Georgia's University System bars such immigrants from paying in-state college tuition rates. The Obama Administration's Deferred Action for Childhood Arrivals (DACA) program grants temporary deportation deferrals and work permits to immigrants who were illegally brought to the U.S. as children.

At least 18 states have provisions allowing for in-state tuition rates for undocumented students. Sixteen states—California, Colorado, Connecticut, Florida, Illinois, Kansas, Maryland, Minnesota, Nebraska, New Jersey, New Mexico, New York, Oregon, Texas, Utah and Washington—extend in-state tuition rates to undocumented students through state legislation. Two states—Oklahoma and Rhode Island—allow in-state tuition rates to undocumented students through Board of Regents’ decisions. In 2013, the University of Hawaii’s Board of Regents and the University of Michigan’s Board of Regents adopted similar policies for undocumented students to access in-state tuition at those institutions. In April 2014, Virginia’s attorney general started granting in-state tuition to those covered under the federal DACA.

Senate Study Committee on the Preservation of the HOPE Scholarship Program

Several legislative proposals have been introduced in the past few years to provide supplemental funding in order to persevere and expand the HOPE scholarship program for future generations. The House Study Committee on the Preservation of the HOPE Scholarship Program was created through the adoption of House Resolution 827 in the 2015 Legislative Session. Although Senate Resolution 605 was not adopted by the Senate last session to create a similar Senate study committee, the Lieutenant Governor appointed the Senate Study Committee on the Preservation of the HOPE Scholarship Program to allow the Senate and House Committees to jointly study this issue during the interim. Legislation may be introduced in the 2016 Legislative Session based on the Committee’s findings and recommendations. These Committees are discussed in the Regulated Industries section.

Senate Members: Senator Brandon Beach, Chairperson; Senator Rick Jeffares; Senator Burt Jones; Senator Jeff Mullis; Senator Bill Cowsert; and Senator Harold Jones.

INSURANCE AND LABOR

One Year Prescription of Contraceptives

Oregon’s recently enacted legislation allowing women to be prescribed contraceptives for 12 months at a time has received a significant media attention and similar legislation is expected to be introduced in Georgia during the 2016 Legislative Session.

Oregon’s House Bill 3343 requires insurers that cover prescription contraceptives to reimburse health care providers or dispensing entities for a 12-month supply of contraceptives after an initial 3-month period of coverage. Supporters of the bill believe it will reduce unwanted pregnancies. The bill passed the House 55-2 and the Senate 28-0, and was signed by the Governor on June 11th.

Continuing Autism Reform

After seven years of persistent efforts by advocates, Georgia became the 41st state to adopt reforms that require coverage for autism-related medical services, commonly referred to as Ava’s Law. The final product is a narrowly-crafted compromise bill that borrows some provisions from other states. The initial bill, Senate Bill 1, sometimes referred to as Ava’s Law, was adopted unanimously by the Senate on January 29th. But when it stalled in the House, the Chairs of the Senate and House Insurance Committees, Senator Charlie Bethel and Representative Richard Smith respectively, reached a compromise in which the House agreed to the autism provisions contained in House Bill 429 if the cap on maximum annual benefits was reduced from \$35,000 to \$30,000. Additionally, the compromise bill contains a unique sunset provision that repeals the autism mandate entirely on January 1, 2017 should the voters of Georgia approve an amendment to the State Constitution that specifically funds autism spectrum disorders treatment through a statewide 0.2 percent sales tax in the November 2016 election. The proposed Constitutional amendment, House Resolution 808, is currently awaiting action in the House and must be adopted by both chambers by at least a two-thirds vote.

Consumer and Provider Protection

The Senate Study Committee on the Consumer and Provider Protection Act is studying 2015's Senate Bill 158, the Consumer and Provider Protection Act, as well as how it addresses the current healthcare provider network environment. Senate Bill 158 is a comprehensive effort to: regulate "rental networks"; require network contracts with healthcare providers to remain intact during a contract's first year or on the anniversary of its renewal; prohibit "All Products Clauses"; and ensure network adequacy throughout Georgia.

To achieve these ends, the bill contains four distinct Acts within itself: the Insurance Transparency Act; the Provider's Right to Choose Act; the Provider Stability Act; and the Consumer Right to Access Act. It is currently unknown if the bill will continue in its current form, be amended, or be broken up into its individual Acts.

Senate Members: Senator Dean Burke, Chairperson; Senator Renee Unterman; Senator Charlie Bethel; and Senator Burt Jones.

Employee Misclassification

Senator Charlie Bethel, Chairman of the Senate Insurance and Labor Committee, created the Senate Subcommittee on Employee Misclassification to study the practice of labeling workers as independent contractors, rather than employees, in order to avoid paying certain taxes as well workers' compensation insurance.

During the 2015 Legislative Session, two pieces of legislation, Senate Bill 19 and House Bill 500, attempted to curtail this abuse as it relates to unemployment compensation. These bills provide that services performed by an individual for wages is considered employment unless the Georgia Department of Labor (GDOL) makes a contrary determination based upon submitted evidence of certain factors demonstrating that the individual has been and will continue to be free from control or direction over the performance of such services. GDOL will make this determination based upon submitted evidence that demonstrates the worker:

- Is not prohibited from working for other companies or holding other employment contemporaneously;
- Is free to accept or reject work assignments without consequence;
- Is not prescribed minimum hours to work or, in the case of sales, does not have a minimum number of orders to be obtained;
- Has the discretion to set his or her own work schedule;
- Receives only minimal instructions and no direct oversight or supervision regarding the services to be performed, such as the location where the services are to be performed and any requested deadlines;
- When applicable, has no territorial or geographic restrictions; and
- Is not required to perform, behave, or act or, alternatively, is compelled to perform, behave, or act in a manner related to the performance of services for wages which is determined by the Commissioner to demonstrate employment.

House Bill 500 was adopted by the House Industry and Labor Committee while Senate Bill 19 was never addressed by the Senate Insurance and Labor Committee. The Senate Subcommittee on Employee Misclassification may recommend amending Senate Bill 19 or draft its own proposed legislation.

Senate Members: Senator Joshua McKoon, Chairperson; Senator P.K. Martin; Senator Ed Harbison; and Senator Burt Jones.

JUDICIARY

Garnishment Reform

In September, a federal judge issued an order declaring that Georgia's garnishment statute, as applied specifically to garnishments of bank accounts, is a violation of the Fourteenth Amendment's guarantee of due process of law. Specifically, the judge's order declared that the garnishment law is deficient in that it does not require that debtors receive notice as to how to claim an exemption from garnishment. In addition, the judge declared that the garnishment law does not resolve disputes regarding exemptions and the propriety of claims quickly enough. Following this order, a number of state judges proposed that the Georgia Supreme Court issue a statewide uniform court rule to address some of the shortcomings identified by the federal court order. However, according to news reports, the Supreme Court has indicated that it will not implement such a rule until the General Assembly has had an opportunity to address the issue. A task force convened by Representative Wendell Willard, chairman of the House Judiciary Committee, is currently reviewing options for reforming the garnishment statute. In news reports, Chairman Willard has indicated that he hopes to have a reform bill ready for introduction at the start of the 2016 Legislative Session.

Religious Freedom Legislation

Senate Bill 129, the "Georgia Religious Freedom Restoration Act," passed the Senate during the 2015 Legislative Session. The bill, which included a number of proposed amendments, was considered by the full House Judiciary Committee near the end of the session, but was tabled before a final vote after non-discrimination language was added to the bill. No further action was taken on the bill by the Committee.

The Speaker of the House of Representatives, David Ralston, has announced support for legislation generally known as the "Pastor Protection Act." According to reports from *Georgia Public Broadcasting* and *The Atlanta Journal-Constitution*, the language of the bill being considered at the time of the announcement would prevent any minister or clergy member who is authorized to perform wedding ceremonies from being required to solemnize any marriage in violation of his or her right to free exercise of religion. A similar bill was signed into law recently by Texas Governor Greg Abbott, and it appears that similar legislation will be considered next year in a number of states.

At the federal level, Georgia Senators Johnny Isakson and David Perdue are co-signors of "The First Amendment Defense Act," which would protect individuals from discrimination based on their individual religious beliefs. Identical bills have been introduced in both the House and Senate. The bills would prevent the federal government from taking "any discriminatory action against a person...on the basis that such person believes or acts in accordance with a religious belief or moral conviction that marriage is or should be recognized as the union of one man and one woman or that sexual relations are properly reserved to such a marriage." This would include altering federal tax treatment, disallowing deductions for charitable contributions, or withholding or denying federal grants, contracts, or other benefits. The bills permit a person to assert violations of its provisions as a claim or defense in judicial or administrative proceedings and also grant enforcement authority to the U.S. Attorney General. Similar legislation may be considered in Georgia and other states in the coming year.

JUDICIARY NON-CIVIL

Use of No-Knock Warrants

During the 2015 Legislative Session, Senate Bill 159 proposed a number of new statutory requirements for the use of so-called “no-knock” warrants by state and local law enforcement agencies. A no-knock warrant is a search warrant that authorizes the executing officers to enter private premises without giving any potential occupants of the premises audible notice of their presence, authority, and purpose. Senate Bill 159 requires agencies executing such warrants to adopt written policies regarding their use and, when seeking such a warrant, to establish by probable cause that use of such a warrant in a given case is necessary because following the traditional “knock and announce” rule would be dangerous to human life or would inhibit the investigation of the crime by allowing for destruction of evidence. The bill also gives the grand jury the ability to conduct oversight over the issuance and execution of no-knock warrants by judges and police officers. Senate Bill 159 passed the Senate Judiciary Non-Civil Committee prior to Crossover Day, but it was never placed on the Rules calendar for floor debate. Following its passage from committee, Senator Jesse Stone, the bill’s principal sponsor, indicated that a number of provisions added by the committee, including the provisions on grand jury oversight and the requirement that the need for a no-knock provision in a search warrant be established by probable cause, presented a number of “problematic” issues for law enforcement and the courts. The General Assembly has considered a number of bills regarding no-knock warrants in the last seven years, as their use has come under closer scrutiny following a number of high-profile incidents where individuals inside homes were injured or killed during the execution of the warrant.

Law Enforcement and Body Cameras

Several pieces of legislation requiring law enforcement personnel to wear body cameras were introduced during the 2015 Legislative Session. Such legislation may not be approved in 2016, but Senators may further study the issue and propose possible alternatives such as a smaller pilot-like program. This summer, South Carolina became the first state in the country to mandate the use of body cameras by local and state law enforcement officials once funding is provided by the state for that purpose.

NATURAL RESOURCES

Joint House and Senate Coastal Greenway Study Committee

The Joint House and Senate Coastal Greenway Study Committee is charged with examining 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. Legislation may be introduced in the 2016 Legislative Session based on the Committee’s findings and recommendations.

Senate Members: Senator William Ligon, Jr., Chairperson; Senator Ben Watson; Senator Ross Tolleson; and Senator Lester Jackson.

Coastal Aquifers

Coastal aquifers in Georgia have been examined and discussed by the legislature for many years. Most recently, Senate Bill 36, which was passed by the Senate and is currently in the House Natural Resources and Environment Committee, requires the Board of Natural Resources to adopt rules and regulations which protect and preserve the Floridan aquifer, including any restrictions or prohibitions on aquifer storage and recovery where necessary. This bill is based on the recommendations of the Long-term Aquifer Storage Senate Study Committee, which met last summer and examined the future potential for Aquifer and Storage Recovery (ASR) in Georgia, including the other states’ experiences with ASR, advances in technology that may affect the efficiency of ASR techniques, as well as future water needs.

The House of Representatives has formed a Saltwater Intrusion into Coastal Aquifers Study Committee to undertake a comprehensive review of saltwater intrusion into coastal aquifers in distressed counties, as indicated by inclusion in the Yellow Zone or Red Zone under the Coastal Georgia Regional Water Plan. This review will help determine the steps needed to ensure the security of Georgia's coastal drinking water supply for the present and future. This issue was previously examined by the 2005 Joint Coastal Georgia Sound Science Initiative Study Committee, which was created to review the Environmental Protection Division's (EPD) Interim Strategy, released in April 1997, to manage saltwater intrusion in the Upper Floridan aquifer; and to review EPD's program of scientific and feasibility studies, known as the Georgia Coastal Sound Science Initiative, funded to support development of a related final water-management strategy.

PUBLIC SAFETY

Fireworks

In 2015, the General Assembly adopted House Bill 110 which legalized the manufacture, sales, and use of consumer fireworks in Georgia. News reports following the July 4th holiday have suggested that the legislature may revisit the issue in an effort to further limit the hours in which fireworks may be used.

Immigration Enforcement

Senate Bill 6, sponsored by Senator Joshua McKoon, aims to prevent immigrants who have been granted deferred action from being issued a Georgia drivers' license. Recently, Senator McKoon indicated in a press conference that he intends to continue pushing for passage of this bill, and, in addition, plans to supplement the bill with provisions that would ban undocumented immigrants from law practice and teaching in public schools. He also indicated that such legislation may include a requirement that the state create a public registry of undocumented immigrants who commit criminal offenses. Additionally, Senator McKoon suggested that his substitute bill could propose sanctions against cities and counties in Georgia that do not fully cooperate with federal immigration authorities.

REAPPORTIONMENT AND REDISTRICTING

A number of bills relating to redistricting and reapportionment were filed early in the 2015 Legislative Session. Senate Bill 20, currently in the Senate Reapportionment and Redistricting Committee, creates the independent, seven-member Citizens' Redistricting Commission to develop reapportionment and redistricting plans. Senate Resolutions 45 and 23, also in the Senate Reapportionment and Redistricting Committee, propose constitutional amendments relating to the reapportionment and redistricting process as well. With the United States Supreme Court's consideration of the redistricting process this past year and in the upcoming year, the upcoming year could bring new ideas to the table.

REGULATED INDUSTRIES

Alcohol

During the 2015 Legislative Session, the following bills containing alcohol licensing requirements and regulations relating to the place and time of alcohol sales failed to reach final passage:

- Senate Bill 91 allows licensed, retail grocery stores to sell wine or malt beverages near school buildings and school grounds, where permitted by local resolution or ordinance.

- Senate Bill 153 authorizes the sale of alcoholic beverages by retailers for resale purposes, under certain conditions.
- Senate Bill 174 creates a limited exception to the three-tier distribution system for the operation of company stores owned by a distiller or brewer to sell limited amounts of distilled spirits or malt beverages to the public.
- House Bill 261 authorizes a local government that owns/operates a commercial service airport to allow the sale of alcoholic beverages for consumption on the premises, in eating establishments within a sterile area, on Sundays.
- House Bill 276 makes numerous changes to Title 3 to modernize terms, repeal obsolete provisions, remove or correct certain inconsistent references, and to consolidate other various provisions.
- House Bill 535 authorizes local governments that currently allow for the sale of alcohol beverages for consumption on the premises to also allow such sales on Sundays from 10:30 A.M. until 12:00 Midnight; and changes the time period on Sundays during which farm wineries may sell certain wine for consumption on the premises to 10:30 A.M. until 12:00 Midnight.

Gambling/Horse Racing

A number of gaming-related measures, both previously proposed and anticipated, are expected to rear their heads in the 2016 Legislative Session. The Senate and House Study Committees on the Preservation of the HOPE Scholarship Program are jointly examining and identifying supplemental sources of revenue and methods to preserve and expand the HOPE scholarship program. Various methods are under consideration, including the taxation of casino gaming and pari-mutuel wagering on horseracing. House Resolution 807 is the constitutional amendment that was introduced during the 2015 Legislative Session that permits the latter method should the amendment be ratified by Georgia voters in the November 2016 election. This legislation was favorably reported out of the Senate Regulated Industries Committee and currently remains under the consideration of the Senate Rules Committee. House Bill 677, filed late in the 2015 Legislative Session and currently in the House Judiciary Non-Civil Committee, garnered recent attention after reports broke that MGM Resorts is considering downtown Atlanta for a \$1 billion casino, luxury hotel, and entertainment complex. This bill would provide for casino gaming at a limited number of licensed resort facilities in localities that approved their establishment by public referendum.

Senate Members: Senator Brandon Beach, Chairperson; Senator Rick Jeffares; Senator Burt Jones; Senator Jeff Mullis; Senator Bill Cowsert; and Senator Harold Jones.

Short-Term Rental Providers

Short-term rental companies such as Airbnb, HomeAway, and FlipKey are becoming increasingly more popular among tourists, as they are intended to offer a more unique and local experience than their traditional hotel counterparts. However, this new and growing industry remains unregulated, raising concerns of safety and tax collections in the state.

As a response to these growing concerns, the House of Representatives adopted House Resolution 810 in the 2015 Legislative Session, creating the House Study Committee on Short-Term Rental Providers. The Committee was created in response to the significant increase in short-term rental providers, such as Airbnb, as well as the growing number of questions and issues accompanying this unregulated industry. Particularly, the Committee was created to determine the best methods to ensure the safety of the public, prevent illegal practices, collect taxes on business activities, and otherwise properly regulate this booming industry in our state. The Committee had their first meeting in September, with its abolishment date on December 1, 2015.

RETIREMENT

Divestment

Popularized around 2007, divestment policies aim to prevent public pension funds from being invested in certain countries designated as states of terrorism. In 2008, the Georgia General Assembly passed its own divestment legislation, which required divestment in companies conducting business in Iran's petroleum sector; however, that legislation contains a sunset date of July 1, 2015.

Senate Bill 246, forwarded for actuarial study, seeks to extend and expand Georgia's divestment policy by prohibiting public pension funds from investment in any "scrutinized companies." "Scrutinized companies" are defined as companies doing business with the government of a "proscribed country," companies complicit in the Darfur genocide, or companies that supply military equipment within a proscribed country, with some exceptions. Countries designated as state sponsors of terrorism by the United States Secretary of State as of May 1, 2015 qualify as "proscribed countries." As of May 31, 2015, the list currently includes Iran, Sudan, and Syria after the Secretary of State removed Cuba from the list following a 45-day notification period. The State Treasurer would prepare an annual list of scrutinized companies, and each public fund would determine which of those companies have direct or indirect holdings. The fund would then notify the company of its scrutinized company status and provide a 90-day recourse period, after which the fund must divest if the company fails to cease its scrutinized business activities.

SCIENCE AND TECHNOLOGY

Autonomous Vehicle Regulation

Autonomous or "self-driving" vehicle technology has prompted legislators in various states to develop policy for the testing and regulation of fully autonomous vehicles. Senate Bill 113, sponsored by Senator Joshua McKoon and introduced during the 2015 Legislative Session, specifically provides for the testing and regulation of autonomous vehicles in our state. This legislation is currently in the Senate Science and Technology Committee.

Cybersecurity

The field of data security is constantly evolving to help protect against the acts of savvy and creative cyber criminals. As data security technology advances, the need to update data security laws increases. The importance of advancing data security and updating relevant law has been exacerbated by the increasing amount of government business being conducted online. The Senate Science and Technology Committee held two meetings this fall to discuss this issue, including an examination of the state's current policies, and to ensure that the personal data of Georgia's citizens stored on government networks is secure.

SPECIAL JUDICIARY

Child Legitimation

During the 2015 Legislative Session, Senate Bill 64 was passed by the Senate with a vote of 46-6, but failed to reach final passage. Senate Bill 64 repeals the voluntary acknowledgment of legitimation of a child with a form (administrative process), leaving the petition for legitimation (judicial process) as the only process by which a father can legitimate a child. This bill amends sections of the O.C.G.A. that are incorrect statements of law by adding the terms "biological father" and "legal father" where applicable. This bill is to prevent non-biological fathers from signing a voluntary acknowledgment, which establishes the legal rights of a parent. It also

requires hospitals to provide acknowledgment of paternity information prior to and upon the birth of a child to unmarried mothers and alleged fathers.

STATE AND LOCAL GOVERNMENTAL OPERATIONS

Senate Annexation, Deannexation, and Incorporation Study Committee

The Senate Annexation, Deannexation, and Incorporation Study Committee was created to review the inherent conflicts and gaps in current law regarding the various forms of annexations and the creation of new municipalities. Potential legislation may involve:

- Requiring a petition process for future incorporations;
- Establishing stricter conditions that must be met in order for an incorporation referendum to be adopted by the General Assembly;
- Clarifying what happens to county school property when a city with an independent school system annexes county property containing one or more county schools; and
- Strengthening the notice provisions for annexations and deannexations.

Senate Members: Senator Elena Parent, Chairperson; Senator Fran Millar; Senator Charlie Bethel; Senator John Albers; and Senator Frank Ginn.

Electronic Public Notices

Senate Bill 186 authorizes local governments to adopt an ordinance providing that any notice it is required by law to publish or advertise may be published electronically in lieu of or in addition to the required publication or advertisement. The electronic notices must be published on the governing authority's official website and the ordinance may cover all notices or a selected class or classes of notice. Supporters of the measure believe that it will save local governments money while critics believe that it reduces government transparency. The bill is expected to be addressed again in 2016 after it failed to reach the Senate Floor in 2015 after being adopted by the Senate SLOGO committee.

Cityhood Bills

Six bills proposing the creation of four new municipalities in Georgia are currently pending in the General Assembly:

- City of Greenhaven in DeKalb County (Senate Bill 221);
- City of Sharon Springs in Forsyth County (House Bill 660);
- City of South Fulton in Fulton County (House Bill 514, Senate Bill 140, and Senate Bill 189); and
- City of Stonecrest in DeKalb County (Senate Bill 208).

STATE INSTITUTIONS AND PROPERTY

Legislation is expected to be introduced during the 2016 Legislative Session proposing the removal of certain Confederate symbols, monuments, and holidays, as well as other references. Likewise, House Bill 50, currently pending in the House, attempts to protect all publicly owned monuments on state property from being relocated, removed, concealed, obscured, or altered in any fashion by any officer or agency.

TRANSPORTATION

Revisiting the Transportation Funding Act of 2015

The Metropolitan Atlanta Rapid Transit Agency (MARTA) has indicated in several recent news articles that it is seeking support for commuter rail expansion.

While House Bill 170, which passed in the 2015 Legislative Session, included a provision allowing all counties in Georgia to ask residents to approve an additional 1 percent sales tax for local transportation projects, most will not be able to hold a local referendum until 2016. The levy of the tax is also limited to five years, which must then be renewed by the voters. Further, the law does not allow counties to seek voter approval for additional money. A Senate Floor Amendment, which did not pass, would have allowed MARTA to ask voters in Fulton, DeKalb, and Clayton Counties to approve an additional half-cent sales tax. Legislation may be introduced in the 2016 Legislative Session to allow a county that passes a transportation sales tax to assign a portion of that tax revenue to a transit agency and extend the length of the tax.

Other possible areas of House Bill 170 that may be revisited include: removing the provision in the bill that 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 per gallon; examining the existing and future distribution and funding of the Local Maintenance and Improvement Grant formula; and the \$5 hotel/motel fee, which is said to be causing a strain and hardship on Georgia residents since it went into effect on July 1st, 2015.

VETERANS, MILITARY, AND HOMELAND SECURITY

Veteran Benefits

Although Georgia is at the forefront of providing benefits for its veterans and current service members, legislation may be introduced creating a new lottery game that helps fund certain veteran services or legislation that expands on assisting veteran-owned businesses.