

**OFFICE OF COMMITTEE SERVICES**

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**TOMORROW'S FORECAST**

- \* The House will reconvene for its 23rd Legislative Day on Wednesday, March 10, at 10:00 AM.
- \* 5 bills are expected to be debated on the floor.



**GEORGIA HOUSE OF REPRESENTATIVES**

**DAILY REPORT**



Tuesday, March 09, 2010

22nd Legislative Day

**TODAY ON THE FLOOR**

***HR 1514 - ADJOURNMENT RESOLUTION***

LD 24 - Thursday, March 11

LD 28 - Monday, March 22

LD 25 - Tuesday, March 16

LD 29 - Tuesday, March 23

LD 26 - Wednesday, March 17

LD 30 - Thursday, March 25

LD 27 - Thursday, March 18

LD 31 - Monday, March 29

**RULES CALENDAR**

**HB 883 - Sanitary Activity for Food-Processing Enterprises (SAFE) Act; enact**

- BILL SUMMARY: Requires that food-processors maintain sanitization plans on-premises. Would require that such plans meet minimum standards and provide penalties for violations of the requirement, and would punish food-processors who knowingly introduce tainted product into the stream of commerce.

- Authored By: Rep. Kevin Levitas of the 82nd
- House Committee: Agriculture & Consumer Affairs
- Rule: Open
- Yeas: 142; Nays: 20

**HB 917 - Uniform Interstate Depositions and Discovery Act; enact**

- BILL SUMMARY: The new Uniform Interstate Depositions and Discovery Act ('Uniform Act') contained in this bill permits a domestic subpoena to be issued upon presentation of a foreign subpoena to the clerk of the court and applies to all types of discovery, not just depositions. The main provision of the current Uniform Act would be retained so a commission from a foreign court could still be used to take a deposition in Georgia.

- Authored By: Rep. Mike Jacobs of the 80th
- House Committee: Judiciary
- Rule: Modified-Structured
- Yeas: 164; Nays: 2

**HB 956 - Dismissal of appeals; may be dismissed if improperly filed; provide**

- BILL SUMMARY: This bill allows the trial court to dismiss an appeal when it was filed as a notice of appeal but should have been filed as an application for appeal, in addition to the other enumerated reasons in code section 5-4-68(b)(1). Currently, only the appeals court has the right to dismiss the appeal and the trial court does not. This adds unnecessary time and expense to the judicial process. This bill will help streamline the judicial process.

- Authored By: Rep. Jay Powell of the 171st
- House Committee: Judiciary
- Rule: Open
- Yeas: 148; Nays: 1

### **HB 984 - Income taxes; levy or collection of local income taxes; prohibit**

- BILL SUMMARY: This bill repeals the Article in the Code that allows counties and cities to initiate a local income tax. The Article allows counties and cities, subject to referendum, to adopt a local income tax at the rate of 1% upon the portion of taxable net income of every resident individual of the county or city, and on the net income of every corporation and fiduciary that is "reasonably attributable" to property owned and business done within the county or city. This tax would not be imposed on individuals with a gross income of less than \$7,500. This bill provides that on or after the effective date of this Code section, there shall be no local income taxes levied or collected by any political subdivision of the state, and no local income tax returns shall be required.

- **Authored By:** Rep. Larry O`Neal of the 146th
- **House Committee:** Ways & Means
- **Rule:** Structured
- **Amendments(s):** N/A
- **Yeas:** 155; **Nays:** 0

### **HB 1002 - Crimes and offenses; crimes against judges and court personnel; increase punishment**

- BILL SUMMARY: This bill provides for enhanced penalties against those who commit aggravated assault against judges, attorneys, clerks of court, deputy clerks of court, court reporters, and probation officers while they are performing their official duties.

- **Authored By:** Rep. Wendell Willard of the 49th
- **House Committee:** Judiciary Non-Civil
- **Rule:** Modified-Open
- **Yeas:** 152; **Nays:** 9

### **HB 1015 - Street gang terrorism and prevention; expand and change provisions**

- BILL SUMMARY: This bill strengthens and clarifies the Georgia Street Gang and Terrorism Prevention Act. Some of the changes are a result of the Georgia Supreme Court decision Rodriguez v. State. Others are to clean up the language to make it consistent, to conform to the definitions, and to remove unclear provisions that could be subject to challenge. It also adds new offenses for, among other things, initiation, encouragement, and retaliation against those who perform acts to gain membership, attempt to recruit new members, or who threaten with retaliation those who refuse to join a gang or testify against a gang. It will also, should funding become available, authorize the GBI to create and manage a Georgia Criminal Street Gang Database.

- **Authored By:** Rep. Rich Golick of the 34th
- **House Committee:** Judiciary Non-Civil
- **Rule:** Modified-Structured
- **Yeas:** 152; **Nays:** 1

### **HB 1054 - Public assistance; food stamp recipients may order food over Internet; provide**

- BILL SUMMARY: This legislation would allow food stamp recipients to make online orders for food from non-profit corporations, pending approval of the USDA.

- **Authored By:** Rep. Len Walker of the 107th
- **House Committee:** Human Relations & Aging
- **Rule:** Open
- **Yeas:** 163; **Nays:** 1

### **HB 1073 - Elections; absentee ballots to uniformed and overseas voters; provisions**

- BILL SUMMARY: HB 1073 brings Georgia into compliance with the federal MOVE Act. It provides for the provision of absentee ballots to uniformed and overseas voters and the use of special write-in ballots. Further, it provides that absentee ballots may be requested by electronic transmission. It requires that the State Election Board shall establish by rule or regulation procedures for the transmission of blank absentee ballots to uniformed and overseas voters.

- **Authored By:** Rep. John Meadows of the 5th
- **House Committee:** Governmental Affairs
- **Rule:** Structured
- **Yeas:** 161; **Nays:** 1

### **HB 1135 - Transportation, Department of; enter into multiyear contracts; authorize**

- BILL SUMMARY: House Bill 1135 allows the Department of Transportation to enter into multi-year contracts, which gives the Department the flexibility to obligate funds for projects in the year that the dollars are actually spent. Currently all the cash for a project must be in the bank before a contract is signed. This bill will allow the department to efficiently utilize every available dollar in a responsible manner. This is especially needed in an environment where motor fuel dollars are declining. The bill provides that the contract will terminate at the close of the fiscal year in which it was executed and at the close of each succeeding fiscal year for which it is renewed by the department, and must state the total obligation of the department for payment in the year of execution and for each renewal term. The contract will only obligate the department for those sums payable during the fiscal year of execution or in the renewal year and will not create a debt of the state for the payment of any sum beyond those sums.

- **Authored By:** Rep. Jay Roberts of the 154th
- **House Committee:** Ways & Means
- **Rule:** Structured
- **Yeas:** 155; **Nays:** 4

### **HB 1179 - Influenza vaccinations; hospitals offer annually to employees; require**

- BILL SUMMARY: This legislation requires that hospitals offer flu vaccines to their employees who have contact with patients, at no cost for the employee. These vaccines are not mandatory for the employee to accept.

- **Authored By:** Rep. Katie M. Dempsey of the 13th
- **House Committee:** Health & Human Services
- **Rule:** Modified-Structured
- **Amendments(s):** N/A
- **Yeas:** 133; **Nays:** 27

*\* The House will reconvene Wednesday, March 10, at 10:00 AM, for its 23rd Legislative Day*

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## **COMMITTEE ON RULES**

**The Committee on Rules has fixed the calendar for the 23rd Legislative Day, Wednesday, March 10, and bills may be called at the pleasure of the Speaker.**

### **TOMORROW ON THE FLOOR**

#### **HB 925 - Mandatory education; unexcused absence notice sent by United States mail; provide**

- BILL SUMMARY: House Bill 925 changes provisions stating that local school systems must provide the unexcused absences of students between ages six to sixteen, from "certified mail" to only being required to be mailed by the United State mail service.

- **Authored By:** Rep. Tommy Benton of the 31st
- **House Committee:** Education
- **House Committee Passed:** 2/11/2010
- **Rule:** Modified-Open

#### **HB 1072 - Motor vehicle franchise practices; voluntary releases; provisions**

- BILL SUMMARY: HB 1072 seeks to clarify provisions relating to voluntary releases entered into by a automobile dealer; to prohibit a franchisor from assessing a surcharge against a dealer for warranty repairs; to require a franchisor to pay a dealer terminated as a result of a bankruptcy or industry reorganization the fair market value of the terminated franchise as of the notice of termination or 12 months prior, whichever is greater. It becomes effective upon signature of the Governor.

- **Authored By:** Rep. Ron Stephens of the 164th
- **House Committee:** Motor Vehicles
- **House Committee Passed:** 2/18/2010
- **Rule:** Modified-Open

## **HB 1085 - Reunification of family; additional case plan and permanency plan requirements; provisions**

- **BILL SUMMARY:** This legislation would require that when children are placed into foster care siblings are kept together when possible, that the child stays in the same educational setting when possible and require that transition planning take place with youths who are about to exit the program.
- **Authored By:** Rep. Katie M. Dempsey of the 13th
- **House Committee:** Children & Youth
- **House Committee Passed:** 2/16/2010
- **Rule:** Modified-Structured

## **HB 1094 - Natural Resources, Department of; develop water conservation incentives; require**

- **BILL SUMMARY:** This bill seeks to create a "culture of water conservation" in Georgia through a combination of incentives and mandates. H.B. 1094 requires various state agencies (such as the Department of Natural Resources, the Georgia Environmental Facilities Authority and the Georgia Department of Agriculture), no later than August 1 of this year, to examine their practices, policies, etc. to identify opportunities for voluntary water conservation incentives and enhancing the state's water supply. The bill also imposes reporting requirements on these agencies for the purpose of showing what changes they have made to promote water conservation and enhancing water supply and goals for the next year; for example, these agencies would submit annual reports to the General Assembly with regard to such changes on or before January 1 each year between 2011 and 2015.

The Board of Natural Resources, no later than January 1 of next year, must adopt rules for the minimum standards and best practices for monitoring and improving the efficiency and effectiveness of water use by public water systems to improve water conservation. This program would, among other things, provide for the establishment of an infrastructure leakage index and a phased-in approach requiring public water systems to implement water loss detection programs. Public water systems defined in the bill as those which provide to the public piped water for human consumption, if they serve at least 3,300 individuals) would be required to conduct water loss audits (pursuant to the minimum standards and best practices adopted by the Board of Natural Resources), with such systems serving at least 10,000 individuals required to conduct such audits by January 1, 2012 and other public water systems required to do so by January 1, 2013.

The bill clarifies when a local government may seek to impose tougher outdoor watering restrictions than those imposed by the state and limits outdoor watering to the hours of 4 p.m. to 10 a.m. daily, with a number of exceptions to this limitation (as some examples, that restriction would not apply to commercial agricultural operations, reuse of gray water, irrigation of personal food gardens or irrigation of athletic fields, golf courses or public turf areas). The legislation also provides for an appeals process for a permittee who is aggrieved or adversely affected by any order/action of the director of the Environmental Protection Division pursuant to these watering provisions.

H.B. 1094 establishes three categories of farm use surface and groundwater withdrawal permits---active, inactive and unused---and includes provisions concerning expiration of unused permits and reclassification of inactive farm use surface water/groundwater permits as active permits.

The legislation contains new requirements concerning submetering (individual measurement of water usage in multiunit complexes). All new multiunit residential buildings permitted on or after July 1, 2012 must be constructed in a manner in which individual water use in each unit can be measured. This requirement would not apply to buildings constructed or permitted prior to July 1, 2012 which thereafter are renovated or following a casualty or condemnation, renovated or rebuilt. Furthermore, all new multiunit retail and light industrial buildings permitted or with a pending permit application on or after July 1, 2012 must be constructed so that individual water use of each unit can be measured, but with exceptions for such buildings permitted prior to that date which are renovated or following a casualty or condemnation, renovated and rebuilt. The submetering requirement would not apply to newly constructed multiunit office buildings or to the office components of mixed-use developments. The bill authorizes the EPD director to issue a temporary waiver of the submetering requirement if compliance has become temporarily impracticable due to circumstances beyond the control of the owner or operator and relieves such owners/operators from liability for actions/inactions that occur as a result of billing or meter-reading errors by an unaffiliated third-party billing or meter-reading company.

H.B. 1094 also requires installation of high-efficiency plumbing fixtures in all new construction permitted on or after July 1, 2012 and updates a number of definitions pertaining to such fixtures and requires installation of high-efficiency cooling towers permitted on or after that date as well. Finally, the bill creates a 10-member legislative Joint Committee on Water Supply, consisting of five House members and five senators, to study the state's reservoir system and analyze the state's strategic needs for additional water supply, including without limitation the identification of creative financing options for water reservoirs and other opportunities for water supply enhancement. This study committee must report its findings and recommendations not later than December 31 of this year.

- **Authored By:** Rep. Lynn Ratigan Smith of the 70th
- **House Committee:** Natural Resources & Environment
- **House Committee Passed:** 3/2/2010
- **Rule:** Structured

## **SB 305 - Transportation Department; design-build method; increase the percentage of projects contracted**

- BILL SUMMARY: This legislation amends Georgia Code so that in contracting for design-build contracts, the Department of Transportation is limited to contracting for no more than 30% of the total amount of construction projects awarded in the previous fiscal year. Current law provides for no more than 15%.

- **Authored By:** Sen. Jeff Mullis of the 53rd

- **House Committee:** Transportation

- **House Committee Passed:** 2/16/2010

- **Rule:** Modified-Structured

*\* The Rules Committee will next meet on Wednesday, March 10, at 9:00 AM, to set the Rules Calendar for the 24th Legislative Day.*

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## **COMMITTEE ACTION REPORT**

### **Economic Development & Tourism**

#### **SB 374 - Legislative Economic Development Council; create**

- BILL SUMMARY: This bill creates the Legislative Economic Development Council to be co-chaired by the Lieutenant Governor and the Speaker of the House of Representatives. The Council will serve the purpose of evaluating the state's overall economic development strategy as well as reviewing all state funded activities and expenditures that go into implementing such strategy. This bill further outlines the composition of the Council as well as the Council's powers and duties. It also requires the Department of Economic Development to prepare a yearly report for submission to the members of the Council and the Governor, detailing the state's programs and activities related to job creation and economic development in Georgia.

- **Authored By:** Sen. Chip Pearson of the 51st

- **Committee Action:** Do Pass

### **Higher Education**

#### **SB 341 - HOPE; provide person shall be legal Georgia resident to be eligible for a HOPE GED voucher**

- BILL SUMMARY: Senate Bill 341 states that in order to be eligible for the HOPE GED voucher of \$500.00, students must adhere to the eligibility requirements established by the Georgia Student Finance Commission. These requirements are the used in determining eligibility for the HOPE scholarship already.

- **Authored By:** Sen. Seth Harp of the 29th

- **Committee Action:** Do Pass

### **Intragovernmental Coordination - Local**

#### **HB 1161 - Macon-Bibb, Georgia; provide unified government**

- BILL SUMMARY: A Bill to provide a unified form of government for the City of Macon and Bibb County and to provide for its powers and duties.

- **Authored By:** Rep. Allen Peake of the 137th

- **Committee Action:** Do Pass by Committee Substitute

### **Intragovernmental Coordination - Local**

#### **HB 1210 - Bryan County; Board of Commissioners prescribe time, place, and dates for meetings; provide**

- BILL SUMMARY: A Bill to provide that the Bryan County Board of Commissioners shall establish by resolution the time, place, and dates for its regular meetings.

- **Authored By:** Rep. Ron Stephens of the 164th

- **Committee Action:** Do Pass

## **Intragovernmental Coordination - Local**

### **HB 1211 - Troup County; Redevelopment Powers Law; authorize**

- BILL SUMMARY: A Bill to authorize Troup County to exercise all redevelopment powers as permitted under the State Constitution and the Redevelopment Powers Law pending a local referendum to approve the authorization.
- **Authored By:** Rep. Randy Nix of the 69th
- **Committee Action:** Do Pass by Committee Substitute

## **Intragovernmental Coordination - Local**

### **HB 1212 - LaGrange, City of; Redevelopment Powers Law; authorize**

- BILL SUMMARY: A Bill to authorize the City of LaGrange to exercise all redevelopment powers as permitted under the State Constitution and the Redevelopment Powers Law pending a local referendum to approve the authorization.
- **Authored By:** Rep. Randy Nix of the 69th
- **Committee Action:** Do Pass

## **Intragovernmental Coordination - Local**

### **HB 1225 - Western Area Regional Radio System Authority; Coweta County; government of authority**

- BILL SUMMARY: A Bill to amend the Act creating the Western Area Regional Radio System Authority so as to include Coweta County as a member of the authority and to change definitions in the Act accordingly.
- **Authored By:** Rep. Billy Horne of the 71st
- **Committee Action:** Do Pass

## **Intragovernmental Coordination - Local**

### **HB 1254 - Pooler, City of; mayor and councilmembers; four-year terms; provide**

- BILL SUMMARY: A Bill to provide four-year terms of office for the mayor and councilmembers of the City of Pooler and to provide for a referendum.
- **Authored By:** . Ann Purcell of the 159th
- **Committee Action:** Do Pass

## **Intragovernmental Coordination - Local**

### **HB 1255 - Gainesville, City of; ad valorem taxes; educational purposes; provide homestead exemption**

- BILL SUMMARY: A Bill to amend the City of Gainesville independent school district homestead exemptions for disabled persons or senior citizens by allowing any person who is disabled or is 62 to 70 years of age who receives the first \$30,000.00 exemption to automatically receive the second full value exemption upon reaching 70 years of age.
- **Authored By:** Rep. Carl Rogers of the 26th
- **Committee Action:** Do Pass

## **Intragovernmental Coordination - Local**

### **HB 1261 - Hogansville, City of; levy excise tax; authorize**

- BILL SUMMARY: A Bill to authorize the City of Hogansville to levy a hotel/motel tax.
- **Authored By:** Rep. Carl Von Epps of the 128th
- **Committee Action:** Do Pass

## **Intragovernmental Coordination - Local**

### **HB 1275 - Wayne County Industrial Development Authority; number of board directors; increase**

- BILL SUMMARY: A Bill to repeal the Act which increased the number members on the board of directors of the Wayne County Industrial Development Authority.
- **Authored By:** Rep. Mark Williams of the 178th
- **Committee Action:** Do Pass

## **Intragovernmental Coordination - Local**

### **SB 277 - Magistrate Court of Troup County; provide chief magistrate shall be a full-time position; compensation and qualifications**

- BILL SUMMARY: A Bill to provide that the chief magistrate of the Magistrate Court of Troup County shall be a full-time position and to provide for compensation and qualifications.
- **Authored By:** Sen. Seth Harp of the 29th
- **Committee Action:** Do Pass

## **Intragovernmental Coordination - Local**

### **SB 279 - Decatur, City of; authorize all redevelopment/other powers; provide a referendum**

- BILL SUMMARY: A Bill to authorize the City of Decatur to exercise all redevelopment powers as permitted under the State Constitution and the Redevelopment Powers Law pending a local referendum to approve the authorization.
- **Authored By:** Sen. David Adelman of the 42nd
- **Committee Action:** Do Pass

## **Intragovernmental Coordination - Local**

### **SB 422 - Porterdale, City Of; provide homestead exemption; municipal purposes**

- BILL SUMMARY: A Bill to provide a \$10,000.00 homestead exemption from certain City of Porterdale ad valorem taxes.
- **Authored By:** Sen. John Douglas of the 17th
- **Committee Action:** Do Pass

## **Judiciary Non-Civil**

### **HB 571 - Sexual offenders; classification; change and enact provisions**

- BILL SUMMARY: This bill updates the code sections dealing with classification of sexual offenders, sexual offender registration requirements, and restrictions on sexual offenders' residences, workplaces, and activities. Also, a narrow and defined appeals process has been added that allows registration requirements to be altered at the discretion of a superior court judge in very limited circumstances. Major topics covered in this bill include: Appeals, Electronic monitoring devices, Homeless provisions, Language Consistency/Terminology, Misdemeanor offenders, E-mail information, Out of State Offenders, Removal provisions, Penalties, Sexual Offender Registration Review Board, Restrictions on those required to register, Volunteers, Property Interests.
- **Authored By:** Rep. David Ralston of the 7th
- **Committee Action:** Do Pass by Committee Substitute

## **State Planning & Community Affairs**

### **HB 203 - Local government; development authorities; clarify certain terms**

- BILL SUMMARY: House Bill 203 clarifies legislative intent regarding House Bill 181 which was approved on May 24, 2007. No public or judicial facilities authority created by a single county can issue bonds for new projects with out a majority vote by referendum from county citizens. This bill only applies to the issuance of bonds.
- **Authored By:** Rep. Mike Jacobs of the 80th
- **Committee Action:** Do Pass

## **State Planning & Community Affairs**

### **HB 1134 - State and Local Public-Private Partnership Act of 2010; enact**

- BILL SUMMARY: House Bill 1134 creates a new Advisory Council on Public-Private Partnerships that offers public officials in Georgia a powerful, new tool to prioritized limited resources and identify opportunities to seek more efficient and effective means of service delivery through outsourcing and privatization. This advisory council would develop a centralized, independent decision-making body to manage privatization and government efficiency initiatives.
- **Authored By:** Rep. Wendell Willard of the 49th
- **Committee Action:** Do Pass

## State Planning & Community Affairs

### **HR 1146 - General Assembly; citizens not obligated to comply with appointed "czar"; declare**

- BILL SUMMARY: This Resolution encourages the federal executive branch to re-consider unconstitutionally empowering "czars" with policy, rules, or any other legal power. As a result, this legislation will reaffirm that the state legislature will demand that the United States Constitution be followed by the federal branch pertaining to czars. Appointments by a President with out Senate confirmation are not binding on this state or on the citizens.

- **Authored By:** Rep. Clay Cox of the 102nd

- **Committee Action:** Do Pass

## Transportation

### **HB 1234 - State Transportation Board; members term of office; limit**

- BILL SUMMARY: This bill shortens the terms of members on the State Transportation Board from 5 to 2. This is the enabling legislation for HR 1446 (CA).

- **Authored By:** Rep. Mark Hamilton of the 23rd

- **Committee Action:** Do Pass

## Transportation

### **HR 1446 - State Transportation Board; members term of office; limit - CA**

- BILL SUMMARY: This Constitutional Amendment calls for the members of the State Board of Transportation in office on December 31, 2010 to not serve out the remainder of their term. Instead, they will only serve until their successors are elected and qualified. After that, all Board members will serve 2 year terms instead of 5. The CA also offers the question that would go on the ballot for Georgia voters to consider.

- **Authored By:** Rep. Mark Hamilton of the 23rd

- **Committee Action:** Do Pass by Committee Substitute

## Ways & Means

### **HB 982 - Revenue and taxation; administrative garnishment; comprehensive revisions**

- BILL SUMMARY: This bill provides for an administrative garnishment process. Using the current cumbersome judicial process to garnish, the Department of Revenue is only able to pursue about 240 garnishments annually because of the revenue agent resources required in the service and subsequent handling of the garnishments, and monetary costs in court filing fees, etc., even if there are no objections by either the delinquent taxpayer or the garnishee. This means thousands of delinquent accounts are uncollected even though the delinquent taxpayers may have property or income that could satisfy the debt. This bill creates an administrative garnishment process. DOR must send a billing notice to the delinquent taxpayer within 6 months, no less than 30 days, before applying administrative garnishment so that the taxpayer has a chance to satisfy the liability and received notice of possible collection action by DOR. DOR would have to wait at least 30 more days before beginning the administrative garnishment process. Once notified, the taxpayer has 15 days to decide whether to appeal to Superior Court, make an administrative appeal to the Department, or allow the garnishment to go forward. Upon DOR's final determination, the taxpayer has 30 days to appeal to Superior Court. A delinquent taxpayer (one that has exhausted its appeal rights) would have two opportunities to put the administrative garnishment process back into Superior Court.

- **Authored By:** Rep. Larry O'Neal of the 146th

- **Committee Action:** Do Pass

## Ways & Means

### **HB 1020 - Sales and use tax; county tax for educational purposes; revise**

- BILL SUMMARY: HB 1020 is the implementing bill for House Resolution 1203, which proposes to amend the Constitution to allow up to 100% of the revenues generated by the local sales tax for educational purposes to be used for maintenance and operations. Currently, the school board may only use the revenues for capital outlay projects of the school system, or the retirement of general obligation debt with respect to capital outlay projects.

The bill provides for the same administration and procedures as are in law for the Special Purpose Local Option Sales Tax (SPLOST), except that the bill allows for use of the revenues for maintenance and operations.

- **Authored By:** Rep. Butch Parrish of the 156th

- **Committee Action:** Do Pass

## Ways & Means

### **HB 1060 - Georgia Ports Authority; comprehensive revisions; provide**

- BILL SUMMARY: HB 1060 allows the Georgia Ports Authority to obtain its own credit rating instead of using a bank credit facility (such as a letter of credit). Last May, a large portion of GPA's revenue bonds failed to remarket due to a major bank credit rating downgrade.

Under the bill, GPA must get approval from the Georgia State Financing and Investment Commission prior to issuing any bonds and financial plans are reviewed by the GSFIC staff, the state's financial advisor. Under current law, GPA's revenue bonds are not State debt and are not a pledge of the State's faith and credit, and no GPA bondholder can enforce payment against the State. GPA can use bond proceeds only for capital projects – no operating expenses are paid from bond funds. Also in the bill the definition of "project" is clarified to include cranes, cargo handling equipment, and other equipment currently used by the Authority.

- **Authored By:** Rep. Ron Stephens of the 164th

- **Committee Action:** Do Pass

## Ways & Means

### **HB 1082 - Ad valorem tax exemptions; freeport exemptions; revise provisions**

- BILL SUMMARY: HB 1082 expands the current Freeport inventory exemption. It allows local governments to hold a local referendum to exempt inventory of finished goods. Currently the Freeport exemption only applies to inventory for final destination outside Georgia or inventory in the process of manufacture or production. This bill creates a "Level Two" Freeport exemption that would include all inventory of a business not otherwise qualified for the current, or "level 1" Freeport exemption. The county or city may exempt 20, 40, 60, 80, or 100% of such inventory, subject to local referendum. This level two Freeport may be granted either in lieu of or in addition to the current "level one" Freeport exemption.

- **Authored By:** Rep. Jay Powell of the 171st

- **Committee Action:** Do Pass

## Ways & Means

### **HB 1093 - Occupation taxes; county provide electronic information to Department of Revenue; provisions**

- BILL SUMMARY: This legislation is designed to improve collection of state and local sales and use taxes. It provides that, if a county or city chooses to participate in this program, that they will send certain pieces of information to the Georgia Department of Revenue about the businesses that are paying local occupation taxes in that jurisdiction. This will allow the Dept. of Revenue to match those businesses with the Department's list of businesses that have registered to collect and remit sales taxes to the Department. This will allow them to identify those businesses should be collecting sales taxes but are not doing so. The provisions in this bill will only apply to those counties and cities that adopt a resolution consenting to participate in this program.

Under this bill, participating counties and cities will request the business legal name and any trade names, mailing address and physical location addresses, and the sales and use tax identification number assigned to the business by the Department if they are required to have such number. In addition, the county or city will submit a North American Industry Classification System Code number or numbers of the business. The county or city must also provide written notice to the business that this information, or refusal to provide this information, will be provided to the Department. After collecting this information the county or city will enter this information into a website or electronic portal maintained by the department.

- **Authored By:** Rep. David Knight of the 126th

- **Committee Action:** Do Pass by Committee Substitute

## Ways & Means

### **HB 1188 - Revenue and taxation; appoint special agents of Department of Revenue; provide**

- BILL SUMMARY: HB 1188 allows the commissioner of the Department of Revenue to appoint not more than eight POST certified law enforcement officers as special agents. These agents shall be authorized to enforce criminal laws as to tax matters (Title 48 of the Georgia Code), and shall have all the powers of a peace officer when engaged in enforcement of these tax matters. Currently, DOR employs 4 POST certified officers, however, these officers are not authorized to enforce the criminal laws of the state on tax matters, and must coordinate with other law enforcement that do not have the expertise in the subject matter which is a very time consuming process that impedes the Department's ability to protect State revenues. Other agencies have their own caseloads and cannot be given certain confidential taxpayer information.

- **Authored By:** Rep. Larry O'Neal of the 146th

- **Committee Action:** Do Pass by Committee Substitute

## Ways & Means

### HR 1203 - Sales and use tax; educational purposes; provide - CA

- BILL SUMMARY: HR 1203 proposes to amend the Constitution to allow up to 100% of the revenues generated by the local sales tax for educational purposes to be used for maintenance and operations. Currently, the school board may only use the revenues for capital outlay projects of the school system, or the retirement of general obligation debt with respect to capital outlay projects. The resolution calling for imposition of the tax and the local ballot question must include the maximum amount of net proceeds that would be expended on maintenance and operations. This will allow the school boards to have flexibility when deciding how to use their sales tax revenues.

- **Authored By:** Rep. Butch Parrish of the 156th

- **Committee Action:** Do Pass

\* Bills passing committees are reported to the Clerk's Office, and are then placed on the General Calendar.



## COMMITTEE MEETING SCHEDULE

### Wednesday, March 10, 2010

8:00 AM - 9:00 AM	<u>SCIENCE &amp; TECHNOLOGY</u>	506 CLOB
8:00 AM - 10:00 AM	<u>AGRICULTURE &amp; CONSUMER AFFAIRS</u>	403 CAP
1:00 PM - 2:00 PM	<u>PUBLIC SAFETY &amp; HOMELAND SECURITY</u>	606 CLOB
1:00 PM - 5:00 PM	<u>TRANSPORTATION</u>	506 CLOB
1:30 PM - 3:30 PM	<u>JUDICIARY NON-CIVIL</u>	132 CAP
2:00 PM - 4:00 PM	<u>ENERGY, UTILITIES &amp; TELECOMMUNICATIONS</u>	406 CLOB
2:00 PM - 3:00 PM	<u>GOVERNMENTAL AFFAIRS</u>	606 CLOB
2:00 PM - 3:00 PM	<u>RETIREMENT</u>	403 CAP
2:00 PM - 3:00 PM	<u>Academic Achievement Subcommittee of Education</u>	515 CLOB
3:00 PM - 4:00 PM	<u>INDUSTRIAL RELATIONS</u>	415 CLOB
3:00 PM - 5:00 PM	<u>HEALTH &amp; HUMAN SERVICES</u>	606 CLOB
3:00 PM - 5:00 PM	<u>Jacobs Subcommittee of Judiciary Civil</u>	403 CAP

\* This broadcast schedule is up to date at the time of this report, but meetings dates and times are subject to change. To keep up with the latest schedule please visit the General Assembly website [www.legis.ga.gov](http://www.legis.ga.gov) and click on House Meetings. To view the live stream of these meetings, please visit the Georgia Legislative Network.