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TOMORROW'S FORECAST

- * The House will reconvene for its 29th Legislative Day on Wednesday, March 24, at 10:00 AM.
- * 36 bills are expected to be debated on the floor.

**GEORGIA HOUSE OF REPRESENTATIVES****DAILY REPORT**

Monday, March 22, 2010

28th Legislative Day

TODAY ON THE FLOOR**SR 1322 - ADJOURNMENT RESOLUTION**

Monday, March 22 – LD 28

Wednesday, March 24 – LD 29

Friday, March 26 – LD 30

Tuesday, March 30 – LD 31

Wednesday, March 31 – LD 32

Thursday, April 1 – LD 33

Monday, April 12 – LD 34

RULES CALENDAR**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 without 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
- **House Committee:** State Planning & Community Affairs
- **Rule:** Modified-Structured
- **Yeas:** 164; **Nays:** 0

HB 281 - Georgia Virtual School Opportunity and Enrichment Act; enact

- BILL SUMMARY: Permits a public school to allow a non-enrolled public school student to participate in any extracurricular activity offered or conducted by such public school located in his or her attendance zone in the same manner as any student currently enrolled in that school. Final approval for such participation (of a student) resides in the discretion of the principal in accordance with local board policies, or in accordance with State Board of Education or Georgia Charter Schools Commission policies, for, respectively, a state-chartered special school or a commission charter school. To be eligible to participate in an extracurricular activity under these provisions, a non-enrolled public school student must maintain at his or her school of attendance compliance with all academic/nonacademic rules and requirements governing participation in such extracurricular activity at the public school.

A "non-enrolled public school students" is defined as a K-12 public school student who resides within the attendance zone of a school but is not enrolled at that school. "Public school" is defined as one including, without limitation, a local charter school, a state-chartered special school, and a commission charter school.

- **Authored By:** Rep. Len Walker of the 107th
- **House Committee:** Science and Technology
- **Rule:** Modified-Structured
- **Yeas:** 88; **Nays:** 74

HB 831 - State auditor; certain state or local government entities' failure to perform audits required by law; provide for effects

- BILL SUMMARY: House Bill 831 relates to the state auditor and their authority to make sure that a political subdivision of the state or local government authority completes their audit. Each political entity will enter into a contract with an independent auditor no later than 180 days following the end of the fiscal year. The entity can request an extension no more than 60 days due to an extenuating circumstance beyond their control. If the entity does not enter into a contract in the specified time the state auditor will enter into a contract with an independent auditor to perform the audit and the entity. The Department of Revenue will withhold the amount equal to the 150 % of the cost of the audit. Out of the fund

withheld 50% of the money will be transferred to the state treasury as a penalty.

- **Authored By:** Rep. Chuck Sims of the 169th
- **House Committee:** Information and Audits
- **Rule:** Modified-Open
- **Yeas:** 164; **Nays:** 0

HB 1021 - Dangerous drugs; Salvia divinorum A; include

- **BILL SUMMARY:** This legislation makes the used of Salvia divinorum A illegal, but provides an exemption the possession for landscaping purposes.
- **Authored By:** Rep. John Lunsford of the 110th
- **House Committee:** Health & Human Services
- **Rule:** Modified-Structured
- **Yeas:** 162; **Nays:** 2

HB 1047 - Flow of traffic; minimum fine for impeding traffic flow; provide

- **BILL SUMMARY:** This legislation amends Code section 40-6-184 to provide a minimum fine for drivers who impede the flow of traffic by driving too slow except when reduced speed is necessary for safe operation. The fine for a conviction of violating this Code section will be at least \$75.00 in addition to any other punishment authorized by law.
- **Authored By:** Rep. Mark Butler of the 18th
- **House Committee:** Transportation
- **Rule:** Modified-Structured
- **Yeas:** 129; **Nays:** 29

HB 1086 - Public records; teacher and school employee information; exempt from disclosure

- **BILL SUMMARY:** House Bill 1086 deals with exemptions to the disclosure of public records for teachers and employees of public and nonpublic schools. Information regarding the teachers or employees: home address, home telephone number, e-mail address, social security number or insurance/medical information is not subject to public disclosure. Previous code section only covered public school teachers and employees; HB 1086 adds nonpublic teachers and employees.
- **Authored By:** Rep. Rick Austin of the 10th
- **House Committee:** Education
- **Rule:** Modified-Structured
- **Yeas:** 163; **Nays:** 2

HB 1103 - Education; Professional Standards Commission; criminal background checks; provisions

- **BILL SUMMARY:** House Bill 1103 is relating to the issuance of clearance certificates for non educators in elementary and secondary education. Professional Standards Commission must issue a clearance certificate for every non educator which means that have completed fingerprint and criminal background check requirements. Additional fingerprinting is not necessary for renewal of a clearance certificate or for educators who possess a professional educator certificate as of January 2, 2011.
- **Authored By:** Rep. Howard Maxwell of the 17th
- **House Committee:** Education
- **Rule:** Modified-Structured
- **Yeas:** 162; **Nays:** 1

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 identifies 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
- **House Committee:** State Planning & Community Affairs
- **Rule:** Modified-Structured
- **Yeas:** 57; **Nays:** 103

HB 1138 - Revenue and tax; define Internal Revenue Code; incorporate federal law

- **BILL SUMMARY:** HB adopts the Internal Revenue Code as of January 1, 2010 so as to include federal tax law changes signed into law during 2009. If Georgia does not adopt these provisions, taxpayers will be required to make a number of state-level adjustments to federal AGI to compute their Georgia tax liability which will increase complexity and make compliance with our income tax system much more difficult and expensive.
- The federal legislation includes the American Recovery and Reinvestment Act of 2009; the Worker, Homeownership, and Business Assistance Act of 2009; the Military Spouses Residency Relief Act; the Department of Defense Appropriations Act; and the Haiti Relief Public Law 111-126. New items Georgia will adopt include:

- Section 179 Small business expense limitation increased from \$125,000 to \$250,000.
- Allows taxpayers to claim charitable contributions for Haitian relief efforts on 2009 tax returns
- Expansion of Section 529 (qualified tuition program) qualified education expenses to include the purchase of computer technology or equipment and Internet access for students
- Non-taxability of economic recovery payments made to recipients of social security, railroad retirement, and veterans' disability compensation benefits
- Non-taxability of COBRA premium subsidies received from IRS
- **Authored By:** Rep. Larry O'Neal of the 146th
- **House Committee:** Ways & Means
- **Rule:** Modified-Structured
- **Yeas:** 163; **Nays:** 1

HB 1170 - Medical assistance; health organizations providing service under Medicaid; repeal tax exemption

- BILL SUMMARY: This legislation repeals the tax exemption for health maintenance organizations which provide health care services under the Medicaid program.
- **Authored By:** Rep. Jim Cole of the 125th
- **House Committee:** Appropriations
- **Rule:** Structured
- **Yeas:** 138; **Nays:** 20

HB 1196 - Buildings; no building code require fire sprinklers in single-family dwelling; provide

- BILL SUMMARY: HB 1196 states that neither the state building code nor any building code adopted by a political subdivision of the state shall include a requirement that fire sprinklers be installed in a single-family dwelling or a residential building that contains no more than two dwelling units.
- **Authored By:** Rep. Terry England of the 108th
- **House Committee:** Agriculture & Consumer Affairs
- **Rule:** Modified-Open
- **Yeas:** 111; **Nays:** 51

HB 1236 - Court reports; reduce number of reports to distribute; change provisions

- BILL SUMMARY: This bill reduces the number of court reports that the reporter is required to distribute in hard copy to various departments, courts, etc. throughout the state.
- **Authored By:** Rep. Wendell Willard of the 49th
- **House Committee:** Judiciary
- **Rule:** Modified-Open
- **Yeas:** 165; **Nays:** 0

HB 1279 - Legislative Counsel, Office of; softbound volumes of Georgia Laws; repeal certain requirements

- BILL SUMMARY: This bill allows Legislative Counsel to discontinue publication of the softbound volumes of Georgia Laws and authorizes them to distribute fewer hardbound volumes of Georgia Laws. It also allows for distribution of an electronic version of Georgia Laws.

The bill further provides that those entities requesting copies of the Georgia House and Senate Journals shall pay the Secretary of State the cost of acquisition. The bill also reduces the number of copies of the Georgia House and Senate Journals the Secretary of State is required to hold in reserve.

Finally, the bill gives the Secretary of State 60 days after a local referendum is approved to provide a copy of the Act and a certificate showing it became law to the election superintendent and the governing authority of each county or municipality in which it has application.

- **Authored By:** Rep. Wendell Willard of the 49th
- **House Committee:** Judiciary
- **Rule:** Modified-Open
- **Yeas:** 151; **Nays:** 1

HB 1307 - Teacher certification; learning requirements for renewal; temporarily suspend

- BILL SUMMARY: House Bill 1307 amends Code Section 20-2-200 of the O.C.G.A which relates to teacher certification. This bill will temporarily suspending the professional learning requirements for a certification renewal for teachers and paraprofessionals for five years- from July 1, 2010 through July 1, 2015.
- **Authored By:** Rep. Tom Dickson of the 6th
- **House Committee:** Education
- **Rule:** Modified-Structured
- **Yeas:** 166; **Nays:** 0

HB 1387 - Official Code of Georgia Annotated; correct errors and omissions

- BILL SUMMARY: This bill amends the Official Code of Georgia Annotated to correct typographical, stylistic, capitalization, punctuation, and other errors and omissions in the Official Code of Georgia Annotated and in Acts of the General Assembly amending the Official Code of Georgia Annotated.
- **Authored By:** Rep. Wendell Willard of the 49th
- **House Committee:** Judiciary
- **Rule:** Modified-Open
- **Yeas:** 162; **Nays:** 2

HB 1388 - Development authorities; change a certain definition

- BILL SUMMARY: This legislation expands the definition of a development authority project to include conservation projects that reduce energy or water consumption or produce renewable energy. It also gives the option to local development authorities to obtain private bonds to offer low interest loans to individuals.
- **Authored By:** Rep. Timothy Bearden of the 68th
- **House Committee:** Special Committee on Small Business Development and Job Creation
- **Rule:** Modified-Open
- **Yeas:** 160; **Nays:** 1

HR 178 - Enforcement of contracts; restrict competition; provisions - CA

- BILL SUMMARY: Modifies Article III, Section VI, Paragraph V, Subparagraph (c) of the Constitution to allow for contracts which restrict competition after a term of employment or commercial relationship. The amendment gives courts the authority to modify restrictive covenants to effectuate the intent of the parties where the original covenant would be unlawful.

HR 178 is necessary for HB 173, passed by the General Assembly in 2009, to become effective and to sustain Constitutional challenge.

- **Authored By:** Rep. Kevin Levitas of the 82nd
- **House Committee:** Judiciary
- **Rule:** Structured
- **Yeas:** 158; **Nays:** 12

HR 1086 - Health care system; no law shall compel participation; provide - CA

- BILL SUMMARY: This resolution provides for an amendment to the Constitution so that no federal law can compel any Georgia citizen or company to participate in a health system. Additionally it provides that all Georgia citizens and companies can pay directly for health care related services without having to pay a fine for such actions.
- **Authored By:** Rep. Calvin Hill of the 21st
- **House Committee:** Health & Human Services
- **Rule:** Structured
- **Yeas:** 111; **Nays:** 61

POSTPONED LEGISLATION

HB 1061 - Trauma Care Expansion Act of 2010; enact

- BILL SUMMARY: This legislation allows for hospitals who chose to join the Trauma Network as either a level 1 or 2 Trauma center and make a minimum commitment of 10 years, the hospital is then exempted from the CON process. Each additional CON service that the hospital begins after the initial period results in an increase of two and a half years added to the commitment. If a hospital fails to meet the time commitment, the hospital would then have to comply with CON law and apply for that service.
- **Authored By:** Rep. Mark Butler of the 18th
- **House Committee:** Health & Human Services

** The House will reconvene Wednesday, March 24, at 10:00 AM, for its 29th Legislative Day*

COMMITTEE ON RULES

The Committee on Rules has fixed the calendar for the 29th Legislative Day, Wednesday, March 24, and bills may be called at the pleasure of the Speaker.

TOMORROW ON THE FLOOR

HB 199 - Warrants for arrest; persons who may issue warrants; provisions

- BILL SUMMARY: Under the current code citizens may petition a magistrate court for an arrest warrant to be issued against another for a violation of penal laws. A hearing is required for such a petition.

This bill modifies code section 17-4-40 and provides that a magistrate judge may deny a hearing of an application for warrant without notice if the application does not demonstrate a probable cause for issuing the warrant.

- **Authored By:** Rep. Sean Jerguson of the 22nd
- **House Committee:** Judiciary Non-Civil
- **House Committee Passed:** 2/17/2010
- **Rule:** Modified-Open

HB 347 - Sales and use tax; sales price; change definition

- BILL SUMMARY: HB 347 provides that property taxes that are passed on from a lessor to a lessee of equipment shall be backed out before calculation of sales taxes on the lease payments.

- **Authored By:** Rep. Terry England of the 108th
- **House Committee:** Ways & Means
- **House Committee Passed:** 3/18/2010
- **Rule:** Modified-Structured

HB 361 - Safe Medications Practice Act; enact

- BILL SUMMARY: This legislation allows for pharmacists based in hospitals to collaborate with members of the medical staff on specific drug therapies for patients. This would include the ordering of clinical test and the interpretation of such tests.

- **Authored By:** Rep. Ron Stephens of the 164th
- **House Committee:** Health & Human Services
- **House Committee Passed:** 3/11/2010
- **Rule:** Modified-Structured

HB 863 - Charitable solicitations; accounting; revise certain provisions

- BILL SUMMARY: This bill requires the paid solicitors for charitable organizations to file additional information with the Secretary of State with respect to contributions other than monetary donations and securities. It also defines the term "collection receptacle" as an unattended container that is used for the purpose of collecting donations of clothing, books, personal or household items or other goods with the exception of monetary donations. It further requires the collection receptacle to display certain information about the owner and the operator of that receptacle as well as a statement, which specifies whether the receptacles are operated by for-profit or nonprofit organizations and whether the donations are made for charitable, partially charitable or not for charitable purposes.

- **Authored By:** Rep. Katie M. Dempsey of the 13th
- **House Committee:** Regulated Industries
- **House Committee Passed:** 3/17/2010
- **Rule:** Modified-Open

HB 866 - Physicians for Rural Areas Assistance Act; enact

- BILL SUMMARY: This legislation would allow rural hospitals, other health care entities, local governments, and civic organizations to receive matching grants from the State Medical Education Board for the purpose of enticing physicians to rural settings. The grant money can be used for salary supplements, office support, and medical education loan repayment for the physician.

- **Authored By:** Rep. Stephen Allison of the 8th
- **House Committee:** Health & Human Services
- **House Committee Passed:** 3/11/2010
- **Rule:** Modified-Open

HB 1007 - Property; sales to political subdivisions; maximum amount exempt; increase

- BILL SUMMARY: House Bill 1007 increases the amount of money that can be spent by a local officer or employee to a political subdivision from \$200.00 to \$500.00.
- **Authored By:** Rep. Doug Holt of the 112th
- **House Committee:** State Planning & Community Affairs
- **House Committee Passed:** N/A
- **Rule:** Modified-Open

HB 1030 - Corrections, Department of; amend various titles; provisions

- BILL SUMMARY: This bill would move the parole supervision function under Pardons and Parole to the Department of Corrections. Establishes a Community Supervision division within the Department of Corrections, for both probation and parole supervision functions. It adds the Chair of the Board of Pardons and Parole to the Board of Corrections. The Governor will recommend a Director of Community Supervision who will be approved by the Board of Corrections.
- **Authored By:** Rep. Jim Cole of the 125th
- **House Committee:** State Institutions & Property
- **House Committee Passed:** 2/4/2010
- **Rule:** Modified-Structured

HB 1053 - Solicitors-general; act during pendency of vacancy in office; provide

- BILL SUMMARY: This bill fills a hole in the Georgia Code. It addresses how a vacancy in the office of solicitor-general of the state court (other than due to expiration of the term of office) is filled prior to the Governor making an appointment.
- **Authored By:** Rep. John Lunsford of the 110th
- **House Committee:** Judiciary
- **House Committee Passed:** 3/18/2010
- **Rule:** Modified-Open

HB 1057 - Magistrate court clerks; General Assembly specify who serves as clerk; provide

- BILL SUMMARY: This bill amends Code Section 15-10-105 to provide that the General Assembly may at any time specify by local law who shall serve as clerk of magistrate court. This bill also includes a provision whereby the clerk of superior court and the clerk of state court shall be given notice at least on week prior to a successor being appointed.
- **Authored By:** Rep. Amos Amerson of the 9th
- **House Committee:** Judiciary
- **House Committee Passed:** 3/16/2010
- **Rule:** Modified-Structured

HB 1059 - Solid waste management; permits for handling, disposal, or treatment; change provisions

- BILL SUMMARY: HB 1059 will allow for a minor permit modification for existing municipal solid waste disposal facilities for materials consisting of concrete, asphalt, cardboard, or yard trimmings or similar wood wastes diverted from the waste stream for the recycling or other beneficial reuse of such materials. A 30 day notice to the chief elected official of the jurisdiction is required before starting any recycling operation for materials consisting of concrete, asphalt, cardboard, or yard trimmings or similar wood wastes.
- **Authored By:** Rep. Randy Nix of the 69th
- **House Committee:** Agriculture & Consumer Affairs
- **House Committee Passed:** 3/18/2010
- **Rule:** Modified-Open

HB 1061 - Trauma Care Expansion Act of 2010; enact

- BILL SUMMARY: This legislation allows for hospitals who chose to join the Trauma Network as either a level 1 or 2 Trauma center and make a minimum commitment of 10 years, the hospital is then exempted from the CON process. Each additional CON service that the hospital begins after the initial period results in an increase of two and a half years added to the commitment. If a hospital fails to meet the time commitment, the hospital would then have to comply with CON law and apply for that service.
- **Authored By:** Rep. Mark Butler of the 18th
- **House Committee:** Health & Human Services
- **House Committee Passed:** 3/17/2010
- **Rule:** Modified-Structured

HB 1069 - Income tax; credits for equipment that reduces energy or water usage; provide

- BILL SUMMARY: HB 1069 provides for an income tax credit for taxpayers that purchase certain energy or water efficient equipment as part of new construction or for retrofit in the year the equipment is placed in service. The amount of the credit is 25% of the cost of the equipment or \$2,500, whichever is less. Eligible equipment includes energy and water efficient equipment certified by the commissioner of natural resources as effective in reducing business or domestic energy or water usage. Tax credits allowed shall not exceed a taxpayers' income tax liability, and unused credits may be carried forward for five years. The aggregate amount of the tax credits that shall be allowed is limited to the amount of federal funds granted to Georgia for this purpose, and these credits will only be granted in years such federal funds are granted. After purchase of the equipment, the taxpayer must submit an application to the Dept. of Revenue for approval of the credit, and the credits will be allowed on a first come, first served basis.

- **Authored By:** Rep. Joe Wilkinson of the 52nd
- **House Committee:** Ways & Means
- **House Committee Passed:** 3/18/2010
- **Rule:** Modified-Structured

HB 1074 - Public Safety, Department of; Capitol Police Division; create; provisions

- BILL SUMMARY: Modifies the designation of capitol square to match existing street and geographical boundaries 2) transfers the Georgia Building Authority police and their law enforcement duties relating to capitol hill from the Georgia Building Authority. To the dept of public safety, 3) creates the dept of public safety a division known as the capitol police

- **Authored By:** Rep. John Meadows of the 5th
- **House Committee:** Appropriations
- **House Committee Passed:** 3/17/2010
- **Rule:** Modified-Structured

HB 1105 - Watercraft held in inventory; exempt from taxation; provide

- BILL SUMMARY: HB 1105 extends the property tax exemption for watercraft owned by a dealer and held for sale or resale. Currently, the exemption is set to expire on December 31, 2010, and this bill extends the expiration date to December 31, 2013.

- **Authored By:** Rep. Mickey Channell of the 116th
- **House Committee:** Ways & Means
- **House Committee Passed:** 3/18/2010
- **Rule:** Modified-Structured

HB 1117 - State Board of Registration for Professional Engineers and Land Surveyors; executive director; provide

- BILL SUMMARY: This bill enables the State Board of Registration for Professional Engineers and Land Surveyors to appoint its own full-time executive director and outlines the executive director's powers and responsibilities. This bill also requires the Board to file a written report with the Secretary of State, outlining its yearly activities. It further emphasizes that the funding for the operation and administration of the Board, which is achieved through the collection of appropriate fees, will constitute a distinct and separate budget unit.

- **Authored By:** Rep. Ben Harbin of the 118th
- **House Committee:** Regulated Industries
- **House Committee Passed:** 2/10/2010
- **Rule:** Modified-Structured

HB 1133 - Pretrial intervention and diversion programs; administration fees; increase

- BILL SUMMARY: The bill raises the ceiling for fees for administration of Pretrial Intervention and Diversion Programs to \$1,000 (the current maximum is \$300).

The bill further provides that the fee may be waived in part or in whole or made payable in monthly increments upon showing of good cause to the prosecuting attorney.

- **Authored By:** Rep. John Lunsford of the 110th
- **House Committee:** Judiciary Non-Civil
- **House Committee Passed:** 3/17/2010
- **Rule:** Modified-Open

HB 1139 - Ad valorem tax; notice of changes in taxpayers' returns; change provisions

- BILL SUMMARY: HB 1139 provides that each property tax bill will contain a checkbox that will allow taxpayers to check if they want their bill to serve as a return of the property for the next tax year. If they check the box the taxpayer will fill out a value they believe their property is worth and send the bill to the tax commissioner. This will allow taxpayers to effectuate a return of their property for the next tax year at the time they receive their bill rather than having to wait until January 1 of the next tax year, and which will ensure they have a right to appeal the property value the next year.

- **Authored By:** Rep. James Mills of the 25th
- **House Committee:** Ways & Means
- **House Committee Passed:** 3/11/2010
- **Rule:** Modified-Structured

HB 1140 - Alcovy, Atlanta, and Brunswick judicial circuits; dates of terms; change

- BILL SUMMARY: This bill moves the date of appointment for additional judges for the superior courts of the Alcovy, Atlanta, and Brunswick judicial circuits to July 1, 2010.

- **Authored By:** Rep. Roger B. Lane of the 167th
- **House Committee:** Judiciary
- **House Committee Passed:** 3/18/2010
- **Rule:** Modified-Open

HB 1147 - Special liens on personalty; eliminate aircraft liens; provisions

- BILL SUMMARY: The bill deals with aviation liens. There was preemption at the federal level (with respect to recordation of the interest in the aircraft or aircraft engines) and the current Georgia Code does not align with federal law. This bill is to modify the language in the Georgia Code to recognize the federal preemption and to clear up any confusion that may be present with regard to how aviation liens should be perfected.

- **Authored By:** Rep. David Knight of the 126th
- **House Committee:** Judiciary
- **House Committee Passed:** 3/16/2010
- **Rule:** Modified-Structured

HB 1150 - Retirement and pensions; Georgia Firefighters' Pension Fund; define terms

- BILL SUMMARY: This bill increases the penalty for making false statement or falsifying documents for the Georgia Firefighters' Pension Fund from a misdemeanor to a felony.

- **Authored By:** Rep. Tom Weldon of the 3rd
- **House Committee:** Retirement
- **House Committee Passed:** 3/17/2010
- **Rule:** Modified-Open

HB 1194 - Family and children services; outsource certain duties; provide

- BILL SUMMARY: A Bill to amend Code Section 49-3-5 to authorize a county director of family and children services to identify the administrative needs of his or her office and to permit the outsourcing of such administrative needs to qualified volunteers. A criminal background check shall be required for such volunteers at the expense of the volunteer.

- **Authored By:** Rep. Carl Rogers of the 26th
- **House Committee:** Children & Youth
- **House Committee Passed:** 3/16/2010
- **Rule:** Modified-Open

HB 1199 - Natural Resources, Department of; authority to arrange volunteer services; change provisions

- BILL SUMMARY: Authorizes the Department of Natural Resources [DNR] to incorporate a nonprofit 501[c][3] corporation to provide grants to DNR for additional financial support, to assist the agency in advancing various activities and purposes under its purview, such as environmental protection, coastal resource conservation, outdoor recreation and conservation measures and development. This nonprofit corporation may not conduct any governmental functions or regulatory powers, and no member of the Board of Natural Resources may be an officer or director of the nonprofit corporation. No donations to this nonprofit corporation from private sources may be used for direct employee costs of DNR. Furthermore, the nonprofit corporation will be subject to all laws relating to open meetings and inspection of public records and must make public and provide an annual report showing donors, amounts donated and all expenditures or other disposal of money or property donated, with the report provided to the Governor, Lieutenant Governor, Speaker of the House, chairman of the House and Senate Natural Resources and Environment Committees and chairman of the House Game, Fish and Parks Committee.

The bill also expands the purposes for which the DNR commissioner can accept volunteers for assistance with DNR activities to include historic preservation, wildlife management, recreation and public education on conservation, and adds activities for which DNR may participate with groups, organizations and businesses in joint advertising and promotional projects to include promotion of wildlife management, recreation and public education on conservation.

- **Authored By:** Rep. Lynn Ratigan Smith of the 70th
- **House Committee:** Natural Resources & Environment
- **House Committee Passed:** 3/17/2010
- **Rule:** Modified-Structured

HB 1200 - Local boards of education; solicit and accept donations for field trips; authorize

- BILL SUMMARY: House Bill 1200 related to the local school boards and giving them the authorization to solicit and accept donations for the purpose of field trips and other education purposes.
- **Authored By:** Rep. Mike Glanton of the 76th
- **House Committee:** Education
- **House Committee Passed:** 3/18/2010
- **Rule:** Modified-Open

HB 1206 - Water well standards; require contractor license under geologist or engineer direction; change provisions

- BILL SUMMARY: The bill adds a definition of "geothermal borehole" to the Georgia Code and provides that anyone drilling a geothermal borehole have a water well contractor's license or be supervised per the current Code. The legislation also requires these boreholes to be set back a certain distance from contamination sources (as some examples, at least ten feet from sewer lines and a minimum of 25 feet from septic tanks)
- **Authored By:** Mr.. Billy Maddox of the 127th
- **House Committee:** Natural Resources & Environment
- **House Committee Passed:** 3/18/2010
- **Rule:** Modified-Structured

HB 1231 - Uniform rules of the road; proper execution of a left turn; clarify

- BILL SUMMARY: HB 1231 addresses vagueness within the "Uniform Rules of the Road" dealing with left hand turns. Specifically, it requires when turning left and exiting an intersection you must maintain your lane position as you enter the new road.
- **Authored By:** Rep. Bobby C Reese of the 98th
- **House Committee:** Motor Vehicles
- **House Committee Passed:** 3/17/2010
- **Rule:** Modified-Open

HB 1233 - Georgia Public Service Commission; certain costs charged to involved utility; provisions

- BILL SUMMARY: HB 1233 changes how expert witnesses are funded in public utility rate cases held before the Georgia Public Service Commission. Currently, these witnesses are funded from the state treasury. Under HB 1233, witnesses would be paid by the utility bringing the rate case. They would then recoup their cost from their rate payers.
- **Authored By:** Rep. John Lunsford of the 110th
- **House Committee:** Governmental Affairs
- **House Committee Passed:** 3/17/2010
- **Rule:** Modified-Open

HB 1298 - Hazardous waste; make provisions consistent with federal regulations; provide

- BILL SUMMARY: Updates Code sections pertaining to hazardous waste management and hazardous site response to conform to new federal provisions.
- **Authored By:** Rep. Tommy Benton of the 31st
- **House Committee:** Natural Resources & Environment
- **House Committee Passed:** 3/18/2010
- **Rule:** Structured

HB 1310 - Brain and Spinal Injury Trust Commission; may solicit funds; provide

- BILL SUMMARY: This legislation amends 15-21-147 so as to allow the Brain and Spinal Injury Trust Commission to solicit monetary donations.
- **Authored By:** . E. Culver "Rusty" Kidd of the 141st
- **House Committee:** Health & Human Services
- **House Committee Passed:** 3/17/2010
- **Rule:** Modified-Open

HB 1321 - Emergency Telephone System Fund; additional use for moneys; provide

- BILL SUMMARY: This bill authorizes a county that has a fully enhanced 911 system and has fully funded its 911 operations from the \$1.50, 911 fee to use any remaining fee revenue to upgrade their public radio system. The term fully enhanced relates to systems that are able to identify the exact location of all wireless and landline carriers.
- **Authored By:** Rep. Ben Harbin of the 118th
- **House Committee:** Appropriations
- **House Committee Passed:** 3/17/2010
- **Rule:** Modified-Structured

HB 1324 - Mental health; Department of Behavioral Health and Developmental Disabilities; revise provisions

- BILL SUMMARY: HB 1324 is a housekeeping bill for the Department of Behavioral Health and Developmental Disabilities.
- **Authored By:** Rep. Mark Butler of the 18th
- **House Committee:** Governmental Affairs
- **House Committee Passed:** 3/17/2010
- **Rule:** Modified-Open

HB 1328 - Courts; adjust certain fees for inflation; provisions

- BILL SUMMARY: This bill adjusts court fees to account for inflation and repeals fees that are obsolete.
- **Authored By:** Rep. Roger B. Lane of the 167th
- **House Committee:** Judiciary Non-Civil
- **House Committee Passed:** 3/17/2010
- **Rule:** Modified-Structured

HB 1359 - Best management practices; required buffer along state waters; provide exception

- BILL SUMMARY: Provides an exemption from the state's 25-foot water buffer requirement for construction of bulkheads and sea walls to the extent necessary to prevent erosion of the shoreline into a lake operated by the U.S. Army Corps of Engineers or by a utility regulated by the Federal Energy Regulatory Commission. The exemption would be limited to the duration of construction of those erosion-control devices.
- **Authored By:** Rep. Mickey Channell of the 116th
- **House Committee:** Natural Resources & Environment
- **House Committee Passed:** 3/18/2010
- **Rule:** Modified-Structured

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
- **House Committee:** State Planning & Community Affairs
- **House Committee Passed:** 3/9/2010
- **Rule:** Modified-Open

HR 1400 - Congress; not transfer Guantanamo Bay detainees within Georgia or United States; request

- BILL SUMMARY: This resolution urges the United States Congress not to locate any of the detainees at Guantanamo Bay into the state of Georgia or in the United states.
- **Authored By:** Rep. Tony Sellier of the 136th
- **House Committee:** Defense & Veterans Affairs
- **House Committee Passed:** 2/18/2010
- **Rule:** Modified-Open

HR 1516 - United States Congress; not decommission Coast Guard Security Team 91108; urge

- BILL SUMMARY: This legislation urges the Federal Government to retain the services of every member of the Coast Guard Maritime Safety and Security Team 91108, located in St. Mary's Georgia, for the purposes of serving and protecting the Eastern Seaboard of the United States.
- **Authored By:** Rep. Cecily Hill of the 180th
- **House Committee:** Defense & Veterans Affairs
- **House Committee Passed:** 3/18/2010
- **Rule:** Open

HR 1588 - State of Georgia property; certain counties; nonexclusive easements; authorize

- BILL SUMMARY: Authorizes the granting of easements over state owned properties in 23 counties
- **Authored By:** Rep. Terry Barnard of the 166th
- **House Committee:** State Institutions & Property
- **House Committee Passed:** 3/17/2010
- **Rule:** Modified-Open

** The Rules Committee will next meet on Wednesday, March 24, at 9:00 AM, to set the Rules Calendar for the 30th Legislative Day.*

COMMITTEE ACTION REPORT

Monday, March 22

Agriculture & Consumer Affairs

HB 1439 - Building codes; certain farm buildings; provide exemption

- BILL SUMMARY: HB 1439 exempts farm buildings or structures from the state minimum standard building codes and any amendment thereto adopted by a municipality or county. Farm building or structure' means a building or structure that is located on a farm; not used for residential purposes; not intended primarily for public use; and used primarily for or in connection with agricultural operations.
- **Authored By:** Rep. Michael Harden of the 28th
- **Committee Action:** Do Pass by Committee Substitute

Economic Development & Tourism

HR 1435 - House Study Committee on Hotel-Motel Tax; create

- BILL SUMMARY: This resolution forms the House Study Committee on Hotel-Motel Tax charged with evaluating matters relating to hotel-motel tax administration, collections, accounting and expenditures. It further provides for the composition of this study committee and authorizes it to appoint an advisory council.
- **Authored By:** Rep. Ron Stephens of the 164th
- **Committee Action:** Do Pass by Committee Substitute

Economic Development & Tourism

HR 1515 - Georgia Commission For Entrepreneurship Excellence; create

- BILL SUMMARY: This resolution forms the Georgia Action Team For Entrepreneurship Excellence charged with recommending ways to establish liquidity for entrepreneurs, to brand Georgia as the state that supports and welcomes entrepreneurship and further to make Georgia the world's #1 destination for entrepreneurs in the US.
- **Authored By:** Rep. Bob Smith of the 113th
- **Committee Action:** Do Pass by Committee Substitute

Governmental Affairs

HB 935 - Georgia Commission on Reducing Poverty and Increasing Economic Security; create

- BILL SUMMARY: This bill creates Georgia Commission on Reducing Poverty and Increasing Economic Security, which is to study various issues that citizens in poverty face every day and to devise policy and fiscal recommendations to correct the issues. This commission is to serve at no cost to the state.
- **Authored By:** Rep. Roger Bruce of the 64th
- **Committee Action:** Do Pass by Committee Substitute

Governmental Affairs

HB 1304 - Local government; members of authorities; conflicts of interest; revise provisions

- BILL SUMMARY: This bill would require that a director of a development authority or a downtown development authority who has any interest or involvement in a transaction that exceeds \$200 per calendar quarter publish notice of the interest once in the legal organ in each county affected by such interest at least 30 days in advance of consummating such transaction. This requirement is in addition to the current requirements of subparagraph (e)(1)(B) of Code Section 36-62-5.

- **Authored By:** Rep. Mark Hatfield of the 177th
- **Committee Action:** Do Pass by Committee Substitute

Human Relations & Aging

HB 935 - Georgia Commission on Reducing Poverty and Increasing Economic Security; create

- BILL SUMMARY: This bill creates Georgia Commission on Reducing Poverty and Increasing Economic Security, which is to study various issues that citizens in poverty face every day and to devise policy and fiscal recommendations to correct the issues. This commission is to serve at no cost to the state.

- **Authored By:** Rep. Roger Bruce of the 64th
- **Committee Action:** Do Pass by Committee Substitute

Intragovernmental Coordination - Local

HB 1378 - Lumpkin County, Magistrate Court of; appoint clerk; provide

- BILL SUMMARY: A Bill to provide that the clerk of the Magistrate Court of Lumpkin County shall be appointed by and serve at the pleasure of the chief magistrate pending the enactment of a general law to provide that the General Assembly may specify by local law who shall serve as clerk of magistrate court.

- **Authored By:** Rep. Amos Amerson of the 9th
- **Committee Action:** Do Pass

Intragovernmental Coordination - Local

HB 1379 - Snellville, City of; Redevelopment Powers Law; authorize

- BILL SUMMARY: A Bill to authorize the City of Snellville 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. Melvin Everson of the 106th
- **Committee Action:** Do Pass

Intragovernmental Coordination - Local

HB 1391 - Columbus, Municipal Court; change clerk and marshal compensation

- BILL SUMMARY: A Bill to provide compensation to the clerk and the marshal of the Municipal Court of Columbus.

- **Authored By:** Rep. Calvin Smyre of the 132nd
- **Committee Action:** Do Pass

Intragovernmental Coordination - Local

HB 1400 - Sasser, Town of; Terrell County; provide new charter

- BILL SUMMARY: A Bill to provide a new charter for the Town of Sasser.

- **Authored By:** Rep. Bob Hanner of the 148th
- **Committee Action:** Do Pass

Intragovernmental Coordination - Local

HB 1403 - Mountain Park, City of; number of councilmen; change provisions

- BILL SUMMARY: A Bill to amend the charter of the City of Mountain Park to provide for the number of councilmen, to establish the number required for a quorum, to clarify the number of votes required for a motion, resolution, or ordinance to pass and, to provide the manner in which vacancies in office are filled.

- **Authored By:** Rep. Jan Jones of the 46th
- **Committee Action:** Do Pass

Intragovernmental Coordination - Local

HB 1422 - Montgomery County; Board of Commissioners; terms of office; provide

- BILL SUMMARY: A Bill to provide staggered terms of office for the members of the Montgomery County Board of Commissioners.
- **Authored By:** Rep. Greg Morris of the 155th
- **Committee Action:** Do Pass

Intragovernmental Coordination - Local

HB 1427 - Norcross, City of; mayor and city councilmembers; change terms

- BILL SUMMARY: A Bill to provide a referendum to approve new terms for the mayor and city councilmembers, and stagger those terms, in the City of Norcross.
- **Authored By:** Rep. Pedro Marin of the 96th
- **Committee Action:** Do Pass

Intragovernmental Coordination - Local

HB 1429 - Cartersville, City of; levy excise tax; authorize

- BILL SUMMARY: A Bill to authorize City of Cartersville to levy a hotel/motel tax.
- **Authored By:** Rep. Paul Battles of the 15th
- **Committee Action:** Do Pass

Intragovernmental Coordination - Local

HB 1434 - Norcross, City of; mayor and councilmembers elected by plurality; provide

- BILL SUMMARY: A Bill to provide a referendum to approve that the mayor and councilmembers of the City of Norcross shall be elected by a plurality.
- **Authored By:** Rep. Pedro Marin of the 96th
- **Committee Action:** Do Pass

Judiciary

HB 1378 - Lumpkin County, Magistrate Court of; appoint clerk; provide

- BILL SUMMARY: A Bill to provide that the clerk of the Magistrate Court of Lumpkin County shall be appointed by and serve at the pleasure of the chief magistrate pending the enactment of a general law to provide that the General Assembly may specify by local law who shall serve as clerk of magistrate court.
- **Authored By:** Rep. Amos Amerson of the 9th
- **Committee Action:** Do Pass

Judiciary Non-Civil

HB 889 - Recognizance bonds; persons charged with certain crimes; limit

- BILL SUMMARY: This bill limits recognizance bonds for persons charged with certain crimes, defined as a 'bail restricted offense,' (including, by way of example, a serious violent felony as defined in 17-10-6.1, aggravated assault, felony pimping, felony DUI) and entering a pretrial release program, a pretrial release or diversion program, or a pretrial intervention and diversion program.

A judge, in his or her sound discretion and in appropriate cases, may still release a person on their own recognizance for one of the enumerated bail restricted offenses so long as it is not into one of the pretrial programs covered in the code section.

- **Authored By:** Rep. Len Walker of the 107th
- **Committee Action:** Do Pass by Committee Substitute

Judiciary Non-Civil

HB 1304 - Local government; members of authorities; conflicts of interest; revise provisions

- BILL SUMMARY: This bill would require that a director of a development authority or a downtown development authority who has any interest or involvement in a transaction that exceeds \$200 per calendar quarter publish notice of the interest once in the legal organ in each county affected by such interest at least 30 days in advance of consummating such transaction. This requirement is in addition to the current requirements of subparagraph (e)(1)(B) of Code Section 36-62-5.
- **Authored By:** Rep. Mark Hatfield of the 177th
- **Committee Action:** Do Pass by Committee Substitute

Motor Vehicles

HB 1012 - Special license plates; service members killed in action; expand definition

- BILL SUMMARY: HB 1012 expands the provisions of the Gold Star specialty license plate. Currently, only the spouse, mother, or father of a fallen service member may apply for the Gold Star plate. Under HB 1012, siblings and step-parents will also be able to obtain this plate. However, the plates will not be free for siblings or step-parents.
- **Authored By:** Rep. Billy Horne of the 71st
- **Committee Action:** Do Pass

Public Safety and Homeland Security

HB 944 - Motor vehicles; use of wireless telecommunications devices; prohibit

- BILL SUMMARY: This legislation amends Title 40 to include operating a vehicle while engaging in wireless communication under the age of 18 in the current points system for violations and to provide for instances where engaging in wireless communications is acceptable such as emergency situations.
- **Authored By:** Rep. Amos Amerson of the 9th
- **Committee Action:** Do Pass by Committee Substitute

Public Safety and Homeland Security

HB 1348 - Georgia School Bus Safety Task Force; create

- BILL SUMMARY: HB 1348 creates the Georgia School Bus Safety Task Force. The Task force would be made up of six members who would undertake a study of school bus safety designs and technology related to safety and law enforcement; study approaches taken by other states in the implementation of school bus safety measures and related costs; research and develop recommendations relating to school bus safety; and review Georgia laws relating to school bus safety and recommend any needed legislation.
- **Authored By:** Rep. Don Parsons of the 42nd
- **Committee Action:** Do Pass by Committee Substitute

Public Safety and Homeland Security

HR 1648 - Public safety and transportation commissioners; increase maximum speed limit on parts of Interstate 185; urge

- BILL SUMMARY: This resolution urges the commissioner of public safety and the commissioner of transportation to act jointly to remove the current restriction and increase the maximum speed limit on Interstate 185 in Columbus-Muscogee County from the current 55 miles per hour to 65 miles per hour where standard road designs allow such increased speed.
- **Authored By:** Rep. Calvin Smyre of the 132nd
- **Committee Action:** Do Pass

Regulated Industries

HR 1293 - Joint Study Committee on Licensure of Residential and General Contractors; create

- BILL SUMMARY: This resolution forms the Joint House and Senate Study Committee on the Licensure of Residential and General Contractors charged with evaluating issues that arise from current statutory provisions and regulations relating to the licensing process of such contractors.
- **Authored By:** . Ron Dodson of the 75th
- **Committee Action:** Do Pass by Committee Substitute

State Institutions & Property

HB 1265 - Penal institutions; types of insurance coverage jails may reimburse; clarify

- BILL SUMMARY: This bill clarifies the types of individual insurance coverage which may reimburse jails for medical expenses, to include mental health care, optometry care, physical or mental healthy therapy, prosthesis, in addition to medical attention, dental care and medicine necessary, as well as, associated costs such as transportation, guards, room and board. A county, municipal or combined local governing authority would be able to recoup operating expenses up to \$40 per day and not to exceed actual costs. A detainee deemed indigent shall not be charged costs of incarceration.
- **Authored By:** Rep. Jimmy Pruett of the 144th
- **Committee Action:** Do Pass

Ways & Means

HB 299 - Sales and use tax; change certain definitions

- BILL SUMMARY: HB 299 removes existing state sales tax exemptions for hospital authorities and non-profit general and mental hospitals. The local sales tax exemption for these entities will remain in place.
- **Authored By:** Rep. David Knight of the 126th
- **Committee Action:** Do Pass by Committee Substitute

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, and requires both the county school district and the independent school district, if applicable, to provide their capital project list and/or M&O amounts and rollback amounts on the ballot.
- **Authored By:** Rep. Butch Parrish of the 156th
- **Committee Action:** Do Pass by Committee Substitute

Ways & Means

HB 1049 - Sales and use tax; less than 1 percent tax to fund local projects; provisions

- BILL SUMMARY: House Bill 1049 creates a new local option sales tax to fund the arts. Counties may levy a tax at a rate of up to 1% in increments of one-tenth of 1%. It will be levied and collected like the special purpose local option sales tax. The duration of the tax depends on the gross revenues of the qualified nonprofit arts and cultural organizations within the county –those with combined gross revenues in excess of \$100 million will have a 15 year duration, those with equal to or less than \$100 million may specify a maximum of up to 15 years. The tax may be used to fund either or both operating support and capital improvements of these arts organizations.
- **Authored By:** Rep. Ron Stephens of the 164th
- **Committee Action:** Do Pass by Committee Substitute

Ways & Means

HB 1198 - Income tax; taxable nonresident; change definition

- BILL SUMMARY: HB 1198 changes the definition of “taxable nonresident” to provide for income taxation of income received by certain individuals that are not residents of Georgia in the taxable year. Currently nonresidents are only taxable if they regularly, but not casually or intermittently, engage in activity for gain or profit in Georgia. This bill will also cause those that casually or intermittently engage in activity in Georgia to become taxable nonresidents. This bill also provides that nonresident individuals that engaged in a prior year in activity for gain or profit in Georgia and in the taxable year receives deferred compensation or income from the exercise of stock options will be subject to Georgia income tax on such income. These changes will be limited by the current language that provides that such individuals will only become taxable nonresidents if the income received for services performed in Georgia does not exceed the lesser of 5% of the income the person receives in all places or \$5,000.
- **Authored By:** Rep. Judy Manning of the 32nd
- **Committee Action:** Do Pass by Committee Substitute

Ways & Means

HB 1219 - Income tax; change certain definitions

- BILL SUMMARY: HB 1219 provides for an elimination of the refundability of the credit provided to low income residents. Currently there is a credit in law provided to low income residents with a federal adjusted gross income of \$19,999 or less. This credit is currently available to those with no income tax liability in which case the state will issue a refund check to those taxpayers. This bill provides that the tax credit may not exceed the taxpayer’s tax liability, so the credit may not be refunded.
- **Authored By:** Rep. David Knight of the 126th
- **Committee Action:** Do Pass by Committee Substitute

Ways & Means

HB 1240 - Sales and use tax; determine addresses using ZIP Codes; provide

- BILL SUMMARY: HB 1240 provides that distribution of local sales and use taxes shall be based upon the zip code of nine digits so that locations can be as accurate as possible.
- **Authored By:** Rep. Don Parsons of the 42nd
- **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, and the amount of these proceeds used for M&O that will be used to rollback the millage rate for property taxes, if applicable. 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 by Committee Substitute

Friday, March 19

**These bills passed while the House was adjourned, and were reported to the Clerk's Office today.*

Judiciary Non-Civil

HB 861 - Deposit account fraud; definition of consideration; revise

- BILL SUMMARY: This bill expands the definition of 'present consideration' in code section 16-9-20, relating to deposit account fraud, to include 'An obligation or debt of earnest money which is past due or presently due pursuant to the terms of an executed real estate purchase and sale agreement.'
- **Authored By:** Rep. Jay Neal of the 1st
- **Committee Action:** Do Pass

Judiciary Non-Civil

HB 897 - Sexual offenses; assault against persons in custody; change certain provisions

- BILL SUMMARY: This bill cleans up the current code section relating to sexual assault against persons in custody and sexual assault when such person has supervisory or disciplinary authority over another person.

It also addresses the GA Sup. Ct. decision in Chase v. State, which held that the code section as written does not preclude consent as a defense to sexual assault. The Court stated that only the Legislature could address the consent issue. This bill explicitly states that "Consent of the victim shall not be a defense to a prosecution under this code section."

- **Authored By:** Rep. Doug Collins of the 27th
- **Committee Action:** Do Pass by Committee Substitute

Judiciary Non-Civil

HB 1040 - Georgia Registered Professional Nurse Practice Act; certain health activities not require license; provisions

- BILL SUMMARY: This bill allows individuals to have certain health maintenance activities performed by a friend, caregiver, etc. (who is not a family member) that would otherwise have to be provided by an RN or LPN because the individual cannot provide the activities to themselves due to disability. It seeks to give the consumer more choice and control over their own affairs.

This bill also provides that the proxy caregiver will be liable for his or her actions. The medical professional who authorized or trained that caregiver would be liable for failing to meet the applicable standard of care in assessing the proxy caregiver's qualifications or capability, in assessing whether the health maintenance activities could be performed by a proxy caregiver, and in assessing whether the health maintenance activities could be performed outside a hospital or nursing home. A medical professional would also be liable for negligently training the proxy caregiver if the training deviated from the applicable standard of care and was a proximate cause of injury to the disabled person.

- **Authored By:** Rep. Jimmy Pruett of the 144th
- **Committee Action:** Do Pass by Committee Substitute

Judiciary Non-Civil

HB 1095 - Death investigations; coroners cooperate with forensic laboratory; provisions

- BILL SUMMARY: This bill removes the requirement that a medical examiner or coroner file a report of their investigation with the GBI, which was a duplicative effort since the medical examiner or coroner also kept a copy of the report.
- **Authored By:** Rep. Jill Chambers of the 81st
- **Committee Action:** Do Pass

Judiciary Non-Civil

HB 1104 - Juvenile proceedings; graduated sanctions and secure detention for probation violators; provisions

- BILL SUMMARY: This bill extends the sunset relating to the maximum number of days a child may serve in a youth detention center to July 1, 2013. After that date a court may sentence a child to serve in a youth detention center for a maximum of 60 days. The current maximum is 30 days.
- **Authored By:** Rep. Jimmy Pruet of the 144th
- **Committee Action:** Do Pass by Committee Substitute

Judiciary Non-Civil

HB 1183 - Sexual offenses; gender neutrality in incest offense; provide

- BILL SUMMARY: This bill removes gender specific language from the statute involving incest. It makes the statute gender neutral so that same-sex sexual intercourse or sodomy between family members falls under the incest statute.
- **Authored By:** Rep. Jay Neal of the 1st
- **Committee Action:** Do Pass

Judiciary Non-Civil

HB 1303 - State government; notice for public meetings; clarify provisions

- BILL SUMMARY: This bill is an open meetings act bill which requires 24 hours published notice in a conspicuous location on the agency's website (if they have one) and in the legal organ, or a newspaper having general circulation at least equal to that of the legal organ, prior to the holding of a "called" meeting. The bill allows an agency to declare an emergency (this declaration is reviewable by a superior court) and then to hold a "called" meeting with less than 24 hours published notice. Also, the presiding officer in a "called" meeting must execute an affidavit specifying how notice of the meeting was given.
- **Authored By:** Rep. Mark Hatfield of the 177th
- **Committee Action:** Do Pass by Committee Substitute

Judiciary Non-Civil

HB 1309 - Controlled substances; add synthetic cannabinoids to Schedule I list; provide

- BILL SUMMARY: This bill provides that a substance known as K2, or synthetic marijuana, will be added as a Schedule One controlled substance. The language in the bill has been drafted (by identifying the chemicals used in the manufacture of synthetic marijuana) to capture substances which could be developed in an effort to circumvent this provision. This substance has no known medical uses.
- **Authored By:** Rep. Jay Neal of the 1st
- **Committee Action:** Do Pass by Committee Substitute

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



Georgia
Legislative
Network

COMMITTEE MEETING SCHEDULE

Tuesday, March 23, 2010

11:00 AM - 12:00 PM	<u>INSURANCE</u>	406 CLOB
11:00 AM - 12:00 PM	<u>STATE PLANNING & COMMUNITY AFFAIRS</u>	515 CLOB
11:00 AM - 1:00 PM	<u>HEALTH & HUMAN SERVICES</u>	506 CLOB
11:00 AM - 12:00 PM	<u>SMALL BUSINESS DEVELOPMENT & JOB CREATION</u>	415 CLOB
12:00 PM - 1:00 PM	<u>TRANSPORTATION</u>	406 CLOB
1:00 PM - 3:00 PM	<u>APPROPRIATIONS</u>	341 CAP
2:00 PM - 4:00 PM	<u>JUDICIARY CIVIL</u>	132 CAP
3:00 PM - 4:00 PM	<u>HIGHER EDUCATION</u>	415 CLOB
3:00 PM - 4:00 PM	<u>ETHICS</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 and click on House Meetings. To view the live stream of these meetings, please visit the Georgia Legislative Network.