

29 January 2015

## **LWVAF, Report from the Capitol, Week 3**

This week the legislature met for 4 days, completing Day 8 of the legislative session. It is waking up slowly, having passed one bill in each chamber and getting a few out of committee. Next week it shall meet for three days, Monday through Wednesday.

Each chamber continues to introduce dozens of bills, many of them reported in this newsletter. All bills reported here have been read by the reporter.

The mid-year budget, HB 75, cleared the House on Thursday with very few changes from the governor's recommendations. The K-12 students who showed up on the schoolhouse steps this fall were funded without consideration of an austerity cut. Other elements of the budget which are on formula had their numbers trued up. Most elements in the budget had no changes. Now the Senate can begin work on it. Last year, the mid-year budget moved just as quickly in both chambers. But it took many legislative days before the conference committee was appointed and they began working on the areas of disagreement. So that budget did not get passed and sent to the governor for signature until late in the session. Are we in for a redo this year?

The Senate has now passed one bill, essentially the same one they passed last year. The autism bill will now move to the House. The GA Chamber does not like this bill, or any bill that mandates additional expenditures for employees. But the Senate came down on the side of kids who need to get early treatment so they can function in society when they get older.

The House plan to pay for transportation infrastructure upgrades has been introduced late this week. It will be discussed in more detail in next week's report.

League Day at the Capitol is Wednesday, February 18. Please register to attend this no cost event at [lwvga.org](http://lwvga.org).

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**CA** = constitutional amendment. Requires a 2/3s vote in each chamber and a majority vote in the next general election, next scheduled for November 2016.

**DV** = Differing Versions

**NNS** = Needs No Signature

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### **In CHAMBERS**

#### **EDUCATION**

**SR 92** Wilkinson – 50 **NNS PASSED**

Recognizes February 2-6, 2015 as National School Counseling Week.

#### **HEALTH**

**SB 1** Bethel – 54 **PASSED** Senate

Requires insurance coverage for autism related disorders for children under the age of 6 and up to \$35,000/year.

**SR 56** Albers – 56 **NNS PASSED**

January 28, 2015 is Autism Awareness Day at the state Capitol.

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### **In COMMITTEE**

## EDUCATION

SB 2 Tippins – 37 DO PASS in S.Education & Youth

High school students who are dual enrolled in a HOPE eligible institution and who complete postsecondary work may be awarded a high school diploma by the local board of education if: 16 years and older and has 2 units each of English-Language Arts, Math, Science, Social Studies, and one health and physical education course, earns an associates degree or technical college diploma and complete all required prerequisites for an industry certification or license in a field of critical need. ***This is probably a very self-motivated and accomplished student.***

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## NEW LEGISLATION

### CHILDREN

SB 3 Unterman – 45 S.Health & Human Services

Supporting and Strengthening of Family Act. Parent may appoint another to act as a legal guardian for a minor child. The appointee will have all the authority of a parent except the power to authorize an abortion, consent to adoption or marriage, or termination of parental rights. The appointment may last up to a year at which time it may be renewed. If parent is deployed as a member of the military, the appointment may last for the length of the deployment plus 30 days. ***Such transfer of parental authority currently is available to grandparents only.***

HB 17 Spencer – 180 H.Judiciary

Children who have been sexually abused will have until age 53 to bring civil claims against the abuser. ***Currently, the age is 23.***

SB 35 James – 35 S.Judiciary Non Civil

A child age 6 or younger left in a vehicle unattended or supervised by one under age 13 which poses a substantial risk of harm to the child's health or safety shall be guilty of cruelty to children in the 3<sup>rd</sup> degree.

SB 39 Orrock – 36 S.Health & Human Services

Changes to Women's Right to Know Act. Permits abortion by a licensed physician based upon his/her clinical judgment that it is necessary. A third trimester procedure shall require two additional consulting physicians to certify the necessity of the procedure to save the life or health of the mother.

### DRIVERS LAWS

HB 10 Mayo – 84 H.Motor Vehicles

Drivers are banned from using any wireless device except hands-free telephones while driving on a public road. Exceptions are to report a traffic accident, medical emergency, fire, severe road hazard, report a crime, by law enforcement, fire or EMT personnel, public utilities employees and if the vehicle has more than 6 wheels. ***With so many exceptions it may be hard to administer this law as proposed.***

HB 69 Spencer – 180 H.Motor Vehicles

Data that may be captured on an motor vehicle event data recorder, the land vehicle 'black box', is vehicle air bag deployment, speed, steering performance, brake performance or use, and seatbelt status or use. It does not include audio or video data. The data is private and the guidelines as to who can access it under what rules and for what reasons are defined.

HB 93 Pezold – 133 H.Public Safety & Homeland Security

Prohibits law enforcement agencies from retaining license plate data obtained from automatic license plate readers for more than 30 days.

## EDUCATION

HB 7 Alexander – 66 H.Education

Safety plans required for early care education programs similar to those now required for K-12 schools. Parents, teachers, staff, community leaders, law enforcement, fire services, public safety and emergency management are to be consulted. Public school safety plans are to be updated for hazards of tornadoes, snow and ice storms, earthquakes, and fires. By January school safety plans shall cover: transferring students to an alternate site; training staff for route and responsibilities for student evacuations; notification of parents; reunification of parents and students.

SB 60 Jackson – 2 S.Education & Youth

Raises the mandatory age at which students must attend school to 17 ½, currently age 16.

HB 65 Caldwell – 20 H.Education

Local boards of education and some charter schools shall hold at least two public hearings on the proposed budget before adoption. Charter schools with a state-wide attendance zone will have one meeting in the county where its primary business office is located and the other in the Metro Atlanta area. Budgets shall be posted on the website of the school or system. Shall not apply to conversion charters or career academies.

SR 80 Ligon – 3 S.Education & Youth

Demands the College Board revise the Advanced Placement U.S. History course.

HB 83 Benton – 31 H.Transportation

The motor fuel excise tax exemption of school buses from is extended to 2018. ***If this tax exemption is not renewed, it will result in one level of government taxing the purchases of another, one reason the exemption was enacted. Postsecondary institutions who have campus transportation for students are not taxed on their fuel purchases.***

HB 91 Coleman – 97 H.Education

Eliminates the GA High School Graduation test as a graduation requirement regardless of when the student entered high school in the ninth grade. It is replaced with the end of course tests designated by the state Board of Education. ***Currently, the SBOE has phased out this test over 4 years, but it remains a requirement for students who entered high school before July 2011 and who have not yet earned a diploma.***

HB 100 Dickson – 6 H.Education

The date a child must reach age 5 to enter kindergarten or age 6 to enter first grade is changed to August 1 in the 2015-16 school year and June 30 for school years thereafter, currently September 1.

HB 111 Willard – 51 H.Education

Local boards of education may allow advertising on school buses, to be placed on the rear quarter panels only. Products not allowed are those for tobacco, alcohol, political campaigns, food prohibited by the local board to be sold to students in schools. Advertising may not interfere with the safe operation of the school bus. ***This bill does not authorize local boards to exclude additional products, and this list is not exhaustive of those items that would be inappropriate for minors.***

HB 131 Dickerson – 113 H.Education

Requires local boards of education to include cyberbullying in their local policies prohibiting bullying.

HB 132 Buckner – 137 H.Education

State board of education to develop a curriculum for civics education for high school and middle school students by January 2016. ***The state board adopts standards to be included in a course. The local boards choose the curriculum to teach those standards. LWV encourages teaching civics curriculum.***

HB 135 Howard – 124 H.Education

Prohibits suspension or expulsion of pre-kindergarten and kindergarten students except for willfully causing, attempting to cause or threatening serious bodily injury except in self-defense, or possession or furnishing to another a firearm, knife, explosive, or other dangerous substance or object while on school property. The superintendent may transfer a student to another school if it would be a more appropriate placement due to a student's disability or special need, or suspend the student during the investigation. ***These and other offenses are already defined in the school discipline code as are the powers of a principal and superintendent to place the student in appropriate settings.***

HB 139 Stephens – 165 H.Education

Changes ages of mandatory attendance to 5 to 17<sup>th</sup> birthdays, currently 6 to 16<sup>th</sup> birthdays. ***This makes kindergarten mandatory, in past years a very difficult requirement to gain consideration. About 95% of 5 year olds are already in kindergarten. The costs of keeping 16 year olds in school is much higher and in past years has been the barrier to getting the compulsory school age changed.***

HB 142 Bell – 58 H.Education

Schools which accept students funded by student scholarship organizations must maintain nondiscriminatory practices.

HB 144 Gordon – 161 H.Education

Operators of online education sites, services, and applications must protect certain student information and must not sell or use it in marketing activities. ***This mirrors the federal protections of using acquired data about individual students.***

HB 164 Martin – 49 H.Education

Extends until July 1, 2018, currently July 1, 2015, the suspension of the requirement for certificated employees to get professional learning to renew their certification.

## **GUNS**

SB 48 Fort – 39 S.Judiciary Non Civil

Gun rights are not to be restored to those convicted of a forcible felony with the use of a gun.

## **HEALTH**

HB 1 Peake – 141 H.Judiciary Non Civil

Marijuana, cannabis, use is permitted if medically prescribed for various diseases such as cancer, glaucoma, or childhood seizures. Allowable forms shall include liquid, pills, injections or other delivery systems but not smoking. Citizens who provide evidence that cannabis oil has been legally obtained in another state shall be protected from prosecution in GA.

HB 34 Dudgeon – 25 H.Health & Human Services

Georgia Right to Try Act. Patients with advanced illnesses have a fundamental right to access investigational drugs, biological products and devices to preserve their own lives. Such items may not have completed the long process of FDA approval. A physician must document the patient's condition and have written a prescription for use of such unapproved drugs or devices. The patient must be fully informed of all possible options and

outcomes. Health insurance is not required to fund such treatments unless specifically required by law or contract.

SB 38 Fort – 39 S.Appropriations

Requires appropriations sufficient to fulfill the state match of Medicaid expansion under the federal Affordable Care Act. State appropriations are not required if the feds do not provide a minimum of 90% funding.

***Currently, the state has not expanded Medicaid.***

SB 40 Fort – 39 S.Government Oversight

Repeals the state law which forbids any state entity or any political entity from using state funds, human resources or assets to influence citizens about expansion of Medicaid. Also repeals the prohibition of creating a state health insurance exchange.

SB 41 Tate – 38 S.Health & Human Services

GA Family Planning Initiative. Permits the creation of a fund to receive both public and private money to be used to provide high quality family planning services and related preventative health care for women and their infants and to enable families to plan their children. No patient will be denied services due to inability to pay.

SB 43 James – 35 S.Insurance & Labor

Requires an employer to provide time for an employee to express breast milk for an infant. ***Current law gives the employer discretion as to whether to provide a break for this purpose.***

## HIGHER EDUCATION

HB 22 Evans – 42 H.Appropriations

HOPE grants to cover full tuition of all recipients. ***HOPE grants are awarded to students in technical colleges. Only a portion of the costs of tuition are paid as long as the student maintains a 2.0 GPA. The Zell Miller HOPE Grant pays full tuition, but requires the student to maintain a 3.5 GPA.***

HB 23 Evans – 42 H.Appropriations

Eliminates the HOPE eligibility period of seven years after high school graduation which has been effect since 2011. Years served in the military during this eligibility period are not counted.

HB 24 Evans – 42 H.Appropriations

The Zell Miller HOPE scholarship shall be available to students who did not qualify as entering freshmen but earned a 3.3 GPA for two successive semesters [HOPE checkpoints]. ***The Zell Miller Hope scholarship is for students going to college or universities. It requires a 3.7 GPA in high school and either a 1200 on either the SAT or 26 on the ACT test. It also pays full tuition. Students must maintain a 3.0 GPA while in postsecondary.***

HB 25 Evans – 42 H.Appropriations

Veterans who live in GA and active duty military stationed in GA or, if deployed, claim GA as home of record would be eligible for the Zell Miller HOPE scholarship as would their spouses and dependent children. No academic performance eligibility is required for the prospective student. ***The Zell Miller Hope scholarship requires a 3.7 GPA in high school and either a 1200 on the SAT or a 26 on the ACT test. It also pays full tuition.***

## REVENUE/TAXATION

SR 43 Albers – 56 NNS S.Finance

Creates the 6 member Senate Special Tax Exemption Study Committee to determine the effectiveness, costs and benefits of such exemptions. Recommendations for change to made to the Legislature. Report to be filed 12-1-15.

HB 68 Spencer – 180 H.Ways & Means  
Property taxes of \$5 or less will not be billed nor are they due for the year.

HB 94 Williams – 119 H.Ways & Means  
GA residents serving in the military and assigned outside of the state will not be liable for any late fees for payment of taxes due on a motor vehicle as long as they are deployed. The tax remains payable.

HB 96 Turner – 21 H.Ways & Means  
Income tax rates are to be adjusted for inflation. ***How does this dovetail with the 6% cap approved by voters in November 2014?***

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Sally FitzGerald, Capitol Observer

[sallyfitz@bellsouth.net](mailto:sallyfitz@bellsouth.net)

League of Women Voters – Atlanta/Fulton

[www.lwvaf.org](http://www.lwvaf.org)

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