

12 January 2018

## LWVAF, Report from the Capitol, Week 1

The Georgia General Assembly began its 2018 session on Monday and met for four days. It set a schedule for the rest of the month and will meet for legislative days 5 and 6 next week on January 18 and 19, legislative days 7 through 10 on January 22 through 25, and legislative day 11 on January 29. This is an election year and officials qualify for the ballot in the first week of March. Once qualified, incumbent legislators cannot raise funds while the session meets. So the legislative session is likely to be compacted to allow reelection activity to proceed unfettered.

The governor delivered his State of the State address on Thursday and the budget became a public document the same day. More on that next week. Public hearings will be held next week on Tuesday and Wednesday for department heads to present their budgets to the Joint Appropriations Committees.

This is the second year of a legislative session, so all bills that did not pass are eligible for consideration this year plus any new bills that are introduced. This newsletter will address last year's legislation only if it is acted upon in this year's session.

Both chambers have updated their websites for committee membership and chairmanship changes. [www.legis.ga.gov](http://www.legis.ga.gov). Tracking documents for the amended 2018 budget and the full year 2019 can be found on the House Budget office web site. These are far more compact than the full budget documents.

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**BOLD** Bill Number = final passage

**CA** = constitutional amendment. Requires a 2/3s vote in each chamber and a majority vote in the next general election scheduled for November 2018.

**DV** = Differing Versions

**NNS** = Needs No Signature

**TGFS** = To Governor for Signature

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### **In COMMITTEE**

#### **CHILDREN**

HB 159 Reeves – 34 **PASSED** House DO PASS in S.Judiciary

Enact the recommendations on child support by the GA Child Support Commission which developed them over 3 years.

*Bill was amended in the Senate in 2017 to include the religious liberty language which would have allowed adoption agencies to disallow adoptions for those whose religion was not on the 'approved' list, or for life styles that were against the religious tenets of the adoption agency. It never got out of committee. But in 2018, the religious language was removed but there is still protection for agencies that do not wish to have children placed with same sex couples. The bill received a DO PASS recommendation. The bill, if passed by the full Senate, returns to the House where the author and Speaker claim they want a 'clean' adoption bill.*

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### **NEW LEGISLATION**

#### **CHILDREN**

HB 654 Beskin – 54 H.Judiciary

Reintroduction of the recommendations of the Georgia Child Support Commission which were developed over three years. ***A similar bill passed the House in 2017 but was amended in the Senate with the Religious Freedom bill and never got out of committee.***

## **EDUCATION – PREK - 12**

HB 633 Belton – 112 H.Retirement

Those receiving benefits from the Teacher’s Retirement System may continue to do so when returning to work but will not be required to contribute to the fund nor will creditable service be received for such employment. The educational employer is also not required to contribute to the retirement fund for this employee.

HB 667 Bentley – 139 H.Education

Local boards of education and schools cannot participate in an athletic association that does not provide instant replays for high school football playoff and championship games.

## **EDUCATION – POSTSECONDARY**

HB 664 Teasley – 37 H.Ways & Means

Increases the amount deposited in a 529 account for postsecondary use by a student that may be deducted from income to \$4000, from \$2000. If a joint return is filed, the deduction may be up to \$8000.

## **ELECTIONS & ETHICS**

SB 309 McKoon – 29 S.Ethics

Eliminates the provision that the City of Atlanta may hold polls open until 8 p.m. for municipal elections. Requires the call for a special primary to be made within 45 days of the vacancy, previously 60 days. A U.S. Senate vacancy with 12 or more months remaining in the term shall have a replacement filled with a special primary and election. If less time left in the term, the governor will appoint a replacement. Vacancies in the U.S. House of Representatives shall be filled with a special primary and election. For General Assembly vacancies, if more than 12 months left in term, the replacement shall be by primary and election. If less than 12 months, the issuance of a writ of election will be at the discretion of the governor. If a General Assembly vacancy exists when a special session is called, and 12 months or less are in the term, the governor shall call for a special primary and election if the governor feels there is sufficient time to conduct such elections through a possible runoff prior to the conclusion of the special session. ***Currently, these vacancies filled by election do not have a primary. GOP and DEM candidates run on the same ballot and the top two vote getters go into a runoff if no one gets 50% + 1 votes. The proposal requires a GOP and DEM primary, each with the possibility of a runoff, the winners to go to an election along with 3<sup>rd</sup> party candidates, and a possible runoff before a new representative is determined. The proposal thus eliminates the possibility of two persons of the same party going into a runoff, as happened in a 2017 senatorial election.***

SB 320 Henson – 41 S.Ethics

Designates elementary and secondary schools as voter registration agencies. Each school shall make available voter registration forms when registering their child for enrollment, but refusal to register to vote shall not affect such enrollment. ***Currently only high schools and postsecondary institutions are required to offer voter registration materials. School personnel are not designated deputy registrars and have no requirement to be so trained.***

## **GOVERNMENT – GENERAL**

SB 319 Albers – 56 S.Public Safety

Creates the Department of Public Safety with a commissioner of fire safety and a 17 member Fire Safety Board. It assumes the responsibilities for much of the State Fire Marshall, the Georgia Fire Academy, GA Firefighter Standards and

Training Council. Effective 7-1-19. ***This 177 page bill reassigns responsibilities but doesn't change any requirements. All current rules and regulations continue in effect until they expire or are explicitly revoked or amended.***

SR 570 Thompson – 14 S.Science& Technology

Creates the 5-member Senate Study Committee on the Use and Sale of State Public Information. Report due 12-1-18. The committee will focus on private entities which house public information through outsourcing. ***Author seems particularly concerned about information regarding police reported accidents and the inability of used car dealers and customers to get information about the history of any automobile as well as the lack of access through the Freedom of Information Act.***

## **GOVERNMENT – COURTS AND CRIMES**

SB 315 Thompson – 14 S.Public Safety

Unauthorized computer access is defined as a misdemeanor of a high and aggravated nature.

SB316 Jackson – 2 S.Judiciary

Adds hate crimes to the criminal code and specifies penalties therefore.

HB 663 Bennett – 54 H.Judiciary Non Civil

Establishes penalties for commission of sex crimes against persons or property of such persons.

## **GOVERNMENT – EMPLOYMENT**

HB 662 Kendrick – 93 H.Judiciary

Training is required for members of the General Assembly and department heads in 'sexual misconduct' and made available to state employees.

## **HEALTH**

SB 306 Rhett – 33 S.Health & Human Services

Eligible individuals may obtain health care coverage from a program of premium assistance. To be eligible, the individual must be between 19 and 65, earn less than 138% of poverty level, not eligible for Medicaid, and a U.S. citizen or legal resident. The coverage must be obtained through an exchange and the individual must pay a premium not to exceed 5% of annual income. Requires the state to apply for any federal waivers to implement.

SB 318 Rhett – 33 S.Health & Human Services

Adds 'emergency medical technician' and 'paramedic' to the law which gives immunity from both civil and criminal liability for an admission or discharge from a facility for mental evaluation. Also permits a doctor to issue a certifiican for mental illness of a patient based on the reported observations of an EMT or paramedic but must personally evaluate the patient upon arrival at an emergency receiving facility to determine the status of the patient.

SB 321 Tillery – 19 S.Health & Human Services

Increases civil penalties for fraudulent Medicaid claims to the federally authorized maximum of \$22,000, now \$11,000.

SB 322 James – 35 S.Health & Human Services

Requires front and back reflectors on non-electric personal assistive mobility devices when operated on highways and sidewalks. Devices sole in 2019 and beyond shall be so equipped. Includes non-electric wheelchairs, walkers, canes.

## **REVENUE & TAXATION**

HB 658 Ehrhart – 36 H.Ways & Means

Excise tax on rooms and lodging by counties and cities shall have no sunset date and can be collected in perpetuity.

## TRANSPORTATION & DRIVING

HB 666 Wilkerson – 38 H.Motor Vehicles

License plates of motor vehicles must have the annual decal in the lower right corner of the plate to be readily identifiable.

HR 866 Spencer – 180 H.Special Rules

Creates the 6 member Joint Study Commission on the Establishment of a State Space Commission to study such commissions in other states and develop recommendations for creating talent to serve the space industry, necessary infrastructure and other needs for the commercial space industry. The Commission will have 3 members from each chamber.

## LOCAL – FULTON and its CITIES

SB303 Albers – 56 S.State and Local Government Operations

A homestead exemption for Alpharetta for the increase in assessment over the base year for municipal purposes. The base year is 2016, or the previous year the exemption is first granted to the current owner. The base year assessment can be increased annually by the lesser of 3% or the CPI for urban consumers. The exemption will not apply to improvements or additional land. An unremarried surviving spouse will retain the exemption as long as the spouse occupies the homesteaded property. Applies to 2019 and beyond. Local referendum is required, to be held in conjunction with the general primary on May 22, 2018. ***Critics of the huge assessment increases for 2017, which were rolled back by Fulton County Commission to those of 2016, will not be satisfied. Assessments will rise in 2018. January 1 of each year is the date for determining fair market value.***

SB304 Albers – 56 S.State and Local Government Operations

A homestead exemption for Johns Creek for the increase in assessment over the base year for municipal purposes. The base year is 2016, or the previous year the exemption is first granted to the current owner. The base year assessment can be increased annually by the lesser of 3% or the CPI for urban consumers. The exemption will not apply to improvements or additional land. An unremarried surviving spouse will retain the exemption as long as the spouse occupies the homesteaded property. Applies to 2019 and beyond. Local referendum is required, to be held in conjunction with the general primary on May 22, 2018. ***Critics of the huge assessment increases for 2017, which were rolled back by Fulton County Commission to those of 2016, will not be satisfied. Assessments will rise in 2018. January 1 of each year is the date for determining fair market value.***

SB305 Albers – 56 S.State and Local Government Operations

A homestead exemption for Milton for the increase in assessment over the base year for municipal purposes. The base year is 2016, or the previous year the exemption is first granted to the current owner. The base year assessment can be increased annually by the lesser of 3% or the CPI for urban consumers. The exemption will not apply to improvements or additional land. An unremarried surviving spouse will retain the exemption as long as the spouse occupies the homesteaded property. Applies to 2019 and beyond. Local referendum is required, to be held in conjunction with the general primary on May 22, 2018. ***Critics of the huge assessment increases for 2017, which were rolled back by Fulton County Commission to those of 2016, will not be satisfied. Assessments will rise in 2018. January 1 of each year is the date for determining fair market value.***

SB306 Albers – 56 S.State and Local Government Operations

A homestead exemption for Mountain Park for the increase in assessment over the base year for municipal purposes. The base year is 2016, or the previous year the exemption is first granted to the current owner. The base year assessment can be increased annually by the lesser of 3% or the CPI for urban consumers. The exemption will not apply to improvements or additional land. An unremarried surviving spouse will retain the exemption as long as the spouse

occupies the homesteaded property. Applies to 2019 and beyond. Local referendum is required, to be held in conjunction with the general primary on May 22, 2018. ***Critics of the huge assessment increases for 2017, which were rolled back by Fulton County Commission to those of 2016, will not be satisfied. Assessments will rise in 2018. January 1 of each year is the date for determining fair market value.***

SB307 Albers – 56 S.State and Local Government Operations

A homestead exemption for Roswell for the increase in assessment over the base year for municipal purposes. The base year is 2016, or the previous year the exemption is first granted to the current owner. The base year assessment can be increased annually by the lesser of 3% or the CPI for urban consumers. The exemption will not apply to improvements or additional land. An unremarried surviving spouse will retain the exemption as long as the spouse occupies the homesteaded property. Applies to 2019 and beyond. Local referendum is required, to be held in conjunction with the general primary on May 22, 2018. ***Critics of the huge assessment increases for 2017, which were rolled back by Fulton County Commission to those of 2016, will not be satisfied. Assessments will rise in 2018. January 1 of each year is the date for determining fair market value.***

SB308 Albers – 56 S.State and Local Government Operations

A homestead exemption for Fulton County Schools for the increase in assessment over the base year for school tax purposes. The base year is 2016, or the previous year the exemption is first granted to the current owner. The base year assessment can be increased annually by the lesser of 3% or the CPI for urban consumers. The exemption will not apply to improvements or additional land. An unremarried surviving spouse will retain the exemption as long as the spouse occupies the homesteaded property. Applies to 2019 and beyond. Local referendum is required, to be held in conjunction with the general primary on May 22, 2018. ***Critics of the huge assessment increases for 2017, which were rolled back by Fulton County Commission to those of 2016, will not be satisfied. Assessments will rise in 2018. January 1 of each year is the date for determining fair market value.***

The author also represents parts of Sandy Springs, which already has this provision. He announced that if other cities wish to have this tax treatment, their local delegations will have to introduce the bills.

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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)

***Know the issues. Join the conversation. Make a difference.***

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