

9 March 2018

LWVAF, Report from the Capitol, Week 9

The General Assembly met for three days this week, completing Day 32, and will return Monday for another three-day week.

The committees have had just one week to process the plethora of bills that crossed over from the other chamber on Day 28. Again the Rules committees will become the major gatekeepers by allowing some bills to get on floor calendars and letting other languish. They also become major players in bill consolidation, where two or more bills addressing the same code section are combined. Bills not passed this year are dead.

The governor has begun to sign bills. The tax rebate bill, HB 918, and the adoption bill, HB 159, have been signed. These were two initiatives he pushed. Most bills are signed closer to the end of the 40 day period after the legislature adjourns. Vetoed bills are generally announced on the last day of the signing period.

At last, the budgets are seeing the light of day. The amended FY18 budget got an agreement from both chambers and is on its way to the governor for signature. The FY19 budget has passed out of the House and the Senate subcommittees have also started work on it. It is the only bill that needs to pass, and only 8 legislative days are left.

Legislation for Fulton County and its cities has had a busy week. Local legislation is not bound by the CrossOver Day rule. If a local bill receives the required number of signatures from the local delegation, it is put on the LOCAL Calendar for the chamber and generally passes as part of a local consent calendar.

This was the week for candidates to file for election. One may view all candidates for the legislature and state offices at www.sos.ga.gov. For local county and city candidates, one needs to access the elections department of the county. The primary is May 22. Voter registration closes April 24 for the primary. Runoffs, if required, will be held July 24.

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

In CHAMBERS

BUDGET

HB 684 Ralston – 8 **PASSED** House S.Appropriations
FY2019 Budget for the year beginning July 1, 2018. The top items in the governor's recommendations to spend the \$1 billion in additional revenue expected are:
\$316 million to shore up Teacher Retirement funds spread through budgets of Education, University System, and Technical College System of GA
15 million in Behavioral Health and Development Disabilities for children's mental health, 3 items
3.5 million in Economic Development, OneGeorgia Authority, for economic development projects
142.4 million in Community Health, net, for Medicaid-Aged Blind and Disabled
83 million in Community Health for Medicaid-Low Income, 3 items
(95 million) reduction in Education to reflect QBE reduction because of increased local property values
30 million in Education in Equalization Funds to low wealth school districts
112 million in Education to local school systems for additional students enrolled

4.7 million in Education for State Commission Charter School supplemental funds
1.6 million in Education for student mental health awareness training
10 million in Education for school bus replacement, cash
29.1 million in Human Services for Out-Of-Home Care, 6 items
34.3 million in Student Finance Commission to fund additional students in dual enrollment programs, Lottery funds
35.7 million in Student Finance Commission for increased funds for public school students HOPE scholarships, Lottery
30 million in Student Finance Commission to fund HOPE Zell Miller scholarships, Lottery funds
12.2 million in Transportation for capital construction projects
108 million for increased debt service costs.

EDUCATION – PREK – 12

HB 978 Nimmer - 178 **PASSED** House S.Public Safety

Automated traffic enforcement photo devices in school safety zones for speeds in excess of 10 miles per hour over the posted speed limit are authorized. Owner must pay the fine or have notification go to the Department of Revenue which will not allow renewal of the vehicle license or transfer of title until the fine and fees are paid. A school safety zone is 1000 feet around the perimeter of the school property.

GOVERNMENT – GENERAL

HB 309 Barr – 103 **PASSED** House **PASSED** Senate **TGFS**

The state shall incur no liability when an organized militia, GA State Defense Force or the GA National Guard, is engaged in state or federal duty or training except for vehicle accidents. ***GA State Defense Force is uniformed but unarmed; GA National Guard is both uniformed and armed. The governor may call up either entity when needed, often to help with weather emergencies.***

GOVERNMENT – COUNTIES AND CITIES

HB 475 Harden – 148 **PASSED** House **PASSED** Senate **DV**

Collection receptacles for donations placed on private property must have written notarized permission of the owner or leaseholders. If asked to be removed, the owner of the receptacles must comply within 30 days. If no compliance, a judge may assess a fine of up to \$2500. ***Senate:*** Adds components of SB 414 re local government options to remove receptacle from boundaries of local government for up to three years. Also sets fines higher for receptacles owned by for-profit entities than those owned by non-profits.

GUNS

HB 999 Coomer – 14 **PASSED** House S.Judiciary

The GA Bureau of Investigation, GBI, will no longer have to remove records of the mentally ill from the National Information Crime Center database used by gun sellers when screening buyers for right to purchase guns. Federal law includes a lifetime ban on such folk. ***The GBI has removed the names of 2014 individuals who were involuntarily hospitalized for mental health or abuse treatment since 2013. About 10,000 names have been added during the same period.***

REVENUE & TAXATION

HB 162 Price – 48 **PASSED** House **PASSED** Senate **DV**

An income tax refund may be forwarded to the state agency or court to which the taxpayer is a debtor.

LOCAL – FULTON and its CITIES

SB 412 Orrock – 36 **PASSED** Senate H.LLeg
City of Hapeville is authorized to levy an excise tax.

The following six bills are identical except for the city or school district addressed. They resulted from the steep increase in assessments for most parcels for the 2017 property tax. These bills will essentially allow only increases in homesteaded property up to 3% per year or the percent of CPI, whichever is less. Sandy Springs already has this provision for city taxes. There are bills in the pipeline for both City of Atlanta and Atlanta Public Schools. No local bills have been introduced for the cities on the south side of Atlanta.

SB 317 Albers – 56 **PASSED** Senate **PASSED** House **TGFS** **Fulton County Schools**
HB 707 Price – 48 **PASSED** House **PASSED** Senate **TGFS** **City of Roswell**
HB 708 Raffensperger – 50 **PASSED** House **PASSED** Senate **TGFS** **City of Johns Creek**
HB 710 Jones – 47 **PASSED** House **PASSED** Senate **TGFS** **City of Milton**
HB 711 Jones – 47 **PASSED** House **PASSED** Senate **TGFS** **City of Mountain Park**
HB 712 Martin – 49 **PASSED** House **PASSED** Senate **TGFS** **City of Alpharetta**

A homestead exemption for (name of city or school district) for the increase in assessment over the base year for municipal or school district purposes, but not bonded indebtedness interest or retirement. The base year is lowest of 2016, 2017, or 2018, times 1.0423 which is the inflation rate between 2015 and 2017, 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 election on Nov. 6, 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.***

HB 820 Beskin – 54 **PASSED** House S.SLGO
City of Atlanta homesteaded property valuations can only rise 2.6% or the percent of CPI increase, whichever is lower, in any one year.

HB 869 Bruce – 61 **PASSED** House S.SLGO
CA to repeal the prohibition that the Fulton County Industrial Park cannot be annexed to an incorporated city.

HB 870 Bruce – 61 **PASSED** House S.SLGO
City of South Fulton annexes the Fulton County Industrial Park, only if the local CA creating it is repealed, HB 869.

HB 979 Raffensperger – 50 **PASSED** House S.SLGO
The City of Johns Creek mayor and any councilmember shall serve no more than two consecutive 4-year terms of office.

In COMMITTEE

CHILDREN

HB 668 Price – 48 **PASSED** House DO PASS in S.Judiciary
Outlines how an adult guardian can be appointed for a ward who is 17 and still a minor. Guardianship will not be effective until the ward has turned 18.

EDUCATION – PREK-12

SB 139 Hill – 6 **PASSED** Senate DO PASS in H.Education **DV**
Schools may petition the SBOE and DOE to create specific career pathways. **House:** The State Workforce Development Board with Department of Education and Technical College System of Georgia shall develop annually a list of industry

credentials and state licenses linked to high demand occupations with wages at least 70% of average wage in the state. DOE to distribute to all middle and high schools and put on their web site. Schools will report annually to the state the number of students earning each credential. ***SBOE has approved 17 pathways, but some communities have industry that doesn't fit into those molds. This allows the educators to work with businesses to create learning that might result in a job in the community.***

SB 330 Wilkinson – 50 **PASSED** Senate DO PASS in H.Education

Georgia Agriculture Education Act. Agriculture education will be based on a nationally recognized model with 3 parts, daily instruction, hands on real-world learning through supervised agriculture experience (SAE), with leadership and learning opportunities through Future Farmers of America participation. DOE shall develop the curriculum with input from agriculture education teachers. A pilot program will begin in 2019-2020 to provide agriculture education in 6 elementary schools, one in each Agriculture Education region which shall be evaluated at the end of the third year with a report to legislative Education committees. Professional Standards Commission shall extend the agriculture education in-field certification to elementary school (K-5) teachers.

SB 362 Tippins – 37 **PASSED** Senate DO PASS in H.Education

The State Board of Education shall establish an innovative assessment pilot program of 3 to 5 years to examine one or more alternative assessments (tests) and accountability systems aligned with state academic standards. Up to 10 school districts may participate, selected by the SBOE, and each would be excused from using the state testing instruments. SBOE will handle any necessary approvals or waivers needed from USED. The SBOE and DOE will demonstrate comparability between innovative assessments chosen and state-wide assessments. Effective 2018-19 school year. ***DOE worked closely with author to develop this program as did some school districts.***

SB 401 Tippins – 37 **PASSED** Senate DO PASS in H.Education

Students in middle school will have their career oriented aptitudes in addition to their career interests be a factor in developing their individual graduation plan to be used in selecting some high school courses. In 2018, school counselor roles in grades 6-12 will be reviewed by DOE and a report prepared for the state board of education and the General Assembly by 12-31-2018. The report shall include recommendations for changes to ensure student success. This study is effective for 2018 only. Technical colleges which have dual enrolled high school students are to report grades and other student aspects of the course to Office of Student Achievement for inclusion in the longitudinal data system.

HR 898 Coleman – 97 **PASSED** House DO PASS in S.Education & Youth

Creates the 15 member Joint (HR 898) Study Committee on the Establishment of a State Accreditation Process. Members include 3 legislators from each chamber, the state school superintendent, the state board of education chair, the state Charter School Commission chair, the Office of Student Achievement director, the chancellor of the University System, and five appointees of the governor to include a local board of education member, a local school superintendent, a principal, a teacher, and a parent. The group is to study the resources and structure needed, any impediments, the interaction with existing private accreditation agencies, aligning accreditation reviews with charter or contract renewals for charter systems and strategic waiver systems, establishment of a state process for annual review of system charters and contracts including student achievement, local board of education governance and financial management, possible consequences of losing state accreditation and the possibility of establishing a school board review commission. Report due 12-1-18. ***Called for in legislation passed last year. Current accreditation looks at local school governance but not much at academics.***

SR 935 Albers – 56 **NNS** DO PASS in S.Rules

Creates the 8-member Senate School Safety Study Committee to ensure a safe learning environment for students and to evaluate the policies, plans, and procedures in place to respond to any emergency.

HR 1375 Dempsey – 13 **NNS** DO PASS in H.Health & Human Services

Urges all public and private schools to educate students and parents on the meningococcal disease and to receive the vaccine between ages 16 and 23.

EDUCATION – POSTSECONDARY

SB 82 Jackson – 2 **PASSED** Senate DO PASS in H.Higher Education

Residency requirements for HOPE scholarship and grant for students will be satisfied if the student is in the GA National Guard, the reserves of any U.S. armed forces, an active duty military service member stationed in GA or lists GA as the member's home of record or the member's spouse or dependent child.

SB 331 Henson – 41 **PASSED** Senate DO PASS in H.Higher Education **DV**

Lottery winners of more than \$250,000 may remain anonymous. **Four states currently allow total anonymity and several more offer partial confidentiality to winners.**

HB 664 Teasley – 37 **PASSED** House DO PASS in S.Finance

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.

HB 700 Belton – 112 **PASSED** House DO PASS in S.Veterans, Military, & Homeland Security

The service cancellable loan available to GA National Guard members for undergraduate degrees is extended to post graduate degrees. The Guard member must remain active in the Guard for two years following the last period of study for the degree.

ELECTIONS & ETHICS

HB 907 Fleming – 121 **PASSED** House DO PASS in S.Judiciary

If there is a vacancy in the office of district attorney with 27 months or less left in the term, the governor appoints a successor. A special election is to be called for the next state wide general election to fill that term.

GOVERNMENT – GENERAL

SB 17 Unterman – 45 **PASSED** Senate DO PASS in H.Regulated Industries

The Brunch or Mimosa Bill. Sunday alcohol sales may begin at 11 a.m. in private establishments and wineries if the local governing authority adopts a resolution or ordinance. Government owned facilities such as GA World Congress Center already have this privilege. **Currently, private establishments may not serve alcohol until 12:30 on Sunday. There are about 4000 such establishments in the state.**

HB 699 Belton – 112 **PASSED** House DO PASS in S.Public Safety **DV**

Documented military firefighting training may be accepted as basic firefighting training.

GOVERNMENT – COUNTIES AND CITIES

HB 757 Powell – 32 **PASSED** House DO PASS in S.Regulated Industries & Utilities **DV**

County and city governments may continue to require a certificate of public necessity and convenience for taxi cabs. Any Department of Public Safety regulation or requirement shall be additional. If a certificate or medallion is required by local government to operate, it is also a requirement of state law. Operators must display their ID card for customers to see. It must be no older than 1 year. A metering device may be an app on a smart phone and a local government cannot ban such 'soft' taximeters. Age of vehicles shall be 8 years or less and local governments cannot require any newer vehicles.

GOVERNMENT – EMPLOYMENT

SB 333 Black – 8 **PASSED** Senate DO PASS in H.Government Affairs and

HB 692 Maxwell – 17 **PASSED** House DO PASS in S.Retirement **DV**

A city may choose to pay the costs or fees associated with an employee’s 401K type deferred compensation plan. A public employer may choose to automatically enroll all employees in such a plan. **Asked for by GA Municipal Association.**

HB 816 Gravelly – 67 **PASSED** House DO PASS in S.Finance

Fingerprinting and criminal records checks shall be required to become an employee of Department of Revenue, must be renewed every 10 years, and must apply to contractors and their subcontractors.

HEALTH

SB 321 Tillery – 19 **PASSED** Senate DO PASS in H.Judiciary **DV**

Increases civil penalties for fraudulent Medicaid claims to the federally authorized amounts of between \$11,181 and \$22,363 plus 3 times the damages which the GA Medicaid program sustains because of the act of the claimant. **House:** Refers directly to federal law for the amounts, so when federal law changes, state law does not need to be changed. **Currently, the amounts in state law are between \$5500 and \$11,000; in federal law between \$11,181 and \$22,363.**

HR 1364 Dempsey - 13 **NNS** DO PASS in H.Health & Human Services

Urges the General Assembly to fund Breast and Cervical Cancer Prevention Programs. Prevention programs are available from the CDC and are needed in the minority communities and those not insured or underinsured who are likely not to get mammograms or PAP smears. The rate for these populations in contracting these cancers is more than twice that of the general population and the costs of treating them is several times higher as the condition is usually discovered later when it is more advanced.

REVENUE & TAXATION

HB 811 Powell – 171 **PASSED** House DO PASS in S.Finance

Allows the Department of Revenue to release taxpayer information to contractors to analyze further taxpayer delinquencies. Contractors will be compensated with a portion of the funds collected. All data shared with the contractor is to be kept confidential, and destroyed after the analysis is made.

HB 840 Hitchins – 161 **PASSED** House DO PASS in S.Finance

A taxpayer on active military duty in a combat zone shall not incur any penalties or fines for business and occupational taxes not received on time. Such tax and fees are to be paid within 60 days of return from military service.

TRANSPORTATION & DRIVING

HB 79 Pezold – 133 **PASSED** House DO PASS in S.Public Safety

Data captured by an automated license plate recognition system or any other source must be destroyed after 30 months and can only be accessed for law enforcement and judicial purposes. Data is not available for freedom of information.

LOCAL – FULTON and its CITIES

SR 882 Jones - 25 DO PASS in S.Transportation

Creates the 13-member Senate Hartsfield-Jackson Atlanta International Airport Operations & Authority Creation Study Committee to determine what federal laws and regulations must be complied with to accomplish a transfer of the airport to an authority and what financial obligations must be considered.

NEW LEGISLATION

EDUCATION – PREK - 12

SR 953 Gooch – 51 S.Economic Development & Tourism

Creates the 16-member Joint Study Committee on Evaluating the School Year Calendar to aid the tourism industry which provides 445,000 jobs and has a total impact of \$60.8billion in the state. ***Voters elect a local school board to run schools including setting the calendar. That's what the constitutional provision of 'home rule' means – the locals will take care of local business.***

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