

LWVAF, Report from the Capitol, Week 3

This week the General Assembly met for 5 days, completing Day 9. It will return Monday for a four day week.

The amended budget was explored by the joint appropriations committees last week. This week, the House Appropriations subcommittees examined in more detail those agencies over which each has oversight. Several things have become obvious. The House does not like so many cuts to programs they have worked hard to initiate, such as those for rural GA, taking cuts while raises are given and new programs are being proposed such as the gang violence initiatives by the governor. Adjustments may be in for this wild swing of state program funding.

Another is whether to act on a second reduction of a quarter of one percent in the state income tax. The first reduction has resulted in a \$500 million decrease in state revenues, the cause of much of the angst in this and next years' budgets. The original legislation allowed the second decrease with just a resolution in 2020.

The Speaker is warning folks that the session might not be over until mid-April because the resolution to the budget situation may take that long. That will be really cramp the style of General Assembly members, all of whom are up for reelection in a primary slated for May 24. They cannot raise money while in session.

Lots of new bills introduced, on many subjects. This is a year that constitutional amendments will be on the November ballot, and several have been proposed and reported here.

CA = constitutional amendment. Requires a 2/3s vote in each chamber and a majority vote in the next general election scheduled for November 2020.

DV = Differing Versions

NNS = Needs No Signature

In CHAMBERS

EDUCATION – PREK – 12

HB 444 Reeves – 34 **PASSED** House **PASSED** Senate **DV**

The 'Dual Enrollment Act', formerly called 'Move On When Ready Act'. Dual enrollment allows a high school student to take a college course at an institution that will enroll the student and earn credit for at the college and at the high school. A junior or senior, and a few exceptional sophomores, may take a maximum of 30 hours of dual credit courses for which the state will pay the tuition and will not count against any HOPE scholarship maximum. The courses must be in core areas (English, math, science, social studies) and foreign language in college and core or chosen pathway courses in technical school. Sophomores may participate if they are Zell Miller scholarship eligible or currently enrolled in dual courses. Rising freshmen are not eligible to enroll in state paid dual enrollment courses. Currently enrolled students who have earned 18 hours or less will also be capped at 30 hours; those who have earned 19 hours or more will be allowed 12 more hours. There are over 20000 courses available in the core courses and over 4000 in the technical school. **HOPE provides 127 hours of college credit and a high school student can get 30 hours with dual credit, accumulating 157 hours total. Students may dual enroll with personal funds. The limits in this bill are for the state funded program.**

GOVERNMENT – GENERAL

SR 583 Orrock – 36 **NNS** **ADOPTED**

HR 1010 Gardiner - 57 **NNS** **ADOPTED**

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Recognizes the **League of Women Voters** and the **League of Women Voters of Georgia** on their 100th anniversary on February 14, 2020.

In COMMITTEE

EDUCATION – POSTSECONDARY

HB 784 Lumsden – 12 DO PASS in H.Government Affairs

A discussion by the local board of education regarding school safety plans may be conducted in executive session. ***Currently, only personnel, real estate, and legal issues are allowed for executive session.***

GOVERNMENT – EMPLOYMENT

HB 67 Benton – 31 DO PASS in H.Retirement

The GA Legislative Retirement System benefits are increased to \$38/month or \$50/month per year of service. Contribution from legislators also increased by 2%/month. Benefits can be drawn down if person is 65 or older with 8 years of services and no longer in the legislature. ***Benefits paid are currently \$28/month per year of service.***

HEALTH

SB 296 Heath – 31 DO PASS in S.Regulated Industries & Utilities

Cremation of human remains is expanded to include a vat or container in addition to a furnace.

NEW LEGISLATION

CHILDREN

SB 331 Robertson – 29 S.Judiciary

Anyone who knowingly possesses or controls or produces anything with images of a naked or nearly naked child suggestively posed and inappropriately sexualized with intent to arouse or satisfy the sexual desire of another person is a felony.

SB 333 Jackson – 2 S.Urban Affairs

Department of Family and Children Services shall create a prevention program to reduce crime and further engage fathers to be better parents. The program shall bring together community and employment resources, social programs, and government agencies. The aim is to improve outcomes for children by reducing crime and better positioning fathers to be engaged as good parents.

HB 809 Kausche – 50 H.Regulated Industries

Bans sales of tobacco products to those under age 21. Vending machines dispensing tobacco products must post a sign significantly simplified as to the prohibition of use by those under 21.

EDUCATION – PREK - 12

HB 829 Stephens – 64 H.Ways & Means

A property tax exemption for homesteaded real property owned by those 65 and over shall be assessed at 20% of fair market value (FMV) for school taxes. Enabling legislation for HR 962.

HR 962 Stephens – 64 H.Ways & Means

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CA to permit homesteaded real property to be assessed at 20% of fair market value (FMV) for school taxes if the owner is aged 65 or older. Local referendum required. Enabling legislation is HB 829. ***The effect of this change, if passed, would cut taxes in half at a minimum. Any exemptions allowed on the property would be worth twice as much as a decrease from FMV.***

EDUCATION – POSTSECONDARY

SB 318 Ligon – 3 H.Judiciary

Provides a public forum at public postsecondary institutions. Each institution may restrict some areas from all forum uses, but all other areas are open to any student, organization, staff, faculty to discuss any subject matter as a right under Amendment 1 of the US Constitution and Article 1 of the GA Constitution, specifically, the right to free speech. ***The author seems to be reaching for a way for religious speakers to be allowed unfettered access to all on campus.***

SR 588 Albers – 56 S.Higher Education

Urges the Board of Regents of the University System of Georgia to lower in-state tuition rates and associated fees by 4% in 2020 and 6% in 2021. ***These percentages are the same as those the governor has asked state agencies to reduce their budget requests.***

HB 743 Mitchell – 88 H.Higher Education

Postsecondary student athletes may receive compensation for the use of the athlete's name, image, or likeness. The contract shall be disclosed to the institution to an official designated to receive such reports. Effective 1-1-23. Does not apply to prospective student athletes. If the student athlete has signed an agreement with the institution which prohibits such compensation, that agreement shall prevail.

ELECTIONS & ETHICS

HB 812 McLeod – 105 H.Government Affairs

Special elections for local referenda may only be held in even numbered years. ***Currently, they may also be held in odd numbered years, in March and November. These types of referenda would be bond issues and SPLOST issues, some of which can only be authorized for an odd number of years. Thus renewals would normally fall in an odd numbered year half the time.***

GOVERNMENT – GENERAL

HB 828 Stephens – 64 H.Judiciary

Retail establishment toilet facilities for employees shall be available to handicapped persons who are customers. The customer must have a letter from a doctor certifying an eligible condition. Request for use must be during regular working hours with at least 3 employees working. The customer must have a condition, such as Crohn's disease, ulcerated colitis, another inflammatory bowel disease, irritable bowel syndrome, or any other medical condition that requires immediate access to a toilet or requires use of an ostomy device.

GOVERNMENT – COUNTIES AND CITIES

SB 309 Stone – 23 S.State & Local Government

Revenue bonds may be used for creating broadband network projects including purchasing of land and construction of facilities thereon. Creates the Georgia Municipal and Local Government Infrastructure Finance Authority and the Georgia County and Local Government Infrastructure Finance Authority through which such financing will be accomplished and services rendered.

HB 832 Carpenter – 4 H.Government Affairs

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A county, city, or local government authority which operates park or recreational facilities used by a youth athletic organization shall ensure that each facility is equipped with at least one vessel with a capacity of at least 150 gallons that can be used in the event of a heat related injury or emergency.

GOVERNMENT – COURTS AND CRIMES

SB 317 Ligon – 3 S.Government Oversight

A county police department may be dissolved by an act of the General Assembly or a local ordinance if approved in a local referendum. Duties will be transferred to the county sheriff. **Currently, dissolution can only be by a local act of the General Assembly.**

SB 320 Payne – 54 S.Public Safety

Persons classified as sexually dangerous predators who fail to update or verify registration information with the Sexual Offenders Registration Review Board are guilty of a felony with a penalty of 1 to 30 years.

SB 332 Jackson – 2 S.Judiciary

Bans childlike sex dolls excluding anatomically correct dolls or mannequins used for educational purposes or in law enforcement or the treatment of sex abuse cases or sex crimes. The first offense is a misdemeanor of a high and aggravated nature and the second offense is a felony. Selling or otherwise dealing in these dolls is also a felony.

HB 814 Welch – 110 H.Judiciary

The new Business Court shall no longer be attached to the Court of Appeals for administrative purposes. It will stand alone.

GOVERNMENT – EMPLOYMENT

SB 316 Thompson – 14 S.Veterans, Military and Homeland Security

Military spouses licensed in another state may obtain a license by endorsement in GA if the requirements for licensing in the other state are similar to GA by a majority of the elements and it is in good standing.

HB 742 Trammell – 132 H.Government Affairs

Withholds the salary of certain elected local public officials suspended from office as a result of being indicted for a felony. The officials include county commissioners, sheriffs, tax commissioners, district attorneys, school board members, school superintendents (although these are no longer elected), city councilmen. If the official is reinstated, any compensation withheld will be paid to the individual. Enabling legislation for HR 874.

HB 804 Gilliard – 162 H.Industry & Labor

Disabled persons shall be paid at least the state minimum wage.

HB 805 Gilliard – 162 H.Industry & Labor

The state minimum wage is raised to \$7.25 per hour, currently \$5.15.

HR 874 Trammell – 132 H.Judiciary

CA to withhold the salary of elected state public officials suspended from office as a result of being indicted for a felony. The officials are: all General Assembly members, Governor, Lt. Governor, Attorney General, Secretary of State, State School Superintendent, Commissioners of Agriculture, Insurance, and Labor. Does not include Public Service Commission. If the official is reinstated, any compensation withheld will be paid to the individual. Enabling legislation is HB 742.

GOVERNMENT – ENVIRONMENT

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HB 833 Stephens – 164 H.Natural Resources & Environment

The Department of Natural Resources shall develop rules and regulation regarding long-term anchoring of watercraft as to where, how long, and how to control sanitation within the estuarine areas of the state.

GOVERNMENT – FEDERAL ISSUES

HB 818 Welch - 110 H.Interstate Cooperation

The Compact for a Balanced Budget Amendment to the US Constitution will be repealed on 4-12-2031 rather than ‘7 years after the first state has agreed to the compact’. ***The US Constitution in Article V allows constitutional amendments to be proposed either by Congress, which all of those in existence have been, or by a constitutional convention which this bill addresses. If a constitutional convention is called, the states cannot limit what is placed on the agenda – it can only restrict what its delegates can vote on. In fact, our current constitution was created at a convention to amend the Articles of Confederation.***

GUNS

SB 305 Seay – 34 S.Judiciary

Requires individual registration and license for the purchase of assault weapons ammunition which includes large capacity magazines. A violation is a felony.

HB 787 Ballinger - 23 H.Public Safety & Homeland Security

GA residents may carry a weapon in GA if licensed in another state.

HEALTH

SB 293 Hufstetler – 52 S. Insurance & Labor

Balance Billing Consumer Protection Act. Health care plans shall pay for emergency medical services with no need for any prior authorizations or any denial of payment and regardless if the provider is within network. The out-of-network provider shall bill the insurer directly which will pay the average amount paid for similar services within the last year. The insured patient will pay as if the provider is in network. Same rules apply for non-emergency services. If a patient unwittingly chooses services from an out-of-network provider, the patient shall be responsible for the bill. After 7-1-21, a covered person receiving health care from an out-of-network provider shall not be required to pay more than what would have been due from a network provider for the same service. Arbitration is available between the insurer (health care plan) and the provider. Patient is not a participant in the arbitration process.

SB 311 Kirkpatrick – 32 S.Judiciary

Medical providers may not profit by taking money from referring or recommending a patient to another health provider or prescribing specific medications. Violations are a felony. If fewer than 20 patients are involved, the fine is \$100,000 per violation; if greater than 20 patients, the fines are \$500,000 per patient. A medical provider commits a misdemeanor if it bills an insurance company for a reimbursement for tests not needed, not performed, deliberate billing to a patient for a service paid by an insurer.

SB 323 Kirkpatrick – 32 S.Health & Human Service

Dentists who use sedation with their procedures must get training.

SB 324 Jordon – 6 S.Appropriations

Medicaid shall cover services to pregnant women for up to 12 months after giving birth, currently 60 days.

SB 327 Karinshak – 48 S. Insurance & Labor

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Employers are to provide breaks to females who are nursing an infant for the purpose of expressing breast milk.

SB 334 Jackson – 2 S.Health & Human Service

Certified community midwives shall be licensed and certified by a board to deal with delivery of babies. They will be registered nurses with this training.

HB 789 Newton – 123 H.Special Committee on Access to Quality Health Care

In-network hospitals must add 'Hospital Surprise Billing Rating' to their directories. If the rating is less than 4, each insurer advertising the hospital as in-network must specify which qualified hospital based specialty group types are not contracted with the hospital.

HB 791 Stephens – 164 H.Health & Human Services

A pharmacist may provide up to a 90-day supply of a chronic medication if the patient agrees and the prescribing doctor has indicated periodic refills are medically necessary. This authorization does not apply to scheduled drugs and controlled substances. **Author is a licensed pharmacist.**

HB 800 Scott – 76 H.Health & Human Services

Out of state but within 50 miles of the border OBGYNs are to be considered in state as long as they are licensed and in good standing in the licensing state. GA pays them as if they were GA based.

HB 801 Scott – 76 H.Health & Human Services

Establishes nurse-patient ratios for hospitals based on the level of care needed. **Author is not a health care professional.**

REVENUE & TAXATION

SB 302 Albers – 56 S.Finance

Tax Credit Return on Investment Act of 2020. An independent economic analysis is to be obtained through Office of Planning and Budget for tax benefits upon request of the chairs of House Ways & Means or Senate Finance Committees. The analysis is for 5-year input on state revenues, state expenditures, net change in economic activity and any change in public benefit. Each year by May 1 up to 5 economic analyses may be requested by the House or Senate. OPB may contract with independent auditors to complete the analyses by December 1. If a fiscal note is requested for a proposed exemption, exclusion or deduction, credit deferral, rebate, abatement or preferential tax rate, and a relevant analysis on the same is less than 1 year old, the analysis is to be attached to the fiscal note.

HB 810 Harrell – 106 H.Ways & Means

An income tax credit for employing qualified parolees is repealed. A licensee of the GA Access to Medical Cannabis Commission is not entitled to the tax credit either.

HB 811 Harrell – 106 H.Ways & Means

Income tax refunds shall earn interest at a bank prime rate. **Currently, they earn interest at the bank prime rate plus 3%.**

HB 815 Gaines – 117 H.Ways & Means

A sales tax exemption for an authority which provides public water or sewer service and was created by a local act or local constitutional amendment prior to 1983.

HR 934 Harrell – 106 H.Ways & Means

CA to allow counties and cities to adopt an alternative method of appraisal and assessment of real property located therein. Requires use of fair market value as determined by the last sale price of the property unless there has been a

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property alteration of greater than \$50,000 when it will be reassessed. The alternative plan would go into effect with the passage of a local resolution and an affirmative vote in a referendum. ***Using the sale price as the assessed price means the residential real property will begin to assume more and more of the tax load because those properties turn over far more quickly than commercial, industrial, or agricultural properties.***

TRANSPORTATION & DRIVING

HB 799 Blackmon – 146 H.Judiciary Non-Civil

Early reinstatement of a suspended drivers license for DUI of a controlled substance or marijuana is now empowered.

HB 823 Gaines – 117 H.Motor Vehicles

A person convicted of trafficking other persons for labor or sexual servitude using a commercial vehicle shall be disqualified for life from driving a commercial vehicle and shall have their commercial drivers license revoked.

HR 844 Anulewicz – 42 H.Transportation

Urges Congress to pass the Transit Worker and Pedestrian Protection Act. Secretary of Transportation is to issue rules to address protection of public transportation operators from risk of assault.

HR 910 McLaurin – 51 H.Transportation H.Transportation

CA to allow motor vehicle tax revenues to be used for any public transportation purposes. ***Currently, it may only be used for roads and bridges.***

LOCAL – FULTON and its CITIES

HB 837 Martin – 49 H.Ways & Means

In counties which have at least 95% of the land area in incorporated cities (Fulton), the county developmental authority shall not purchase or accept title to any property, undertake any projects, or grant any tax abatements without obtaining approval from the board of education and the city in which the property resides. This prohibition does not apply to a development authority in a county with a consolidated government.

HR 911 Schofield – 60 H.Transportation

Urges the Department of Transportation to provide sound barriers to the City of Hapeville along the east side of I-85.

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