

From Representative Don Parsons

Legislation passed by the Georgia House on Day 29 - February 26, 2016

HB 498, sponsored Rep. Lee Hawkins, adds the ability to diagnose to the definition of professional counseling, provided the counselor has graduate level education, supervised experience, or its equivalency, working with people with mental illness. The bill also adds to the definitions regarding psychologists the terms mental abilities, neuropsychological functioning, personality characteristics, and psychological testing. Regarding psychological testing, HB 498 clarifies the educational requirements necessary to perform psychological testing.

HB 508, Sponsored by: Rep. Barry Fleming, reduces the eligibility age to receive normal retirement benefits as an appellate court judge from 65 to 60. This change brings uniformity into the judicial retirement system for all state level judges. Currently, the retirement eligible age for over 90% of all other judges is also age 60.

HB 654, (This legislation failed to get a constitutional majority vote - a motion for reconsideration was made) Sponsored by: Rep. Sandra Scott, requires tattoo studios across Georgia to post a warning sign for patrons that states that they will likely be disqualified from military service if they have a tattoo on their face, neck, forearm, hand, wrist, or lower leg. Any tattoo studio that fails to comply will receive a warning for the first offense, a \$25.00 fine for the second offense, a \$75.00 fine for the third offense, and a \$300.00 fine for the fourth and subsequent offenses. All fines collected shall be paid to the county board of health in the county in which the tattoo studio is located.

House Bill 736, Sponsored by: Rep. Alex Atwood, establishes a special license plate promoting marine habitat conservation. The funds raised by the sale of this license plate shall be disbursed to the Coastal Resources Division of the Department of Natural Resources to supplement marine habitat conservation, restoration, and enhancement projects undertaken to increase the abundance of marine fish and invertebrate species. This legislation also contains provisions creating a special license plates for female veterans and the Omega Si Phi Fraternity. Funds from the sale of the Omega Si Phi license plate will be distributed to the Georgia State Omega Si Phi Foundation. Further, it provides that a spouse of a veteran is eligible for a free veterans' tag so long as they do not remarry.

HB 887, Sponsored by: Rep. Chuck Efstration, prioritizes the placement of a child with a relative who is an adult or fictive kin when such individual is qualified to care for the child and it is in the best interests of the child in a dependency hearing. Fictive kin means a person who is known to a child as a relative, but is not, in fact, related by blood or marriage to such child and with whom such child has resided or had significant contact.

HB 893, Sponsored by: Rep. Jay Powell. This legislation lowers and streamlines the electronic tax filing threshold for businesses and individuals from \$1,000 to \$250 for calendar year 2017 and to \$100 for 2018 and beyond saving the state of Georgia both time and money processing these returns. The Department of Revenue may then require electronic filing at or above said thresholds.

HB 899, Sponsored by: Rep. Jay Powell This legislation makes certain changes to Georgia's escrow laws relating to tobacco product manufacturers to satisfy state commitments relating to the tobacco master settlement agreement (MSA). The MSA was agreed to in 1998 by 46 states, 6 U.S. jurisdictions, and the four largest tobacco manufacturers at the time to recoup Medicaid and other costs associated with treating sick and dying cigarette smokers. The MSA now includes approximately 40 other cigarette manufacturers, and participating manufacturers are required to pay approximately \$195.9 billion to the states. Non-participating manufacturers are also required to pay into a special escrow account in amounts equal to what they would pay the states if they signed onto the settlement agreement. The amounts in escrow can only be used by the state to settle any judgments the states obtain against the nonparticipating manufacturers. These funds are otherwise returned to nonparticipating manufacturers 25 years after going into escrow.

HB 926, Sponsored by: Rep. Bruce Broadrick, requires the licensure of third-party logistics providers by the Georgia State Board of Pharmacy. 'Third-party logistics providers' is defined as an entity that provides or coordinates warehousing, distribution, or other services on behalf of a manufacturer but does not take title to a drug or have general responsibility to direct the sale or other disposition of the drug. This bill allows the board to issue temporary licenses in emergency situations that will expire at the end of the month following the third board meeting conducted after the issuance of such license.

HB 954, Sponsored by: Rep. Chuck Efstoration, establishes the Uniform Adult Guardianship and Conservatorship Proceedings Jurisdiction Act. Under the provisions of this bill, when an individual is involved in guardianship proceedings and conservatorship proceedings, courts in Georgia can compel courts in other states to facilitate the process of transferring guardianship or conservatorship. Additionally, this bill would enhance interstate recognition and enforcement of guardianship orders. Finally, this bill enables courts in Georgia and courts in other states to communicate, maintain records, and respond to requests for assistance.

House Bill 959, Sponsored by: Beth Beskin, revises sections of Title 20. Section 1 clarifies local board of education members ability to speak with constituents, conduct town hall meetings, or discuss non-confidential matters with the media. Section 2 updates provisions relating to awarding high school diplomas for completion of postsecondary programs. Section 3 updates Move on When Ready provisions. Section 4 clarifies annual performance evaluations allowing sharing data between the Department of Education and the Office of Student Achievement in certain circumstances. Section 5 allows students who earn an A, B, or C in a dual credit course to exempt their end-of-course assessment. Section 6 repeals

provisions relating to the Office of Student Achievement regarding non-profit corporations' prohibition from acquiring or holding real property in fee simple.

HB 962, Sponsored by: Rep. Stacy Abrams, creates the position of Kinship Care Enforcement Administrator within the Department of Human Services which is approved and removed by the board, subject to the approval of the Governor. The purpose of the position is to coordinate and ensure compliance with Federal regulations regarding children being raised by family members of that child or close family friends.

HB 979, Sponsored By: Rep. Johnnie Caldwell, increases the penalty for the offense of aggravated assault on hospital emergency and medical services personnel when those individuals are in the performance of their duty. The penalty is a felony punishable with imprisonment from 5 to 20 years.

HB 1053, (Postponed until Day 30) Sponsored by: Rep. Darlene Taylor, a Bill to provide nonpartisan elections of the Grady County Board of Education

HB 1084, Sponsored by: Rep. Penny Houston, transfers the duties associated with measuring farm and agricultural water from the Georgia Soil and Water Conservation Commission to the Georgia Forestry Commission. This is a cost saving mechanism as the Forestry Commission is already performing these duties at a lower cost than the Soil and Water Commission.

HB 1085, Sponsored by: Rep. Katie Dempsey shifts the responsibility for implementing community-based services for the elderly from the Department of Human Services to the Department of Community Health and aligns services provided by the Community Care Services Program (CCSP) with funding as passed in the current FY 2017 budget. As a result of HB 1085, the Division of Medical Assistance within the Department of Community Health will establish a community care unit. Additionally, the division must prepare an annual community care service plan to be incorporated into the State Plan for Medical Assistance.

HB 499, sponsored by Rep. Alan Powell, provides local governments the ability to use of speed monitoring cameras in school zones. School zone is defined as being one thousand feet from a school. The bill mirrors the law for "red light" cameras. Violation occurs when a vehicle exceeds the posted speed limit by ten miles per hour or more during school hours. It results in a \$125.00 civil penalty. Signs must be posted where the cameras are in use. For the first thirty days that a school zone camera is in use, violations only result in a warning.

HB 677, sponsored by Rep. Ron Stephens, legalizes casino gaming the state of Georgia. Specifically, this bill authorizes 4 gaming licenses located within 2 separate regions in order to generate additional funding for the HOPE Scholarship program and other educational programs. Additional info on this bill may be found in the HB 677 summary sent to the Caucus.

HB 781, sponsored by Rep. Brad Raffensperger, provides that an individual appointed to state and local authorities, boards, councils, and commissions shall be a lawful permanent resident.

HB 795, sponsored by Rep. Bubber Epps, transfers the Georgia Driver's Education Commission from the Department of Driver Services to the Governor's Office of Highway Safety. It also extends the sunset provision from June 30, 2016 until June 30, 2019. Further, this bill states that any secondary school or any institution in the Technical College System of Georgia cannot receive funds from the Driver's Education Commission if that institution offers driver's education programs to students who do not live in the school district or if there is a private driving school offering courses in the school's geographic region or district.

HB 920, sponsored by Rep. Trey Kelley, defines an excluded party in relation to law suits against nursing homes. These excluded parties are defined as individuals who are not involved in the care of patients of nursing homes. HB920 creates a process for how an excluded party can be removed from a law suit that initially names them.

HB 951, sponsored by Rep. Chad Nimmer, provides a sales and use tax exemption for admission to major sporting events determined by the commissioner of the Department of Revenue to generate at least \$50 million in state revenue, to include: the National Football League championship; any semifinal or championship of a national collegiate tournament; Major League Baseball; Major League Soccer; or National Basketball Association all-star game. The House and Senate have oversight and can overturn any decision to apply the exemption by the Department of Economic Development. The bill also provides a "back-to-school" sales tax holiday to take place July 30 - July 31, 2016 and a tax exemption period for energy efficient products to take place from September 30 - October 2, 2016.

HB 952, sponsored by Rep. Chad Nimmer, enacts the 'Georgia Professional Regulation Reform Act,' to provide for executive oversight of licensing boards and to establish consistent state policy for the regulation of certain professions and businesses.

HB 973, sponsored by Rep. Christian Coomer, provides for an annual permit which allows towing service providers to operate on the interstate systems in Georgia. Permits are to be issued by the Department of Public Safety after the applicant has completed and operator safety course that meets or exceeds minimum standards recognized and adopted by the Towing and Recovery Incentive Program and has submitted the annual \$85 permit fee.

HB 991, sponsored by Rep. Bill Hitchens, provides that a tax commissioner shall waive the collection of penalties and interest resulting from a default on ad valorem taxes when that tax commissioner can determine that a default was due to a taxpayer's active duty military service in a combat zone and the taxpayer makes full payment within 60 days of returning from active duty.

HB 1064, sponsored by Rep. Bill Hitchens, allows the commissioner of the Department of Public Safety to approve situations in which department vehicles may be used in off-

duty work by off-duty officers in the Uniform Division, Motor Carrier Compliance Enforcement Section, and certified officers employed by the Capitol Police division.

HB 1072, sponsored by Rep. Christian Coomer, relating to service cancelable education loans for Georgia National Guard members repeals a provision which would make students ineligible for the loan if they were also receiving HOPE scholarship or HOPE grant funds.

HB 1073, sponsored by Rep. Brian Strickland, provides that upon an appeal for the termination of parental rights, that adoption proceedings are stayed until the outcome of the Appeals Court.

HR 807, (postponed until Monday, Day 30) sponsored by Rep. Ron Stephens, proposes an amendment to the Constitution so as to authorize the General Assembly to provide laws for the purpose of allowing casino gambling in the state of Georgia through a ballot initiative. HB 677 is the accompanying legislation.