

SENATE DEMOCRATIC CAUCUS



2020 LEGISLATIVE SUMMARY

Introduction

The 2020 Georgia Legislative Session may well go down as one of the longest and strangest in the state's history. Facing across-the-board budgetary cutbacks, legislators began the session in January looking for ways to balance the state budget, and that was before COVID-19 (otherwise known as the Coronavirus) was a thought in anyone's mind. Poor policy decisions over the past decade meant the state budget had been placed at risk. The addition of skyrocketing unemployment and lost revenue caused by the virus outbreak added to the state's financial uncertainty.

By March, just two weeks shy of adjournment, the virus landed square in the Senate chamber infecting several members and their staff. The legislature adjourned March 16 to a date uncertain, while the virus roiled the state, pushing hospitals to capacity and leaving health care workers without sufficient equipment to handle the pandemic.

Georgia was already facing a recession and COVID-19 pushed the state's finances to the edge of a cliff. State agencies were asked to trim their budgets another 14%, putting at risk public school funding, health care, food inspectors and many more vital programs.

Even though not in session, Georgia's Senate Democratic Caucus remained busy working with constituents on finding solutions for unemployment claims, helping people get tested for the virus, and learning how to do it all virtually.

When the legislature reconvened on June 15 there were 10 working days remaining in the 2020 session. There were also new rules on social distancing and voting, in order to keep members and staff safe and healthy.

Final budget cuts were reduced to 10%, using a large portion of the state's Rainy Day Fund to fill in gaps. As always, there was last minute wrangling on legislation and Democrats held firm on ensuring education, employment and health care were priorities.

Racial justice became a Democratic centerpiece during the final days of the 2020 session. Decades of injustice boiled over when video images of police brutality circulated this spring. A Hate Crimes bill that had been stalled in the Georgia Senate

became tantamount in taking a first step toward more equitable policing and Senate Democrats led an effort to negotiate the passage of House bill 463.

HB 463 creates enhanced penalties for crimes committed because of the victim's perceived race, color, religion, national origin, sex, sexual orientation, gender, mental disability, or physical disability. It would also require law enforcement to collect and report demographic data and information about the crime whenever a hate crimes investigation occurs, regardless of whether charges are brought.

HB 463 is a beginning, not an end, and Senate Democrats will work toward increasing equity in policing and in education, the workplace and health care.

Also on the equality front, Sen. Tonya Anderson (D-Lithonia) passed the Clean Slate Act to allow people convicted of misdemeanors other than sex offences and domestic violence to get their records sealed after staying out of trouble for four years.

On the health care front, Sen. Lester Jackson (D-Savannah) passed legislation to prohibit insurers from charging exorbitant co-pays that act as a barrier to affordable health care. Sen Valencia Seay (D-Riverdale) passed legislation to enter Georgia into the Audiology and Speech-Language Pathology Interstate Compact to expand access to audiology and speech-language pathology by allowing multisite licensure of those professions.

Sen. Freddie Powell Sims (D-Dawson) passed sweeping legislation to improve transparency and school board accountability for school system budgets.

Sen. Doc Rhett (D-Marietta) passed legislation to create banking improvement zones where a local government could support a bank in an underserved area by using that bank to hold local funds.

One thing rang true during the 2020 Legislative Session – Georgia Democrats played a more significant role in shaping legislation, as the balance between the parties shifts.

Other notable legislation passed during the 2020 and awaits the Governor's signature and is listed below.

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Notable Legislation Passed

The Good

Bills that Passed Both Chambers

SB 20 (Rhett, 33rd) – Banking Improvement Zones

This bill would allow local governments to petition the DCA to designate a banking improvement zone where residents have insufficient access to banks. The local government could then deposit its funds in a bank in the zone.

SB 28 (Jackson, 2nd) – Fair Copays

This legislation would prevent insurers from charging copays that serve as a barrier to accessible health care.

SB 68 (Sims, 12th) – School Board Accountability for System Finances

This legislation would assign responsibility for financial management of school systems to the school board based on a template created by DOE showing, at a minimum, a statement of revenues, expenditures, and encumbrances.

If a school system receives an audit showing irregularities or a budget deficit for the past year or more, the board would be required to submit a response to DOE within 120 days. Schools seeking to renew a strategic waivers or charter system contract with irregularities or deficits in the three or more proceeding years would have to include a written corrective action plan in their application. GOSA would also provide support and training to schools with or at risk of consistent irregularities or deficits.

Newly elected school board members would receive training in financial management and the fiscal state of their system. All board member would have to receive training if the system had irregularities or deficits in three or more consecutive years. Members would have to complete this training to be eligible for reelection.

It would have the Chief Turnaround Officer appointed by the Governor instead of the State School Board. It would make many administrative changes between the CTO, DOE, State School Board, and State School Superintendent related to supervision of poorly performing schools. It would remove GOSA from the process.

It is also HB 86 that would require school systems to enumerate a teacher's failings when giving an unfavorable performance evaluation and develop a process to allow the teacher to have the evaluation reviewed by an independent third party.

SB 123 (Ligon, 3rd) – Remove Coal Ash Landfill Discount

Pursuant to existing law, landfill tipping fees collected by local governments on everything but coal ash will increase from \$1/ton to \$2.50/ton on July 1. This legislation would remove the exemption for coal ash so its fees would increase along with everything else. It would not affect current contracts. It would also remove the unenforceable earmark dedicating the funds to environmental purposes.

SB 288 (Anderson, 43rd) – Clean Slate Act

This legislation would allow people convicted of misdemeanors for offenses other than DV or sex charges to have their records sealed after four years. People could only seek to have records sealed two times in their lives. People would still have to disclose their criminal history for civil trials, and that criminal history could be used for background checks. Information about an employee's sealed records would only be admissible against employers if it bears a direct relationship to the proceeding.

SB 375 (Mullis, 53rd) – Raise Tobacco Age to 21 and Tax Vaping

This legislation would raise the age to buy tobacco and vape products from 18 to 21. Law enforcement would be authorized to seize tobacco and vape products from people under 21. People under 21 who are caught with tobacco or vape products would be subject to community service, and anyone who fails to comply with their community service would have their driver's license suspended. Anyone over 21 who possesses vape products in a school zone would be subject to a misdemeanor conviction and a fine.

It would tax vape juice at 5¢/ml and consumable vape products and vape devices at 7% of wholesale. It would allow vape products to be delivered. The delivery person would have to verify the person is at least 21.

SB 408 (Strickland, 17th) – Family Leave and Emergency Unemployment

This legislation would extend the sunset provision allowing the use of sick leave for the care of immediate family members through June 30, 2023.

It would increase the amount of wages not counted against one's unemployment from \$30 to an amount between \$50 and \$300 determined by the Department of Labor. It would allow the Labor Commissioner to increase unemployment benefits, suspend deadlines and penalties, waive charges to employers, expedite claims, and waive job search requirements for up to 120 days during a declared disaster. It would allow an extra week of unemployment based on the unemployment rate to a maximum of 26 weeks when unemployment is over 10%.

It would allow a work sharing program where employers could reduce hours by 10 to 60 percent in lieu of layoffs and the employees could receive a corresponding amount of unemployment. The state would implement it in a manner that allows reimbursement under the CARES Act.

SB 426 (Strickland, 17th) – EO Emissions

This legislation would require any producer that emits ethylene oxide to report the leak to EPD within 24 hours. EPD would publish notice on their website.

HB 230 (Holcomb, 81st) – Benefit Corporations

This legislation would establish benefit corporations that include a public benefit provision in their articles of incorporation. The board of directors would be required to state that the corporation is operated for the public benefit, must consider the public benefit in business operations, and must adopt standards to measure the corporation's performance in benefitting the public. The corporation would provide a yearly report detailing its performance in serving the public benefit. Benefit corporation board members do not have a duty to anyone other than shareholders and would not be liable for damages for injuries to the public. The legislation would also prevent benefit corporations from removing the public benefit corporation provision, transferring property without shareholder approval to non-public benefit corporations, or entering into transaction that would give benefit corporation shareholders ownership of a non-benefit corporation.

HB 426 (Efstration, 104th) – Hate Crimes

This legislation would create enhanced penalties for crimes committed because of the victim's perceived race, color, religion, national origin, sex, sexual orientation, gender, mental disability, or physical disability. The non-mandatory minimum sentence for felonies would be increased to two years. Simple assault, simple battery, battery, criminal trespass, and misdemeanor theft would be high and aggravated misdemeanors with a non-mandatory minimum sentence of six months.

It would also require law enforcement to collect and report demographic data and information about the crime whenever a hate crimes investigation occurs, regardless of whether charges are brought.

HB 879 (Harrell, 106th) – Alcohol

This legislation would allow packaged liquor, beer, and wine to be delivered. Delivery drivers would have to be 21, have a valid driver's license, pass a background check including a check to see if the driver had three moving violations or a serious violation like DUI or hit and run, and receive training approved by DOR. The driver would be responsible for carding the recipient. The driver wouldn't handle payment; payment would be made directly to the liquor store. Alcohol must be delivered to a person; it couldn't be left at the door.

It would create a statewide system for alcohol retailer permitting.

It would allow local governments to, by referendum, allow on premises and package alcohol sales to start at 11:00 on Sunday.

It would allow local governments to allow package alcohol closer to college campuses than allowed by state law.

It would allow liquor stores to hold up to 52 tastings a year. Quantities would be limited to 8oz of beer, 5oz of wine, or 1.5oz of liquor.

It would allow alcohol salespeople to conduct tastings with liquor store owners and employees.

HB 888 (Hawkins, 27th) – Surprise Billing

This legislation would require insurers to cover emergency care, regardless of whether the providers are in network. Insurers would be required to reimburse the out of network provider at least the most recent agreed upon plan when the provider was in network, if applicable, or the greater of amount paid by in network insurers for the same or similar care. Ambulance transportation would not be covered.

Insurers would also pay out of network providers that treat a patient for nonemergency care at an in-network facility in the same manner. A patient that chooses to receive care from an out of network provider would have to see a price estimate and provide written and oral consent at least 48 hours in advance, at which point the patient would be financially responsible for the out of network care.

The Department of Insurance would maintain an all payer claims database to determine the cost of procedures in different parts of the state. Providers could dispute a reimbursement amount through arbitration under the Department of Insurance. Each party would submit a proposed payment amount, and the arbitrator would pick the one that best reflects the appropriate cost of care with no modifications to the proposed amount.

HB 987 (Cooper, 43rd) – Elder Care Homes

This legislation would prohibit retaliation against people that report elder care home violations or are the abused elder named in a report. It would increase the daily fine for facilities in violation from \$1,000/day to \$2,000/day and increase the maximum from \$25,000 to \$40,000. It would also impose a fine of at least \$5,000/day for violations that lead to serious injury or death.

It would require personal care homes that don't provide nursing services with at least 25 beds to provide staff with initial and annual training. They would have to average staff of at least one person per 15 residents during the day and one person per 20 residents at night.

It would require all assisted living homes to provide staff with initial and annual training. They would have to have staff of at least one person per 15 residents during the day and, person per 20 residents at night, with a minimum of two staff members at all times, and a nurse on site for 8 to 40 hours a week based on the size of the facility.

It would regulate memory care units that provide specialized services or charge extra for dementia patients. They would have to have one dementia trained staff member per 12 residents during the day, with a minimum of two staff members at all times, and a nurse on site for 8 to 40 hours a week based on the size of the facility.

Personal care homes with 25 or more beds and all assisted living homes would have to provide a financial stability affidavit upon licensure, notify DPH and all residents of a pending bankruptcy or ownership change that might result in discharge or relocation of residents.

It would require personal care homes with 25 or more beds, all assisted living homes, and all nursing homes to notify all residents by 5:00 the day after a confirmed COVID-19 infection or three people developing respiratory systems with 72 hours. They would have to keep seven days' worth of PPE on hand and create and enforce a COVID-19 mitigation policy. All staff would have to be tested within 90 days of the bill passing and afterward at an interval determined by DPH.

It would reconstitute the Board of Nursing Home Administrators as the Board of Long-Term Care Facility Administrators. It would be comprised of three nursing home administrators, three personal care or assisted living home administrators, two members of the public, and one medical professional. Personal care and nursing home administrators would have to be licensed in the same manner as a nursing home administrator.

HB 1090 (Silcox, 52nd) – Lactation Breaks and Emergency Unemployment

This legislation would make lactation breaks and a private room in which to pump mandatory. Private employers would not have to comply if it would create undue hardship.

It would increase the amount of wages not counted against one's unemployment from \$30 to an amount between \$50 and \$300 determined by the Department of Labor. It would allow the Labor Commissioner to increase unemployment benefits, suspend deadlines and penalties, waive charges to employers, expedite claims, and waive job search requirements for up to 120 days during a declared disaster. It would allow an extra week of unemployment based on the unemployment rate to a maximum of 26 weeks when unemployment is over 10%.

It would allow a work sharing program where employers could reduce hours by 10 to 60 percent in lieu of layoffs and the employees could receive a corresponding

amount of unemployment. The state would implement it in a manner that allows reimbursement under the CARES Act.

HB 1114 (Cooper, 43rd) – Postpartum Care

This legislation would allow Medicaid to cover lactation services and up to six months of postpartum care for mothers, subject to appropriation.

Democratic Bills that Passed Senate but not House

SB 40 (Jackson, 2nd) – School Sexual Assault

This legislation would make any sexual contact between a school employee or volunteer age 18 or older and a student of the school is sexual assault.

Overt sex acts with a student under 16 would be a felony of up to 25 years or 25 to 50 years if the victim is under 16. Other inappropriate contact would be a high an aggravated misdemeanor or a felony of 5 to 10 years if the victim is under 16. There would be a Romeo and Juliet carveout when the victim is at least 14 and the perpetrator is no more than two years older. It would be a high an aggravated misdemeanor for overt sex acts and a regular misdemeanor for other contact, neither of which would require sex offender registration.

SB 102 (Jones, 10th) – Community Schools

This legislation would direct the Department of Education to create a whole child model school certification for schools that implement a plan to implement and coordinate wraparound services with community partners.

SB 262 (Harbison, 15th) – Retirement Payments for Surviving Relatives

This legislation would allow retirees to designate a different beneficiary if their original beneficiary predeceases the retiree.

SB 268 (Jackson, 2nd) – VA Cards for Notarizations

This legislation would add Veterans Health ID Cards issued by the VA to the list of documents that can be used for notarizations.

SB 312 (Jackson, 2nd) – Georgia Commission on African-American History and Culture

This legislation would create the Georgia Commission on African-American History and Culture to discover, document, preserve, collect, and promote Georgia's African-

American heritage with a primary focus on educating the citizens of this state about the significance of the African-American experience in Georgia. It would be comprised of appointees by the Governor, Lt. Governor, Speaker, and Black Caucus Chair.

SB 327 (Karinshak, 48th) – Breast Feeding at Work

This legislation would require employers to provide a lactation room and reasonable break time for expressing milk to the extent reasonable possible. Employees would have to provide notice at least two days in advance. It would prohibit employers from discriminating or retaliating against nursing mothers and would provide a civil cause of action against employers that discriminate or retaliate.

SB 349 (James, 35th) – Provide Feminine Hygiene Products in Public Schools

This legislation would require local school boards to provide feminine hygiene products in all middle and high school female restrooms at no charge.

SB 387 (Jordan, 6th) – Food Preparation Education

This legislation would add food preparation to the available curriculum to the current nutrition curriculum in schools and allow food prepared by students to be distributed to students, specifically to students dealing with hunger or food insecurity.

Bad Legislation Successfully Stopped

HB 545 (McCall, 33rd) – Limit Circumstances for Nuisance Actions for Agricultural Land

This legislation would extend legal immunity to all farms in industrial areas and any increase in the size of the farm for one year. It would also provide immunity for any new construction during construction and for the first year of operation. Expansion of facilities, adoption of new technology, change in size, change in type, an interruption in activities for less than five years, and reconstruction of facilities would not trigger a new one year window.

Only plaintiffs within five miles would be able to sue at all.

The Bad

Bills that Passed Both Chambers

SB 43 (Payne, 54th) – Allow Local Utilities to Issue Bonds for Electrical Transmission

This legislation would allow local governments to issue revenue bonds for transmitting electricity, in addition to generation and distribution. It would also only require a referendum for expanding public electrical systems when the utility has assets less than \$300 million instead of all expansion.

HB 444 (Reeves, 34th) – Dual Enrollment

This legislation would limit the number of dual enrollment courses a student can take to 30 semester hours. Students could take more hours, but they would be required to pay. Dual enrollment would be limited to 11th and 12th graders. Tenth graders could only take dual enrollment courses if they attend a technical school or have an SAT or ACT score reaching the Zell Miller Scholarship threshold of 1200 for the SAT or 26 for the ACT. Ninth graders would no longer be able to take dual enrollment courses at all.

Students would be limited to English, math, science, social studies, and foreign language courses and courses the DOE designates as career, technical, or agricultural education. Students that have already begun taking dual enrollment courses would be exempted from the caps. Students would not be able to retake dual enrollment courses, and any student who withdraws from two dual enrollment courses would no longer be able to take dual enrollment courses.

HB 838 (Hitchens, 161st) – Back the Badge

This legislation would create the crime of bias motivated intimidation when a person maliciously and with the intent to intimidate, harass, or terrorize a first responder and causes serious bodily harm, which is not defined, or causes property damage of at least \$500. It would be a felony of one to five years and a fine of up to \$5,000.

It would create a set of standards and limitations for investigating police misconduct. Aggressive interrogation techniques such as threatening sanctions, “offensive language,” or holding investigations outside of work hours would be prohibited. Officers would have right to counsel if they ask. Proceedings would be recorded. Officers would have access to their entire file, including video.

Investigations would have to be completed within 120 days in order to punish the officer. Citizens making complaints would have to swear under the penalty of perjury that their statement is true for the officer to be investigated. Investigation results would be exempt from open records during the investigation.

It would also rename the Office of Public Safety Officer Support as the Office of Public Safety Support.

HB 847 (Corbett, 174th) – Hemp

This legislation would raise the annual permit fee for hemp farming from \$10,000 to \$50,000. It would clarify that hemp farmers and universities can transfer hemp between each other, including to legal out of state operations. Universities would be allowed to contract with third parties for hemp farming research. It would require background checks for all owners and executives of a hemp operation, and the background checks would be done by the FBI instead of local law enforcement. It would codify the regulations for shipping hemp to include documentation that the hemp is legal and a bill of lading details on the shipment itself.

It would require THC testing before any hemp can be harvested. It would use the federal maximum THC level instead of defining it in statute. It would require any THC removed during processing to be destroyed pursuant to a Department of Agriculture policy.

HR 1094 (Dunahoo, 30th) – Easement Resolution

This resolution would grant an easement in Richmond County to the Hale Foundation over the objection of the neighborhood.

Bad Bills Stopped in House

SB 318 (Ligon, 3rd) – Campus Speech/Ban Counter-protesting

This legislation would prohibit public colleges and technical schools from implementing free speech zones and instead open up all common areas for political activity.

It would prohibit counter-protesting that blocks access or involves noise that disrupts a gathering already in progress.

Colleges would be able to implement content-neutral time, place, and manner restrictions to avoid significant disruption. It would not protect threats or calls for imminent lawless activity. It would require colleges to allow political, religious, and ideological groups to hold events without having to comply with the organization's stated beliefs, code of conduct, or advance the mission of their organization.

It would create a cause of action against schools and school employees in their individual capacity with minimum damages of \$5,000 for violations.

SB 386 (Unterman, 45th) – Special Needs Vouchers

This legislation would expand the special needs voucher to apply to more disorders, including learning disorders such as ADHD and dyslexia. Disorders would not need a clinical diagnosis or an IEP if the student has a Section 504 federal disability plan. It would waive the requirement to spend one year in public school for students receiving preschool special needs services and foster care children adopted within the past year. It would increase the voucher for students with an IEP from the public school's cost of educating a student to the voucher recipient's IEP value. It would create a survey of parents of voucher recipients and create a process for parents to appeal for more voucher money.

SB 463 (Kennedy, 18th) – Voting Machines

This legislation would require counties to split precincts if more than 2,000 people show up to vote and lines exceed one hour before the next general election. It would allow people to register for a primary runoff up until five weeks before the runoff. It would prohibit rejecting absentee ballots on signature grounds if the voter enclosed a copy of his or her ID. It would remove language related to the old DRE machines.

The Ugly

Bills that Passed Both Chambers

SB 359 (Hufstetler, 52nd) – COVID Civil Immunity

This legislation would provide immunity for COVID-19 transmission in health care facilities and in facilities that provide notice with a sign or wrist band stating the risk of COVID-19. Immunity would not apply in the event of gross negligence, willful and wanton misconduct, reckless infliction of harm, or intentional infliction of harm.

Legislation Passed by House and Senate

Agriculture

SB 211 (Harper, 7th) – Don't Allow Lab-Grown Meat to be Advertised as Meat

This legislation would prohibit lab-grown meat from being advertised as meat. Products would have to be at least 90% composed of animal products to be advertised as meat.

SB 362 (Wilkinson, 50th) – Impounded Animal Costs

This legislation would change fees for impounding animals from specific dollar amounts to actual costs of impoundment and feed and care. Feed costs would be capped at \$25/day.

HB 847 (Corbett, 174th) – Hemp

This legislation would raise the annual permit fee for hemp farming from \$10,000 to \$50,000. It would clarify that hemp farmers and universities can transfer hemp between each other, including to legal out of state operations. Universities would be allowed to contract with third parties for hemp farming research. It would require background checks for all owners and executives of a hemp operation, and the background checks would be done by the FBI instead of local law enforcement. It would codify the regulations for shipping hemp to include documentation that the hemp is legal and a bill of lading details on the shipment itself.

It would require THC testing before any hemp can be harvested. It would use the federal maximum THC level instead of defining it in statute. It would require any THC removed during processing to be destroyed pursuant to a Department of Agriculture policy.

HB 1093 (Meeks, 178th) – Agricultural Commodity Commission for Wine and Grapes

This legislation would create an agricultural commodity commission for wine and grapes to promote Georgia's farm wineries. No marketing assessment could exceed the 40¢/Liter maximum excise tax on wine.

Appropriations

HB 792 (Ralston, 7th) – FY 2020 Supplemental Budget

HB 793 (Ralston, 7th) – FY 2021 General Budget

Civil Law

SB 315 (Tippins, 37th) – Limit Subcontractor Waivers to Liens

This legislation would provide that when a subcontractor signs a waiver of lien claims which is contingent on being paid, the waiver only applies to lien claims and not to other rights or remedies such as bringing a lawsuit.

SB 359 (Hufstetler, 52nd) – COVID Civil Immunity

This legislation would provide immunity for COVID-19 transmission in health care facilities and in facilities that provide notice with a sign or wrist band stating the risk of COVID-19. Immunity would not apply in the event of gross negligence, willful and wanton misconduct, reckless infliction of harm, or intentional infliction of harm.

SB 429 (Ligon, 3rd) – Code Revision

This is the annual code revision commission bill.

SB 443 (Stone, 23rd) – Continuing Garnishments

This legislation would extend the time frame for a continuing garnishment order from six months to three years. Student loan garnishments would be limited to 15% of earnings instead of the usual 25%. It would create a form for the parties, upon agreement, to reduce the garnishment amount. It would clarify some administrative processes and time frames.

SB 451 (Kennedy, 18th) – Exclude Contracts from Construction Statute of Repose

This legislation would provide that the eight-year time limit on bringing actions related to construction does not apply to contracts, including breaches of warranty.

HB 576 (Williams, 145th) – Fine Priority

This legislation would increase the priority of balance to the county and the Brain and Spinal Injury portion of DUI funds when a court only receives a partial fine payment and reduce the priority of indigent defense and victim assistance.

HB 865 (Scoggins, 14th) – Probate Code Update

This legislation contains numerous updates to the probate code. It would clarify certain tax and other provisions related to surviving spouses' and children's year's support. It would allow wills to incorporate other documents by reference. It expands the categories of people that may have interests in a will. It would allow for nonjudicial settlement of wills, though any party could ask a court to approve the settlement.

It would require any motion to vacate an order to probate a will because of another will to be brought before the other will is conclusively probated and within that will's probate period. Fraud claims could be brought at any time. Other motions to vacate would have to be brought within three years.

It would require more pleadings to be personally served. It would provide for beneficiaries to receive an annual statement of receipts and disbursements.

It also puts addresses more situations where a decedent died during or soon after a civil case. It would create a six-year statute of repose on claims arising from before a decedent's death. It would require financial institutions to disburse funds of a deceased person upon an affidavit in some circumstances.

It also adds many references to other laws that affect the probate process or parties.

HB 1070 (Gaines, 117th) – Condo Water Damage

This legislation would require condo associations to provide the contact information for their insurance company within five days of a unit owner submitting a claim for water damage. It would also require unit owners to provide the association with their insurance information within five days of the association making a claim.

Consumer Protection

HB 969 (Efstration, 104th) – Fair Housing Complaints

This legislation would use federal classifications for elderly housing instead of having the state Fair Housing Administrator designate them. It would provide that, while state investigations of fair housing violations are stayed during a federal investigation, people could file complaints with the state and federal government at the same time. The fair housing administrator would review all complaints for reasonable cause, at which point the landlord would elect an administrative hearing or a civil trial instead of tasking the AG with finding reasonable cause in cases headed for trial. Landlords would only be able to sue for attorney's fees if it prevails on all counts in addition to the current requirement that the court finds the complaint frivolous. All administrative hearings would be conducted by the Office of State Administrative Hearings instead of the Commission on Equal Opportunity, though the commission could modify the administrative law judge's order.

HB 1039 (Watson, 172nd) – Renewing Service Contracts

This legislation would require any seller of a service contract that renews for more than one year at a time to obtain written notice that the customer received the required information about renewal and how to cancel and written notice that the customer does not intend to cancel the contract.

Criminal Law

SB 288 (Anderson, 43rd) – Clean Slate Act

This legislation would allow people convicted of misdemeanors for offenses other than DV or sex charges to have their records sealed after four years. People could only seek to have records sealed two times in their lives. People would still have to disclose their criminal history for civil trials, and that criminal history could be used for background checks. Information about an employee's sealed records would only be admissible against employers if it bears a direct relationship to the proceeding.

SB 301 (Tillery, 19th) – Incarcerated Defendants

This legislation would allow sheriffs to request inmates that are pending trial for a crime committed while incarcerated be kept in prison instead of transferred to jail. It would only apply if the inmate is being held in a prison in the same county in which he or she is being tried.

SB 337 (Thompson, 14th) – Deepfakes

This legislation would make it illegal for a person to knowingly electronically transmit or post falsely created sexually explicit videos and images of people without consent.

SB 402 (Robertson, 29th) – Bail

This legislation would allow judges to release anyone charged with crimes other than serious violent felonies, sex crimes, or drug trafficking on their own recognizance. People charged with non-bailable offenses would no longer be allowed to be released for pretrial diversion programs. Sheriffs could release inmates for medical treatment when approved by the judge.

HB 426 (Efstration, 104th) – Hate Crimes

This legislation would create enhanced penalties for crimes committed because of the victim's perceived race, color, religion, national origin, sex, sexual orientation, gender, mental disability, or physical disability. The non-mandatory minimum sentence for felonies would be increased to two years. Simple assault, simple battery, battery, criminal trespass, and misdemeanor theft would be high and aggravated misdemeanors with a non-mandatory minimum sentence of six months.

It would also require law enforcement to collect and report demographic data and information about the crime whenever a hate crimes investigation occurs, regardless of whether charges are brought.

SB 435 (Strickland, 17th) – Vacate and Seal Convictions of Human Trafficking Victims

This legislation would allow human trafficking victims to petition to have their sentences vacated and records sealed for any crimes related to being trafficked.

SB 446 (Walker, 20th) – Reduce Time to Hold Bail

This legislation would reduce the time that courts need to hold unclaimed bail after a case is disposed of from seven years to two.

HB 341 (Dollar, 45th) – Update Bootleg Media Forms

This legislation would add memory cards, flash drives, hard drives, and data storage devices to the list of forms of media on which it is expressly illegal to distribute unauthorized copyrighted material.

HB 759 (Parrish, 158th) – Controlled Substances Update

This is the annual update to Georgia’s controlled substances schedules.

HB 799 (Blackmon, 146th) – Early License Reinstatement for DUI-Drug Offenders

This legislation would allow people convicted of driving under the influence of drugs or marijuana to apply for early reinstatement of his or her driver’s license without having to go through the limited driver’s license process.

HB 823 (Gaines, 117th) – Revoke CDLs from Human Traffickers

This legislation would revoke commercial driver’s licenses from people convicted of using a commercial vehicle for human trafficking.

HB 911 (Setzler, 35th) – Improper Sexual Contact by a Foster Parent

This legislation would create the crime of improper sexual contact by a foster parent. The offense would be first degree when the foster parent engages in sexually explicit contact with the child. The offense would be in the second degree with the foster parent engages in non-explicit sexual contact with the child. It would use the same sentencing schedule as currently exists for improper sexual contact by an employer. First degree would be a felony of 1 to 25 years and a fine of up to \$100,000 or a felony of 25 to 50 years and a fine of up to \$100,000 if the victim is under 16. Second degree would be a high and aggravated misdemeanor with a fine of up to \$5,000 for a first offense, a felony of 1 to 5 years for a subsequent offense, and felony of 5 to 25 years with a fine of up to \$25,000 if the victim is under 16.

HB 983 (Williams, 145th) – Sex Offender Registry

This legislation would add phone numbers to the information registered sex offenders are required to provide. It would allow sheriffs to allow people in hospice, nursing homes, or residential care facilities to do their annual registration any time in their birth month and to skip fingerprinting. It would eliminate the \$250 annual registration fee.

HB 984 (Burchett, 176th) – Sentencing

This legislation would provide that the filing window to get a sentence reduced or paroled applies to the applicant, but the court does not need to hear the motion or issue an order during that time period. If a person is out on bond and loses an appeal, the prosecutor would have 90 days to inform the person or else the sentence would be deemed to have started the day the appeal was denied.

It would provide that time serve includes all penal institutions, including jail before and after trial. Courts could exclude time served due to probation violations, on work release, or time served for a misdemeanor conviction in a different jurisdiction.

HB 993 (Dempsey, 13th) – Abolish Child Abuse Registry

This legislation would abolish the child abuse registry.

It would also direct the state registrar to provide any information about child abuse to DFCS.

Family Law and Juvenile Justice

SB 439 (Brass, 28th) – Caregivers, etc. in Dependency and Rights Terminations Hearings

This legislation would allow courts to hear evidence from caregivers, foster parents, pre-adoptive parents, and relatives that care for a child in dependency and termination of rights hearings when determining whether a home environment is safe. It would allow for electronic notification of hearings and electronic filings by parties, included those not represented by attorneys.

HB 912 (Reeves, 34th) – Short and Medium Term Babysitting of Foster Children and Juvenile Court

This legislation would allow foster parents to leave their foster children with a babysitter for up to 72 hours so long as the babysitter is over 18, they apply the

reasonable and prudent parent standard usually used for foster parent decisions when selecting the babysitter, and provides the babysitter with information about the child's condition, medication, and emergency contact.

It would transfer rulemaking authority for juvenile court data collection from the Judicial Council to the Supreme Court and add foster care data to the collected data. It would require attorneys to prioritize dependency and termination of parental rights cases over other cases. It would determine eligibility for extended youth services for 18-21 year olds annually instead of every 60 days. It would allow DFCS to contract out casework. DFCS could require less training for experienced foster parents or ones only providing short-term care.

Financial Regulation

SB 20 (Rhett, 33rd) – Banking Improvement Zones

This bill would allow local governments to petition the DCA to designate a banking improvement zone where residents have insufficient access to banks. The local government could then deposit its funds in a bank in the zone.

SB 462 (Kennedy, 18th) – High Interest GILA Loans

This legislation would rename the Georgia Industrial Loan Act as the Georgia Installment Loan Act and transfer administration to the Department of Banking. Loans would remain limited to \$3000, and the 3% tax on lenders would be unchanged.

Lenders would have to register with the Nationwide Multistate Licensing System and Registry. They would have to post a bond of \$25,000 plus \$5,000 per each additional location. Licensees would have to disclose any financial irregularities or legal action taken against them to the department. The department could investigate a licensee every five years to ensure compliance.

HB 230 (Holcomb, 81st) – Benefit Corporations

This legislation would establish benefit corporations that include a public benefit provision in their articles of incorporation. The board of directors would be required to state that the corporation is operated for the public benefit, must consider the public benefit in business operations, and must adopt standards to measure the corporation's performance in benefitting the public. The corporation would provide a yearly report detailing its performance in serving the public benefit. Benefit corporation board members do not have a duty to anyone other than shareholders and would not be liable for damages for injuries to the public. The legislation would also prevent benefit corporations from removing the public benefit corporation provision, transferring property without shareholder approval

to non-public benefit corporations, or entering into transaction that would give benefit corporation shareholders ownership of a non-benefit corporation.

HB 781 (Williamson, 115th) – Financial Institutions

This legislation would allow banks and trust companies to start issuing dividends when they reach consistent annual profitability even if they have not achieved cumulative profitability. It would allow the Department of Banking and Finance to waive residency requirements for all banks and trust companies, not just for limited purpose commercial banks that don't engage in traditional banking activities. Trust companies would be able to merge with banks so long as the resulting entity is a bank. It would allow out of state banks to engage in any activity that is authorized by their home state so long as the activity is not expressly prohibited in Georgia. Banks would have to post notice when closing a location. Many other notification requirements would be eliminated. Branch bank applications would have to be processed within 30 instead of 90 days. It would allow night depositories to be located offsite just like ATMs.

It would set the threshold where a credit union's board would have to approve a loan at 5% of total assets instead of a sliding statutory scale. Credit unions would be able to loan up to 25% of their assets to a single borrower if secured by collateral. There would be no limitations on the amount a credit union could issue to the state or federal government or restructurings. Credit unions would be able to open ATMs and night depositories without needing department approval. The department would consider need when deciding whether to permit a credit union branch.

Orders subjecting financial institutions to bond forfeiture for violations would be final in 20 instead of 30 days. It would also update federal cross references.

The Floor Amendment added SB 462, which would rename the Georgia Industrial Loan Act as the Georgia Installment Loan Act and transfer administration to the Department of Banking. Loans would remain limited to \$3000, and the 3% tax on lenders would be unchanged.

Lenders would have to register with the Nationwide Multistate Licensing System and Registry. They would have to post a bond of \$25,000 plus \$5,000 per each additional location. Licensees would have to disclose any financial irregularities or legal action taken against them to the department. The department could investigate a licensee every five years to ensure compliance.

Health Care and Human Services

SB 321 (Hufstetler, 52nd) – Increase Number of APRN and PA Delegations

It would allow physicians to supervise up to eight PAs in public health hospitals and other facilities in which they may supervise their full staff of APRNs. It would only require physicians to periodically review PA's prescriptions.

It would allow APRNs to conduct radiology in all situations, not just life-threatening ones.

SB 340 (Beach, 21st) – Annual Childhood Cancer Awareness Day

This legislation would designate September 1 each year as Childhood Cancer Awareness Day in Georgia.

SB 372 (Tillery, 19th) – Public Health

This legislation would no longer require HIV test for convicted offenders of potentially HIV transmitting crimes to go through the Department of Public Health. It would remove the requirements that DPH promulgate rules for the premarital education factsheet for pre-marriage counseling providers. It would repeal the requirement that the Office of Women's Health have an advisory council, issue reports, and submit a state comprehensive plan. It would increase the length of time for DPH to maintain vital records before transferring them to the state archives from 100 to 125 years for birth records and from 75 to 100 years for death and marriage records. It would repeal the requirement that DPH establish a kidney disease treatment program, which does not appear ever to have been implemented. The legislation would repeal the requirement that the court issuing an order authorizing a healthcare facility placement transfer to also provide a copy of the order to the commissioner of public health. It would also clarify that Naloxone can legally be distributed by distributors or wholesalers.

SB 395 (Watson, 1st) – Hospital Authority Assets

This legislation would allow hospital authorities that have \$75 million in assets and have paid off all indebtedness to invest up to 30% of its funds in mutual funds, comingled funds, and collective investment funds. Authorities with over \$100 million in assets could invest all their funds in investment grade trusts.

It would also raise the standard for eligibility for indigent care eligible for payment from surplus hospital authority funds from 125 to 138% of the federal poverty level.

HB 521 (Gaines, 117th) – Out of State Volunteer Dentists

This legislation would allow out of state dentists and dental hygienists to obtain temporary licenses to treat Medicaid eligible people and people without insurance who make under 200% of FPL. They could only practice under the supervision of a Georgia dentist at free, charitable events, clinics approved by the American Dental

Association, or private dental offices. Dentists and hygienists would be background checked as part of receiving a temporary license. A Georgia dentist could supervise up to four volunteers. Dentists and hygienists could volunteer for up to five consecutive days every six months.

HB 752 (Belton, 112th) – Physical Therapist Background Checks

This legislation would require all background checks for physical therapists to go through the FBI national background check system. It would also require physical therapy assistance to undergo a background check.

This bill is also SB 417, which would require physicians, PAs, and other medical professionals receiving expiated licenses to undergo a background check just like in-state applicants.

HB 918 (Cooper, 43rd) – Pharmacies

This legislation would remove DCA's Medicaid Division and people suing Medicaid fraudsters from the Pharmacy Audit Bill of Rights that governs pharmacy audits. Audits would no longer have to be on site. The county could not use the cost of claims when deciding what claims to audit. The county could only audit 100 claims at a time and 200 claims per year. It would extend the period for pharmacies to correct errors from 30 to 60 days and allow any errors, not just clerical errors, to be corrected. Audits would be limited to once every six months.

It would provide that pharmacies would not be liable for any fees or penalties unless the audit protections were followed. It would limit recoupment to fraud, overpayments, and misfills that were not corrected. The Insurance Commissioner could prohibit recoupment.

It would extend the prohibition on steering patients to affiliated pharmacies to insurance agents and CMOs.

HB 932 (Gaines, 117th) – Podiatry

This legislation would allow podiatrists to form practices with MDs and Osteopaths. Podiatrists would no longer be required to be board certified to perform amputations. Podiatrists would have to undergo a background check upon licensure.

HB 1125 (Kelley, 16th) – Breast Cancer

This legislation would require DPH to post information about who may be at a high risk for breast cancer online and distribute to all physicians. It would allow state

employees at high risk of breast cancer to get mammograms and other screenings done starting at age 30.

Health Insurance

SB 28 (Jackson, 2nd) – Fair Copays

This legislation would prevent insurers from charging copays that serve as a barrier to accessible health care.

SB 303 (Watson, 1st) – Georgia Right to Shop Act

This legislation would require all insurers to create a website and a toll-free number outlining estimated costs, including out-of-pocket costs for covered procedures. It would also provide quality of care metrics according to parameters developed by the Department of Insurance. It would not apply to HMOs.

SB 313 (Burke, 11th) – Pharmacy Benefit Managers

This legislation would only allow pharmacy benefit managers (PBMs) to contract with physicians for advertising or medical purposes if the physician is licensed, actively sees patients, and practices the sort of medicine that he or she is advertising treatment for. PBMs would pay at least the CMS national average or the DCH special average drug price when determining reimbursements. PBMs could not reimburse independent pharmacies at a lower rate than affiliated pharmacies or engage in other practices that impose extra costs on independent pharmacies. Pharmacies would have the right to appeal reimbursement rates with the Department of Insurance. PBMs would have to pass all rebates from manufacturers or other sources on to the pharmacy.

It would prohibit PBMs from steering patients to affiliated pharmacies or imposing point-of-sale fees on independent pharmacies. Violation would be punished with a fine of up to 10% of the total amount of reimbursements the PBM paid in Georgia the preceding year.

The Insurance Commissioner would be required to actively audit PBMs and enforce all PBM-related regulations. It would double monetary fines for PBMs in violation of the law, and PBMs that violate the law while on probation could have their license suspended and would not be eligible for a renewed license.

SB 391 (Kirkpatrick, 32nd) – Early Prescriptions During Emergencies

This legislation would require insurers to cover a 30-day supply of prescription medication if the patient has remaining refills during declared emergencies or hurricane warnings, regardless of time restrictions or “refill too soon” limitations.

The insurance commissioner can extend the time frame by 15- or 30-day increments. This exception would not apply to Schedule II controlled substances.

SB 482 (Burke, 11th) – GAPCD Advisory Committee

This legislation would create the GAPCD Advisory Committee to oversee the Georgia All-Payer Claims Database to design an implementation of the database in order to facilitate accurate and transparent payment data reporting. The committee would be made up of the DCH director, House and Senate Appropriations Chairs, the OPB director, members of the medical and insurance communities, and relevant agency heads.

HB 716 (Blackmon, 146th) – Health Insurance Agent Commissions

This legislation would require health insurers to file their commission rates with the Insurance Department. If a carrier doesn't pay commissions for a special enrollment, the carrier would have to retroactively pay a commission upon renewal.

HB 789 (Newton, 123rd) – Surprise Bill Ratings

This legislation would require health insurers to create a surprise bill rating that indicates whether an in-network hospital has in-network anesthesiologists, pathologists, radiologists, and emergency physicians. That information would be included in the provider directory, and list what is not covered for hospitals that don't offer all four specialties.

HB 791 (Stephens, 164th) – 90 Day Prescriptions and Emergency Prescriptions

This legislation would allow pharmacists to issue 90-day supplies of medication up to the maximum refill amount authorized unless it's a controlled substance, the prescriber indicates otherwise, or it is a filling for an initial medication or dosage.

It would also require insurers to allow early non-Schedule II refills in counties under a declared emergency or a hurricane warning.

HB 888 (Hawkins, 27th) – Surprise Billing

This legislation would require insurers to cover emergency care, regardless of whether the providers are in network. Insurers would be required to reimburse the out of network provider at least the most recent agreed upon plan when the provider was in network, if applicable, or the greater of amount paid by in network insurers for the same or similar care. Ambulance transportation would not be covered.

Insurers would also pay out of network providers that treat a patient for nonemergency care at an in-network facility in the same manner. A patient that chooses to receive care from an out of network provider would have to see a price estimate and provide written and oral consent at least 48 hours in advance, at which point the patient would be financially responsible for the out of network care.

The Department of Insurance would maintain an all payer claims database to determine the cost of procedures in different parts of the state. Providers could dispute a reimbursement amount through arbitration under the Department of Insurance. Each party would submit a proposed payment amount, and the arbitrator would pick the one that best reflects the appropriate cost of care with no modifications to the proposed amount.

HB 946 (Knight, 130th) – Pharmacy Benefits Managers

This legislation would allow pharmacy benefits managers to employ physicians who have actively practiced in the relevant practice area with five years to advise about prescriptions.

It would allow the Department of Insurance to audit PBMs, investigate violations, issue cease and desist orders, and order reimbursements. PBMs would have to post drugs they reimburse more than 10% above or below the national average cost.

PBMs would not be able to discriminate against pharmacies that dispense medications under Medicare Part D, base reimbursement on patient outcomes or other metrics, charge point of sale or retroactive fees, and receive kickbacks. PBMs would be required to pass on all rebates to the health plan.

PBMs would include apply third party payments toward one's deductible, could not withhold coverage for a lower cost or fail to reduce an insured's copay for a cheaper drug, and could not remove coverage to incentivize people to choose a different plan.

PBMs that steer customers to affiliated pharmacies and those pharmacies would have to pay the state 10% each of the total revenue steered to the affiliate.

It would prohibit all contracts with unlicensed formularies instead of allowing them at the discretion of the department. It would increase initial licensing fees from \$500 to \$2,000 and renewals from \$400 to \$1,000. It would increase fines from \$1,000 to \$2,000 per transaction and the fine for knowing violations from \$5,000 to \$10,000 per violation. The department could suspend a license for violations.

HB 1050 (Lumsden, 12th) – Georgia Life and Health Insurance Guaranty Association

This legislation would guarantee all health plans, including HMOs. It would not guarantee similar kinds of insurance like dental or disability. It would not apply to

sold or purchased structured settlements. It would allow insolvent insurers to pay back premium tax credits over a time approved by the Insurance Department.

HB 1114 (Cooper, 43rd) – Postpartum Care

This legislation would allow Medicaid to cover lactation services and up to six months of postpartum care for mothers, subject to appropriation.

Higher Education

SB 416 (Mullis, 53rd) – Office of College and Career Academies

This legislation would direct the Office of College and Career Academies to advise TCSG, support efforts to recruit new industries, and demonstrate the proficiency of graduates

HB 444 (Reeves, 34th) – Dual Enrollment

This legislation would limit the number of dual enrollment courses a student can take to 30 semester hours. Students could take more hours, but they would be required to pay. Dual enrollment would be limited to 11th and 12th graders. Tenth graders could only take dual enrollment courses if they attend a technical school or have an SAT or ACT score reaching the Zell Miller Scholarship threshold of 1200 for the SAT or 26 for the ACT. Ninth graders would no longer be able to take dual enrollment courses at all.

Students would be limited to English, math, science, social studies, and foreign language courses and courses the DOE designates as career, technical, or agricultural education. Students that have already begun taking dual enrollment courses would be exempted from the caps. Students would not be able to retake dual enrollment courses, and any student who withdraws from two dual enrollment courses would no longer be able to take dual enrollment courses.

Insurance Other than Health Insurance

SB 188 (Walker, 20th) – Reinsurance

This legislation would allow domestic insurance companies accounting credit for reinsurance to foreign insurers with an international reinsurance arrangement by international treaty with the United States or is otherwise determined by the Commissioner.

The foreign insurer would be required to maintain a minimum capital and surplus requirement set by the Commissioner, provide written notice to the Commissioner

explaining any deviation from the capital and surplus requirements, consent to legal jurisdiction in Georgia, and maintain a security fund that would be 100% of liabilities of reinsurance ceded to pay any final judgment against either the foreign insurer or domestic insurer, and the foreign insurer must not be involved in a reorganization agreement involving credit with the domestic insurer. A court could require the assuming insurer to post 100% security for a domestic insurer upon the entry of an order of rehabilitation, liquidation, or conservation of the domestic insurer.

The Commissioner would be required to create and publish a list of reciprocal jurisdictions and assuming insurers that have satisfied the conditions created by this legislation. It would also allow the Commissioner to promulgate rules and regulations applying to various life insurance policies, veritable annuities, long-term care health policies, and other life and health insurance and annuity products for which the model legislation provides regulatory requirements. The regulations would not apply to insurers certified in this state, five other states, or that maintains at least \$250 million in capital and surplus, and is licensed in at least 26 states or licensed in at least 10 states and licensed or accredited in a total of at least 35 states.

HB 893 (Gambill, 15th) – Annual Special Insurance Fraud Fund Payments

This legislation would change payments by insurers to the Special Insurance Fraud Fund annually instead of quarterly.

Judicial Process

SB 393 (Strickland, 17th) – GBI Legal Division

This legislation would create the GBI Legal Division that would employ attorneys assist prosecutors upon request.

SB 394 (Albers, 56th) – All AG to Hire LEOs

This legislation would allow the AG to employ peace officers to investigation human trafficking laws, to issue and enforce subpoenas, and to prosecute Medicaid fraud.

SB 410 (Kennedy, 18th) – Taxpayer Litigation Costs

This legislation would allow a taxpayer to recover litigation costs and attorney's fees in property tax appeals when the final determination is 85 percent or less of the initial valuation.

It would also require utilities to file their taxes electronically.

SB 477 (Kirkpatrick, 32nd) – DV Investigations

This legislation would prohibit LEOs from threatening or otherwise indicating that all parties to a domestic dispute would be arrested when determining who is the predominant aggressor. It would also direct them to consider threats of physical injury and self-defense when investigating.

HB 786 (Welch, 110th) – Add Judges

This legislation would add an eleventh judge to the Cobb Judicial Circuit, a fourth judge to the Flint Judicial Circuit, and a fourth judge to the Ogeechee Judicial Circuit.

K-12 Education and Pre-K

SB 68 (Sims, 12th) – School Board Accountability for System Finances

This legislation would assign responsibility for financial management of school systems to the school board based on a template created by DOE showing, at a minimum, a statement of revenues, expenditures, and encumbrances.

If a school system receives an audit showing irregularities or a budget deficit for the past year or more, the board would be required to submit a response to DOE within 120 days. Schools seeking to renew a strategic waivers or charter system contract with irregularities or deficits in the three or more proceeding years would have to include a written corrective action plan in their application. GOSA would also provide support and training to schools with or at risk of consistent irregularities or deficits.

Newly elected school board members would receive training in financial management and the fiscal state of their system. All board member would have to receive training if the system had irregularities or deficits in three or more consecutive years. Members would have to complete this training to be eligible for reelection.

It would have the Chief Turnaround Officer appointed by the Governor instead of the State School Board. It would make many administrative changes between the CTO, DOE, State School Board, and State School Superintendent related to supervision of poorly performing schools. It would remove GOSA from the process.

It is also HB 86 that would require school systems to enumerate a teacher’s failings when giving an unfavorable performance evaluation and develop a process to allow the teacher to have the evaluation reviewed by an independent third party.

SB 367 (Martin, 9th) – Reduce Standardized Testing

This legislation would limit testing for high school to only four subjects as determined by BOE and eliminate the fifth-grade social studies test. The writing test would be offered once at any point during high school instead of always in 11th grade. It would also eliminate the portion of state tests designed to be used for comparisons with other states.

SB 430 (Ligon, 3rd) – Open College and Career Academies to Home School and Private School Students

This legislation would allow local school systems to enroll home school and private school students in classes at college and career academies in their school district if space is available. Students would only be responsible for the same fees, if any, as public school students. Students would be required to adhere to all college and career academy rules.

SB 431 (Wilkinson, 50th) – Add On Time Graduation Rate to School Evaluations

This legislation would add the rate of students that graduate high school on the expected four-year timeline to school evaluation statistics in addition to other required graduation rate reporting.

HB 86 (Benton, 31st) – Teacher Evaluations

This legislation would require school systems to enumerate a teacher’s failings when giving an unfavorable performance evaluation and develop a process to allow the teacher to have the evaluation reviewed by an independent third party or an administrator.

HB 755 (Belton, 112th) – Charter School Funding

This legislation would require local school boards to give each charter school an annual preliminary allotment sheet listing when the school expects to make payments to the charter school and give notice of any changes at least 30 days in advance.

It would require the annual notice to parents to include all relevant dates and deadlines and for that information to be posted online.

HB 855 (Wiedower, 119th) – Traumatized Foster Care Students

This legislation would require DOE to develop protocols for schools to consider the impact that trauma may have had on foster care students and consider trauma when considering whether a student is eligible for special education.

HB 957 (Jones, 47th) – Charter Schools

This legislation would include state charter schools in the teacher’s health plan. It would require charter schools with attendance zones to collect proof of residency at the time of application or enrollment. It would increase Charter School Commission terms from two to four years.

It would allow state charter schools to contract out record management so long as the company maintains required confidentiality. When a state charter school shuts down, the nonprofit that held the charter would be required to maintain records for one year, including providing them to students’ new schools. After one year, the records would be transferred to the Charter School Commission.

Labor

SB 408 (Strickland, 17th) – Family Leave and Emergency Unemployment

This legislation would extend the sunset provision allowing the use of sick leave for the care of immediate family members through June 30, 2023.

It would increase the amount of wages not counted against one’s unemployment from \$30 to an amount between \$50 and \$300 determined by the Department of Labor. It would allow the Labor Commissioner to increase unemployment benefits, suspend deadlines and penalties, waive charges to employers, expedite claims, and waive job search requirements for up to 120 days during a declared disaster. It would allow an extra week of unemployment based on the unemployment rate to a maximum of 26 weeks when unemployment is over 10%.

It would allow a work sharing program where employers could reduce hours by 10 to 60 percent in lieu of layoffs and the employees could receive a corresponding amount of unemployment. The state would implement it in a manner that allows reimbursement under the CARES Act.

HB 1090 (Silcox, 52nd) – Lactation Breaks and Emergency Unemployment

This legislation would make lactation breaks and a private room in which to pump mandatory. Private employers would not have to comply if it would create undue hardship.

It would increase the amount of wages not counted against one’s unemployment from \$30 to an amount between \$50 and \$300 determined by the Department of Labor. It would allow the Labor Commissioner to increase unemployment benefits, suspend deadlines and penalties, waive charges to employers, expedite claims, and waive job search requirements for up to 120 days during a declared disaster. It

would allow an extra week of unemployment based on the unemployment rate to a maximum of 26 weeks when unemployment is over 10%.

It would allow a work sharing program where employers could reduce hours by 10 to 60 percent in lieu of layoffs and the employees could receive a corresponding amount of unemployment. The state would implement it in a manner that allows reimbursement under the CARES Act.

Licensed Professionals

SB 306 (Seay, 34th) – Audiology and Speech-Language Pathology Interstate Compact

This legislation would enter the state into the Audiology and Speech-Language Pathology Interstate Compact to allow for interstate licensure of audiologists and speech language pathologists. All professionals would have to be licensed in their home state and comply with the scope of practice laws in any state in which they practice. Administrative fees would be determined by the compact commission.

The compact would become effective upon passage by ten states. It is currently pending in eight states.

SB 310 (Harper, 7th) – Professional Structural Engineering

This legislation would create the profession of professional structural engineering. Structural engineers would design and analyze large structure and bridge construction projects. Structural engineers would have to practice under a structural engineer for four years if they graduated from a board approved school with an engineering degree or seven years if they graduated from another school or with a non-engineering STEM degree and pass a written examination.

Local Governments

SB 43 (Payne, 54th) – Allow Local Utilities to Issue Bonds for Electrical Transmission

This legislation would allow local governments to issue revenue bonds for transmitting electricity, in addition to generation and distribution. It would also only require a referendum for expanding public electrical systems when the utility has assets less than \$300 million instead of all expansion.

SB 295 (Wilkinson, 50th) – Change of Effective Date to Revise Cost-Of-Living and General Performance-Based Salary Increases

This legislation would move the date where existing raises beyond base pay for superior court clerks, probate court judges, sheriffs, and tax collectors are eliminated from January 1, 2021 to January 1, 2020. Raises would then be limited to the same raises as received by state employees.

Natural Resources and Environment

SB 123 (Ligon, 3rd) – Remove Coal Ash Landfill Discount

Pursuant to existing law, landfill tipping fees collected by local governments on everything but coal ash will increase from \$1/ton to \$2.50/ton on July 1. This legislation would remove the exemption for coal ash so its fees would increase along with everything else. It would not affect current contracts. It would also remove the unenforceable earmark dedicating the funds to environmental purposes.

SB 308 (Kirkpatrick, 32nd) – Abandoned Vessel Reporting

This legislation would no longer require individuals recover abandoned vessels to give notice in writing to the GBI. They would still report to DNR. The GBI would also no longer be required to register information pertaining to abandoned vessels with the National Crime Information Center Network.

SB 426 (Strickland, 17th) – EO Emissions

This legislation would require any producer that emits ethylene oxide to report the leak to EPD within 24 hours. EPD would publish notice on their website.

SB 445 (Kennedy, 18th) – Water and Sewer Authority Permits

This legislation would give local water and sewer authorities oversight of erosion and sedimentation permitting, regulation, and enforcement in the same manner as currently exists for cities and counties.

HB 833 (Stephens, 164th) – Anchoring

This legislation would take regulation of where overnight boat anchoring or docking of an inhabited vessel from DNR and define it in statute. It would be illegal to anchor within 300 feet of a marina, 150 feet of any other marine structure, or within 500 feet of a shellfish growing area. Anchoring for more than 14 days within a one-mile radius would require a permit from DNR.

HB 857 (Powell, 32nd) – Mostly Prohibit Burning Treated Railroad Ties

This legislation would prohibit burning creosote or naphthenate treated railroad ties unless it's at a forest product processing plant.

HB 897 (Burchett, 176th) – Timber Harvesting

This legislation would provide that local timber harvesting notice ordinances cannot exceed the statutory requirements. It would create a website for state-wide publication of harvesting notices.

It would provide the sort of repairs, including road repairs, that a local government could use a harvesting bond to perform. Local governments would first notify the harvester of the damage, and the harvester could perform the repairs within 30 to 90 days depending on weather or appeal to magistrate court. If a bond is revoked, the local government could require an extra \$2500 for each replacement bond up to a maximum of \$10,000. It would increase the fine from failing to properly post a bond from \$500 to \$1500 per violation.

HB 901 (Cheokas, 138th) – GEFA Loans

This legislation would allow GEFA to issue loans to local governments and private entities for water quality protection, flood protection, wetlands protection, erosion mitigation, buffer protection, agricultural and forestry protection, cultural and archeological protection, scenic protection, outdoor recreation, and connecting those projects.

It would also allow the state to invest in AAA or AA+ rated mutual funds that only invest in securities the state is already allowed to invest in.

HB 966 (Burchett, 176th) – Palmetto Berries

This legislation would require anyone selling saw palmetto berries to obtain annual documentation that the harvester is operating with permission from the landowner. Harvesters would be required to keep records of where they harvested. Illegal harvesting or sale of up to \$1,500 worth of berries would be a misdemeanor; illegal harvesting or sale in excess of \$1,500 would be a felony. Restitution would be available.

HB 998 (Rhodes, 120th) – Natural Resources

This legislation would incorporate DNR rules made during 2020. It would add clarification about what test will be used to the implied consent notice for BUI. It would designate the shoal bass as the state riverine sport fish. It would eliminate the requirement that DNR notify the General Assembly about the number of deer killed by sex each season. It would extend the sunset on allowing air guns for hunting through June 30, 2025.

HB 1057 (Rhodes, 120th) – Fertilizer

This legislation would prohibit fertilizer, liming, or soil that contains human septage. A first violation would be a misdemeanor and each subsequent violation would be a high and aggravated misdemeanor. The fine would be a civil penalty of \$25,000 for a first violation and \$50,000 for a subsequent. It would remove rulemaking authority over fertilizer, liming, and soil.

Public Safety

SB 38 (Ligon, Jr., 38th) – Abolition of County Police Departments

This legislation would allow county police departments to be abolished by a local act or a resolution of the county governing authority. A local act abolishing a county police department would be conditioned on approval by the county governing authority. If the act is approved, the police department would be abolished 180 days after approval. It would sunset January 1, 2022.

SB 341 (Robertson, 29th) – Retired Officer Re-employment During Emergencies

This legislation would authorize state and local law enforcement units to re-employ retired law enforcement officers in times of declared emergencies. During the emergency, the retired officers would have the same powers, receive the same legal immunities, and be subject to the same training requirements as currently employed officers.

SB 342 (Jones, 25th) – Georgia Volunteer Fire Service Council

This legislation would create the Georgia Volunteer Fire Service Council comprised of seven volunteer firefighters appointed by the Governor, Speaker, and Lt. Governor including recommendations from ACCG, GMA, the Georgia Association of Fire Chiefs, and the State Firefighters Association. The council would establish training standards and qualifications for volunteer firefighters and certify that volunteer firefighters meet the qualifications and standards

HB 487 (Bonner, 72nd) – Civil Air Patrol Volunteers

This legislation would allow state employees that are volunteers with the Civil Air Patrol to do up to 15 days of disaster relief volunteer work without losing pay in the same manner as currently applies to Red Cross volunteers.

HB 838 (Hitchens, 161st) – Back the Badge

This legislation would create the crime of bias motivated intimidation when a person maliciously and with the intent to intimidate, harass, or terrorize a first responder and causes serious bodily harm, which is not defined, or causes property damage of at least \$500. It would be a felony of one to five years and a fine of up to \$5,000.

It would create a set of standards and limitations for investigating police misconduct. Aggressive interrogation techniques such as threatening sanctions, “offensive language,” or holding investigations outside of work hours would be prohibited. Officers would have right to counsel if they ask. Proceedings would be recorded. Officers would have access to their entire file, including video.

Investigations would have to be completed within 120 days in order to punish the officer. Citizens making complaints would have to swear under the penalty of perjury that their statement is true for the officer to be investigated. Investigation results would be exempt from open records during the investigation.

It would also rename the Office of Public Safety Officer Support as the Office of Public Safety Support.

HB 195 (Benton, 31st) – Deceased Firefighter Benefits

This legislation would increase the payments to beneficiaries of deceased firefighters who had not received any retirement from \$5,000 to \$10,000 and increase the threshold where a someone that had received a small amount of retirement can have the balance given to beneficiaries from \$5,000 to \$10,000.

HB 1017 (LaRicca, 169th) – First Responder Indemnification

This legislation would allow minor children or college students under 24 to receive indemnification after a first responder is killed in the line. Payments for officers that suffer brain damage would be made to the officer’s legal guardian.

Real Estate and Property

SB 442 (Ligon, 3rd) – HOA Rentals

This legislation would prohibit HOA amendments that prevent non-owner occupied properties from continuing to be rented pursuant to the prior HOA contract.

HB 780 (Pirkle, 155th) – State Property Transfers

This legislation would allow the State Property Commission to provide its own valuation of a conveyance that solely and directly benefits the states in the same

manner as a transfer to a public entity instead of having to get an independent appraisal.

HB 1008 (Campbell, 171st) – Manufactured Homes

This legislation would allow manufactured homes to be built on a chassis not made of metal.

Regulated Industries

SB 144 (Anderson, 24th) — Special Event Tobacco Permit

This legislation would allow any licensed tobacco dealer to apply for a special event tobacco permit to allow for the temporary off-premise sale of tobacco products for special events. The permits would last 1-10 days and would cost no more than 10 dollars.

SB 345 (Kirkpatrick, 32nd) – Food Sales by Nonprofits

This legislation would require all nonprofits seeking to sell food tax free to obtain a state permit instead of just being a recognized nonprofit. In addition to the existing 120-hour permit, nonprofits offering free food could operate for up to 12 weeks between May 15 and August 15 as well as four other nonconsecutive weeks when school is out of session. It would use federal safe food handling guidelines instead of temperature guidelines set in statute and would prohibit bare-handed touching of food.

SB 370 (Gooch, 51st) – Electric Easements

This legislation would clarify that owners of electric easements that are located on property owned by railroads or a state agency are required to comply with certain safety and permit requirement. The owner may be responsible for the costs incurred by the railroad or the state agency to meet safety and permit requirements.

SB 373 (Kennedy, 18th) – EMC and Nonprofit Director Conflict of Interest

This legislation would create a presumption that nonprofit directors and officers, including those at EMCs, are acting in good faith absent a finding of gross negligence. Transactions involving conflicts of interests, unlawful payments, and other rights provided by law would remain governed by existing law. It would also prohibit damages against EMC directors solely on the basis that the EMC does business with a company in which the director has a financial interest in addition to the current

limitation that the transaction can't be voided for that reason, so long as the interest isn't significant enough to be reasonably considered to create a conflict of interest.

SB 375 (Mullis, 53rd) – Raise Tobacco Age to 21 and Tax Vaping

This legislation would raise the age to buy tobacco and vape products from 18 to 21. Law enforcement would be authorized to seize tobacco and vape products from people under 21. People under 21 who are caught with tobacco or vape products would be subject to community service, and anyone who fails to comply with their community service would have their driver's license suspended. Anyone over 21 who possesses vape products in a school zone would be subject to a misdemeanor conviction and a fine.

It would tax vape juice at 5¢/ml and consumable vape products and vape devices at 7% of wholesale. It would allow vape products to be delivered. The delivery person would have to verify the person is at least 21.

SB 377 (Jones, 25th) – Annual Elevator Inspections

This legislation would change the inspection period for elevators from semi-annually to annually, except for MARTA. It would also subject medical facilities, penal institutions, airports, national security buildings, and high-rise buildings to local building inspection.

SB 381 (Kirkpatrick, 32nd) – Confidential FDA Information

This legislation would treat all information from the FDA that involves trade or commercial secrets, information compiled for law enforcement purposes, and information required to be kept confidential under federal law as confidential under state law.

HB 244 (Stephens, 164th) – Regulate EMC Attachment Prices

This legislation would let the PSC set the prices that an EMC can charge ISPs to attach to EMC owned poles.

HB 417 (Powell, 32nd) – Regulate Trauma Scene Cleanup

This legislation would regulate companies that clean up trauma scenes where potentially infectious or biomedical waste may be present. Nobody could own a trauma scene clean up companies if he or she is on felony probation and would have to undergo a background check every three years at a cost of \$100. Companies would have to submit a \$25,000 surety bond, carry \$100,000 in insurance, and receive a transportation permit from EPD. Any non-registered company would be

fined up to \$5,000. Licensure would not be required for medical facilities or property owners cleaning their own property

HB 777 (Corbett, 174th) – Taller Wood Buildings

This legislation would direct the Department of Agriculture to study whether Georgia’s building code should be amended to allow taller wooden buildings.

HB 879 (Harrell, 106th) – Alcohol

This legislation would allow packaged liquor, beer, and wine to be delivered. Delivery drivers would have to be 21, have a valid driver’s license, pass a background check including a check to see if the driver had three moving violations or a serious violation like DUI or hit and run, and receive training approved by DOR. The driver would be responsible for carding the recipient. The driver wouldn’t handle payment; payment would be made directly to the liquor store. Alcohol must be delivered to a person; it couldn’t be left at the door.

It would create a statewide system for alcohol retailer permitting.

It would allow local governments to, by referendum, allow on premises and package alcohol sales to start at 11:00 on Sunday.

It would allow local governments to allow package alcohol closer to college campuses than allowed by state law.

It would allow liquor stores to hold up to 52 tastings a year. Quantities would be limited to 8oz of beer, 5oz of wine, or 1.5oz of liquor.

It would allow alcohol salespeople to conduct tastings with liquor store owners and employees.

HB 972 (Houston, 170th) – Violations by Gas Companies

This legislation would subject natural gas companies that violate PSC rules could be subject to the federal maximum penalty, which is currently \$218,647 per violation per day to a maximum of \$2,186,465, instead of the state penalty of \$15,000 plus \$10,000 per day.

HB 987 (Cooper, 43rd) – Elder Care Homes

This legislation would prohibit retaliation against people that report elder care home violations or are the abused elder named in a report. It would increase the daily fine for facilities in violation from \$1,000/day to \$2,000/day and increase the maximum from \$25,000 to \$40,000. It would also impose a fine of at least \$5,000/day for violations that lead to serious injury or death.

It would require personal care homes that don't provide nursing services with at least 25 beds to provide staff with initial and annual training. They would have to average staff of at least one person per 15 residents during the day and one person per 20 residents at night.

It would require all assisted living homes to provide staff with initial and annual training. They would have to have staff of at least one person per 15 residents during the day and, person per 20 residents at night, with a minimum of two staff members at all times, and a nurse on site for 8 to 40 hours a week based on the size of the facility.

It would regulate memory care units that provide specialized services or charge extra for dementia patients. They would have to have one dementia trained staff member per 12 residents during the day, with a minimum of two staff members at all times, and a nurse on site for 8 to 40 hours a week based on the size of the facility.

Personal care homes with 25 or more beds and all assisted living homes would have to provide a financial stability affidavit upon licensure, notify DPH and all residents of a pending bankruptcy or ownership change that might result in discharge or relocation of residents.

It would require personal care homes with 25 or more beds, all assisted living homes, and all nursing homes to notify all residents by 5:00 the day after a confirmed COVID-19 infection or three people developing respiratory systems with 72 hours. They would have to keep seven days' worth of PPE on hand and create and enforce a COVID-19 mitigation policy. All staff would have to be tested within 90 days of the bill passing and afterward at an interval determined by DPH.

It would reconstitute the Board of Nursing Home Administrators as the Board of Long-Term Care Facility Administrators. It would be comprised of three nursing home administrators, three personal care or assisted living home administrators, two members of the public, and one medical professional. Personal care and nursing home administrators would have to be licensed in the same manner as a nursing home administrator.

Revenue and Taxation

SB 104 (Payne, 54th) – Sales Tax Exemptions

This legislation would eliminate the sunsets on the sales tax exemptions for nonprofit health centers, nonprofit volunteer health centers, food banks, hunger relief agencies, and donations during disasters. It would create a sales tax exemptions for organ procurement organizations. It would extend the sunset on the sales tax exemption for nonprofit mailings through July 1, 2026.

HB 105 (Watson 172nd) – No Income Taxes on Disaster Relief Funds and Ride-Share Taxes

This legislation would exempt from taxation income received from a disaster relief fund or a USDA assistance program in connection with Hurricane Michael from January 1, 2019 until December 31, 2023.

This legislation would impose a tax on ride share services such as uber and Lyft of 50¢ per ride or 25¢ per shared ride, adjusted for inflation.

HB 276 (Harrell, 106th) – Taxing Marketplace Facilitators

This legislation would require any company that contracts with sellers to enable physical or electronic retail sales of at least \$100,000 to collect and pay sales taxes. No class action right would exist for customers against facilitators for overpayment of sales tax, but customers could ask for a refund.

Marketplace facilitators would be able to relieve themselves of liability for failure to collect sales tax if they demonstrate that the error was due to the retailer providing the facilitator with incorrect or insufficient information, if the marketplace facilitator is not the retailer nor does the facilitator maintain a relationship with the retailer, and if the error was due to an error in sourcing the sale.

It would also exempt transportation by a limousine, taxi, or ride share service from sales and use taxes.

HB 779 (Blackmon, 146th) – Local TAVT Shares

This legislation would change the county share of TAVT revenue from 28% to 23% and the city share from 23% to 28%. If the city has an independent school district, the county share would still be reduced to 23%, the city share would be increased to 34%, and the city school share would be reduced from 40% to 43%.

HB 808 (Momtaham, 17th) – TAVT Exemption for Loaner Vehicles

This legislation would increase the number of days from 30 to 45 that a car dealer could loan a customer a courtesy vehicle without the loaner vehicle being subject to TAVT.

HB 846 (Corbett, 174th) – Sales Tax Overpayments

This legislation would allow local governments accepting direct payments of sales taxes to repay overpayments on a monthly basis over a period of the same length as the period in which the overpayments occurred. It is also the annual IRC update to incorporate newly passed IRS regulations, except for some carry back provisions added in the CARES Act.

It would add an additional \$1,250 job creation tax credit for PPE manufacturers, including temporary hand sanitizer makers.

HB 848 (Blackmon, 146th) – Allow Sale of Surplus Property Out of State

This legislation would allow the state to sell surplus property out of the state.

HB 1037 (Dollar, 45th) – Film Tax Credit

This legislation would limit the film tax credit to expenditures that actually occur in Georgia or are purchased from Georgia vendors. DOECD would have to certify that filming sites are in Georgia before tax credits could be sold. The extra 10% credit for including the made in Georgia blurb would only be available after a production has been released in multiple markets within five years. DOR would audit each claimed credit.

HB 1102 (Rutledge, 109th) – Revised HOST

This legislation would allow for a revised homestead option sales tax. There would be no capital project set aside like in a traditional HOST. All funds would be used to roll back millage rates, with the countywide rate being reduced or eliminated first and any remaining funds used to reduce municipal and unincorporated-only rates.

Retirement and Pensions

SB 26 (Ligon, 3rd) – Transfer from Defined Comp Plan to ERS

This legislation would allow members of the Employees' Retirement System of Georgia to obtain creditable service for prior service covered under the Georgia Defined Contribution Plan so long as they have been an ERS member for five years and pay any balance between the transferred account and full actuarial cost.

SB 117 (Black, 8th) – Require Future Retirement Bills to Cover Full Actuarial Cost

This legislation would prohibit any future law, regulation, resolution or ordinance allowing creditable retirement service if it does not require individuals to pay full actuarial costs.

SB 176 (Black, 8th) – Require State Employers to Pay Retirement Costs for Re-hired Retirees

This legislation would require businesses employing retired members of the Employee Retirement System to pay the required retirement system employer and employee contributions. The employee's retirement would be suspended during this employment if they work more than 1,040 hours/year. It would also no longer allow community service boards to hire retired state employees that are continuing to receive retirement.

SB 249 (Albers, 56th) – Increase Police Pensions

This legislation would add POST certified jail officers to the police retirement fund. It would increase police officers' monthly retirement contribution from \$20/mo. to an amount between \$25 and \$30/month as determined by the pension board. It would require officers hired after July 1, 2010 to work 15 years instead of 10 before being eligible for retirement. It would increase the portion of fines or forfeited bonds that go to the fund from a sliding scale to be the greater of \$10 or 10% of the amount and the amount pretrial fees from \$5 to the greater of \$5 or 5%. It would increase the monthly retirement payment for police officers only collecting for their lifetimes from \$17.50 per year of service to \$30 per year of service.

SB 294 (Black, 8th) – Alternative Investments in TRS

This legislation would allow the Teachers Retirement System of Georgia to invest up to 5% of its assets in higher yield investments instead of being limited to just safe investments like blue chips and government bonds in the same manner as allowed for other retirement systems.

HB 245 (Buckner, 137th) – Divorced Retired Police

This legislation would eliminate the automatic revocation of benefits to a retired law enforcement officer's spouse if the spouse remarries and instead leave that up to the discretion of the retiree.

HB 292 (Benton, 21st) – Eliminate USG Remittances to TRS

This legislation would eliminate the requirement that the University System remit payments to TRS for nonmembers and employees leaving TRS.

HB 663 (Efstration, 104th) – Add Statewide Business Court Judge to Judicial Retirement System

This legislation would add the judge of the Statewide Business Court to the Judicial Retirement System.

HB 664 (Fleming, 121st) – Move Leg Counsel to Judicial Retirement System

This legislation would move the attorneys in the Office of Legislative Counsel from ERS to the Judicial Retirement System. Current employees would stay in ERS unless they elect to move by June 30, 2021 and buy in at full actuarial cost.

State Government

SB 134 (Kirkpatrick, 32nd) – Transfer Holocaust Commission to University System

This legislation would transfer the Georgia Commission on the Holocaust from the Department of Community Affairs to the Board of Regents.

SB 346 (Black, 8th) – Add a Veterinary Tech to the State Board of Veterinary Medicine

This legislation would add a veterinary technician as a seventh member to the State Board of Veterinary Medicine.

It would also allow the Board to contract to create a professional health program to monitor and rehab veterinarians suffering from physical or mental illness, specifically substance abuse.

SB 358 (Harper, 7th) – State Grape

This legislation would designate the Muscadine Grape as the official Georgia grape.

SB 413 (Martin, 9th) – Virtual Public Hearings

This legislation would allow agencies to conduct public hearings virtually.

SB 473 (Harper, 7th) – Transfer Historic Preservation to Department of Community Affairs

This legislation would transfer designation and management of historic properties for the Department of Natural Resources to the Department of Community Affairs.

SB 474 (Harper, 7th) – DNR Welcome Centers

This legislation would place some welcome centers and the Little White House under the control of the Department of Natural Resources. The Governor would decide what facilities go under DNR and what stays under the Department of Economic Development

HB 578 (Dempsey, 13th) – DPH Background Checks

This legislation would provide for background checks for Department of Public Health for volunteers, interns, and students in addition to employees. It would no longer allow background checks for district and county health employees. Employees with access to confidential or protected information would be subject to background checks. It would eliminate background checks with employees not involved in care or with access to confidential information.

HB 894 (Meeks, 178th) – Reconstitute Seed Development Commission

This legislation would reconstitute the Seed Development Commission and allow all members to be reappointed. It would also set term lengths for all members.

HB 953 (Rich, 97th) – Prohibited Provisions of State Contracts

This legislation would prohibit state purchasing contracts from requiring the state to indemnify another party, be bound by terms that are unknowns or can be unilaterally changed by another party, requires anyone other than the AG to act as legal counsel for the state, venue jurisdiction anywhere other than Fulton County Superior Court, apply law other than Georgia law, agree to binding arbitration, contain a renewal that would obligate future state funds, or be inconsistent with open records laws.

It would subject bids to open records laws instead of requiring access to be given within one day of issuance.

HR 1023 (Welch, 110th) – Standing to Challenge Unconstitutional Laws

This resolution would propose an amendment to the constitution to give anyone in the state standing to challenge a state or local law or action on the ground that it violates the state or federal constitution. It would also allow anyone to challenge a local ordinance on the ground that it violates state law. Courts would be able to issue declaratory and injunctive relief, but monetary damages would not be available.

HR 1094 (Dunahoo, 30th) – Easement Resolution

This resolution would grant an easement in Richmond County to the Hale Foundation over the objection of the neighborhood.

HR 1167 (Greene, 151st) – Conveyance Resolution

Transportation

SB 371 (Gooch, 51st) – Georgia Freight Railroad Program

This legislation would create the Georgia Freight Railroad Program to fund, subject to appropriation, to improve freight rail infrastructure and equipment and improve industrial access to freight rail.

HB 337 (Blackmon, 146th) – Peer to Peer Car Sharing

This legislation would create a framework for a business where people can share cars with other users of the platform. The program would be responsible for insurance up to at least the uninsured driver minimum of \$25,000 for injuries to one person, \$50,000 for injuries to two people, and \$25,000 for property damage between a combination of their insurance, the owner's insurance, and the driver's insurance. Insurance companies would not be required to cover car sharing. Car sharing services would have to notify drivers that participating in car sharing may violate the terms of their financing agreements and would ensure that all recalls had been performed.

HB 463 (Momtahan, 17th) – Driver's Licenses

It would allow DDS to send notices that someone's license is suspended by any mailing option that has confirmed delivery, not just certified mail. It would clarify that foreign driver's licenses may be issued by political subdivisions other than states or provinces.

It would allow for electronic driver's licenses. It would allow police to demand a physical driver's license instead. Providing your phone to a law enforcement officer to display an electronic license would not give consent to search the phone.

HB 511 (Tanner, 9th) – ATL Commission

It would provide that a majority of mayors would provide a quorum for ATL Commission seats appointed by a caucus of mayors and require those meetings to be held during the legislative session preceding a term ending at the Capitol. It would extend the current terms of people elected from authority districts by two years. Bonds would be issued through DOT instead of DCA. It would require all providers in the region to use the logo on everything starting in 2023. It would extend the sunset on increasing the motor fuel tax through July 1, 2025.

HB 758 (Powell, 32nd) – Driver Classification

This legislation would include the presence of motor vehicle safety technology when determining whether someone is an employee or contractor.

HB 820 (Tanner, 9th) – Georgia Freight Railroad Program

This legislation would create the Georgia Freight Railroad Program to fund, subject to appropriation, to improve freight rail infrastructure and equipment and improve industrial access to freight rail.

HB 861 (Wiedower, 119th) – Regulate All Commercial Vehicles

This legislation would clarify that all commercial vehicles must be licensed and registered as commercial vehicles, regardless of whether they're used for interstate commerce or not. It is also the annual update to adopt federal DOT regulations passed in 2019.

HB 877 (Hogan, 179th) – Low Speed Vehicles

This legislation would regulate all low speed vehicles as low speed vehicles that can drive on public roads, regardless of power source and regardless of whether they were built or converted to be low speed vehicles. Converted vehicles would have to be titled in the same manner as assembled vehicles such as kit cars.

HB 1098 (Carpenter, 4th) – GDOT

This legislation would direct GDOT to create a statewide strategic transportation plan. It would include the federally required intermodal plan. It would require GDOT to create an appeal process for rejected bids. It would allow GDOT to acquire property for future road construction if the project is going to start within ten years or it would save money, enhance highway integration with other developments, or stop obsolescence instead of requiring both conditions. It would allow billboards to be raised up to 75 feet when a sound wall or other barrier obstructs visibility in the same manner as when a sign has to be relocated. When a condemnation puts a property owner out of compliance with zoning, it would require the local government to either give the property owner a minimum variance or compensate the property owner for the cost of getting back into compliance. It would extend the sunset on using CPI to adjust the motor fuel tax through June 30, 2025. It would allow GDOT to reject or modify an ALJ's order in the same manner as boards appointed by the Governor and DHS.

Veterans and Military

SB 336 (Gooch, 51st) – Veterans License Plates

This legislation would allow veterans with a Meritorious Service Medal to receive veterans' license plates. It would also create a special license plate for Army Rangers. It would create a special plate for the Georgia Tennis Foundation and the Georgia Council on Substance Abuse.

HB 819 (Hitchins, 161st) – Veteran's License Plates

This legislation would allow all veterans in Georgia, regardless of how long they have lived here or where they lived when joining the military, to receive veteran's license plates. It would allow US citizens who served in the military of a US ally to receive veteran's plates. It would allow non-citizens that served alongside the US in Korea and Vietnam to receive veteran's plates.

HB 907 (Sainz, 180th) – War Veterans Home

This legislation would expand eligibility for the war veteran's home to include people who served between WWII and Korea.

HB 914 (Clark, 147th) – Military Spouse Licensing

This legislation would allow the spouses of military members with professional licenses in good standing from another state to obtain expedited licenses for all professions instead of a specifically enumerated subset.

Bills Failed in the Senate

HB 765 (Scoggins, 14th) – Increase Magistrate Judge Salaries

This legislation would raise magistrate judge salaries by 21.6%.

Bills Only Passed by the Senate

Bills Not Considered by the House

SB 40 (Jackson, 2nd) – School Sexual Assault

This legislation would make any sexual contact between a school employee or volunteer age 18 or older and a student of the school is sexual assault.

Overt sex acts with a student under 16 would be a felony of up to 25 years or 25 to 50 years if the victim is under 16. Other inappropriate contact would be a high an aggravated misdemeanor or a felony of 5 to 10 years if the victim is under 16. There would be a Romeo and Juliet carveout when the victim is at least 14 and the perpetrator is no more than two years older. It would be a high an aggravated misdemeanor for overt sex acts and a regular misdemeanor for other contact, neither of which would require sex offender registration.

SB 47 (Black, 8th) – Buy Retirement for Prior Military Service

This legislation would allow former active duty military members to buy up to five years' credit for time served in the military toward retirement at full actuarial cost

SB 102 (Jones, 10th) – Community Schools

This legislation would direct the Department of Education to create a whole child model school certification for schools that implement a plan to implement and coordinate wraparound services with community partners.

SB 159 (Gooch 51st) – Electric Scooters

This legislation would regulate electric scooters the same as other self-propelled motor vehicles such as mopeds. Scooters would be limited to 20 miles per hours on a flat surface. Local governments would retain all other regulatory powers.

SB 248 (Albers, 56th) – Increase Firefighter Pensions

This legislation would increase firefighters' pensions by \$60/mo. The fire insurance company premium tax would be increased from 1% to 1.15%.

SB 262 (Harbison, 15th) – Retirement Payments for Surviving Relatives

This legislation would allow retirees to designate a different beneficiary if their original beneficiary predeceases the retiree.

SB 268 (Jackson, 2nd) – VA Cards for Notarizations

This legislation would add Veterans Health ID Cards issued by the VA to the list of documents that can be used for notarizations.

SB 271 (Kennedy, 18th) – Allow Law Clerks and Staff Attorney to Buy Retirement Credit

This legislation would allow law clerks and staff attorneys for courts to buy up to four years credit in ERS in the same manner as law assistants.

SB 272 (Robertson, 29th) – Prohibit DXM Sales to Minors

This legislation would prohibit retailers from selling cough syrups and other medicines containing DXM, which can be abused as a hallucinogen, to minors. Purchasers of DXM containing medicines would have to provide ID upon purchase.

SB 296 (Heath, 31st) – Crematories

This legislation would redefine a crematory device to include alkaline hydrolysis vats and containers in addition to furnaces in which bodies are burned.

SB 302 (Albers, 56th) – Tax Credit Analyses

This legislation would allow the Chairs of the Senate Finance and House Ways and Means Committees to each request the State Auditor prepare a fiscal analysis of up to five bills each year. The fiscal analyses would include the net change in state revenue, the net change in state expenditures including administration, the net economic activity, and the net change in public benefit. Requests must be submitted by May 1, and the reports would be due by December 1.

SB 307 (Unterman, 45th) – Maternity Housing

This legislation would authorize maternity houses that house up to six pregnant women and women up to 18 months after childbirth and that provide no services other than housing. The Department of Human services would determine eligibility requirements and be able to charge an application fee of \$25. The department would be authorized to conduct on-site visits.

SB 311 (Kirkpatrick, 32nd) – Patient Brokering and High Tech Drug Testing

This legislation would prohibit health care providers, including mental health and addiction providers, from offering or soliciting kickbacks, commissions, or other payments for referrals. It would not prohibit group benefit plans, group practice agreements, consultation agreements, insurance agent commissions, gifts of up to \$100, and payments to entities that supply information about providers without directing patients to one or the other. It would be a felony of up to five years and \$50,000 per violation for conduct that affects up to 10 people, up to 10 years and \$100,000 for 10-19 people, and 20 years and \$500,000 for 20 or more people.

It would also prohibit conducting and billing for drug tests other than for the substances ordered as well as practices like upcoding and unbundling testing charges. Each violation would be a misdemeanor.

SB 312 (Jackson, 2nd) – Georgia Commission on African-American History and Culture

This legislation would create the Georgia Commission on African-American History and Culture to discover, document, preserve, collect, and promote Georgia's African-American heritage with a primary focus on educating the citizens of this state about the significance of the African-American experience in Georgia. It would be comprised of appointees by the Governor, Lt. Governor, Speaker, and Black Caucus Chair.

SB 316 (Thompson, 14th) – Military Spouse Licensures

This legislation would allow spouses of military service members or military service members approaching retirement or separation stationed in Georgia to receive an expedited license to practice their profession if they hold a license to practice that profession in a different state with similar qualifications.

SB 318 (Ligon, 3rd) – Campus Speech/Ban Counter-protesting

This legislation would prohibit public colleges and technical schools from implementing free speech zones and instead open up all common areas for political activity.

It would prohibit counter-protesting that blocks access or involves noise that disrupts a gathering already in progress.

Colleges would be able to implement content-neutral time, place, and manner restrictions to avoid significant disruption. It would not protect threats or calls for imminent lawless activity. It would require colleges to allow political, religious, and ideological groups to hold events without having to comply with the organization's stated beliefs, code of conduct, or advance the mission of their organization.

It would create a cause of action against schools and school employees in their individual capacity with minimum damages of \$5,000 for violations.

SB 319 (Ginn, 47th) – Building Homes Within a Dam's Danger Zone

This legislation would prohibit construction of inhabitable buildings downstream of a dam without a professional engineer with seven years of dam experience filing a breach analysis that failure of the dam is not likely to result in a probable loss of life. An owner of existing property could also request a breach analysis. Breach analyses

could be filed with the superior court, the chief elected officials of all local governments at risk in a dam failure, and DCA.

SB 320 (Payne, 54th) – Sexual Predators that Fail to Report

This legislation would make it a felony for sexually dangerous predators that are required to annually update their information with the sheriff in the same manner as failing to register for the sex offender registry in the first place.

SB 322 (Ginn, 47th) – Affordable Housing Impact Fees

This legislation would exempt affordable housing developments contained in a local government’s comprehensive plan from needing an alternative revenue stream to offset local costs before being exempted from development impact fees. It would also prohibit local governments that waive impact fees for affordable housing from raising impact fees in other areas to offset the lost revenue.

SB 323 (Kirkpatrick, 32nd) – Conscious Sedation

This legislation would prohibit non-dentists from administering conscious sedation during a dental procedure in dental offices or medspa settings where procedures like liposuction and Botox are administered. It would direct the Composite Medical Board to develop regulations for conscious sedation.

SB 327 (Karinshak, 48th) – Breast Feeding at Work

This legislation would require employers to provide a lactation room and reasonable break time for expressing milk to the extent reasonable possible. Employees would have to provide notice at least two days in advance. It would prohibit employers from discriminating or retaliating against nursing mothers and would provide a civil cause of action against employers that discriminate or retaliate.

SB 335 (Brass, 28th) – Foster Care

This legislation would authorize DHS to contract, certify and partner with child-placing agencies to provide case-worker child welfare services. It would allow DHS to require foster parents to complete training based on a variety of factors. It would waive the entrance fee to state parks for foster care children and families.

It would also require juvenile courts to collect data on cases where children are in or need foster care services. It would allow courts to issue continuances for dependency cases when the parties are involved in a case with time limitations or for revocation of parental rights.

SB 338 (Kirkpatrick, 32nd) – Pet Dealers

This legislation would reduce the number of animals sold per year that requires registration as a pet dealer from 30 to 20. The maximum license fee would be increased from \$400 to \$800. Pet dealers would have to undergo a background check. Dealers would have to post a bond of between \$7,500 and \$500,000 depending on size.

SB 344 (Mullis, 53rd) – Video Teleconferencing for Criminal Proceedings

This legislation would allow prisoners to appear via video teleconference for non-trial hearings. A private connection would be provided between defendants and defense counsel. A videoconference record would be treated the same as an in-person record, except that all parties could agree to record it.

It would also allow crime lab employees to testify by video conference. If a party objects at least five days before a crime lab employee is set to testify, the judge could compel the employee to testify in person.

SB 349 (James, 35th) – Provide Feminine Hygiene Products in Public Schools

This legislation would require local school boards to provide feminine hygiene products in all middle and high school female restrooms at no charge.

SB 351 (Watson, 1st) – Advisory Referendum Election on Daylight Saving Time

This legislation would establish a nonbinding, advisory referendum election to determine whether Georgia should continue to recognize daylight saving time, switch to permanent daylight time, or switch to permanent standard time.

SB 352 (Burke, 11th) – Out-of-Network Insurance Provider Rate Changes

This legislation would require insurers to continue to cover providers listed in the provider directory at the time someone selects a plan for the duration of the plan, regardless of whether the provider remains in network.

SB 355 (Beach, 21st) – Kickboxing

This legislation would remove regulatory power away from certain kick-boxing organizations that have poor safety records with respect to amateur combat sports.

SB 356 (Ligon, Jr., 3rd) – Landfill Permits Near Air Force Bases

This legislation would allow permits for municipal solid waste landfills that are within two miles of federal military air bases used for bombing range if the landfill was in operation on July 1, 1997.

SB 369 (Payne, 54th) – Public Utilities Electronic Tax Submissions

This legislation would require public utilities to electronically submit its annual property tax returns to the Department of Revenue.

SB 374 (Kennedy, 18th) – Settlement Terms

This legislation would apply structural requirements to all wrongful death cases in the same manner as PI cases instead of just to wrongful deaths due to a car accident. All PI and wrongful death settlement offers would have to include medical records and medical bills. Unless both parties agree in writing, the terms of settlement would be limited to terms of payments and claims to be released. It would extend the earliest date for which payment could be required from 10 to 40 days after the receipt of the offer.

SB 379 (Stone, 23rd) – Beauty Professionals

This legislation would split regulation of barbering schools between schools for barbers II that aren't allowed to dye hair or do permanent straightening, curls, etc. and master barbers that are. TCSG schools would be considered board approved but would not have to comply with master barber school regulations. Master barbers and master cosmetologists would be able to teach in the other profession's schools upon completing a 300-hour course. It would allow barbers II to have apprentices under the age of 16 just like a master barber.

It would prohibit the use of live animals, including fish, by beauty professionals.

It would allow all military members and spouses to obtain immediate beauty profession certificates, not just those from states the board deems to meet or exceed Georgia's regulations.

Beauty professionals whose licenses lapse would only have to take a maximum of 25 continuing education hours when applying for recertification. Continuing education courses at USG and TCSG institutions would have to be approved by the board to be eligible.

All beauty shops would have to have a separate license regardless of whether it shares an address with another shop. All shops, even those operating out of private homes, would have to display their certificates.

SB 384 (Ligon, 51st) – Landfill Permits Near Blackwater Rivers

This legislation would prohibit issuing new permits for city landfills and coal ash landfills that are within three miles of blackwater rivers near the coast that have a dark color due to carbon levels. The prohibition would apply to the Satilla River as a blackwater river that is wholly contained in the state, originates in a coastal plain, and flows directly into the ocean.

SB 386 (Unterman, 45th) – Special Needs Vouchers

This legislation would expand the special needs voucher to apply to more disorders, including learning disorders such as ADHD and dyslexia. Disorders would not need a clinical diagnosis or an IEP if the student has a Section 504 federal disability plan. It would waive the requirement to spend one year in public school for students receiving preschool special needs services and foster care children adopted within the past year. It would increase the voucher for students with an IEP from the public school's cost of educating a student to the voucher recipient's IEP value. It would create a survey of parents of voucher recipients and create a process for parents to appeal for more voucher money.

SB 387 (Jordan, 6th) – Food Preparation Education

This legislation would add food preparation to the available curriculum to the current nutrition curriculum in schools and allow food prepared by students to be distributed to students, specifically to students dealing with hunger or food insecurity.

SB 388 (Kennedy, 18th) – Felony for Aiding Income Tax Return Fraud

This legislation would raise the penalty for aiding in falsifying an income tax return from a misdemeanor to a felony. The maximum fine would be increased from \$1,000 to \$10,000.

SB 396 (Walker, 20th) – Designate the Pecan as the State Nut

This legislation would designate the pecan as the official state nut.

SB 412 (Robertson, 29th) – Extended Warranties

This legislation would extend extended warranty coverage for vehicles that's regulated as insurance to include wheel replacement, key fob repair and replacement, and lease-end repairs to leased cars. Coverage for vehicles would be cancellable by the purchaser for a full refund within 20 days of the contract being mailed or 10 days of it being delivered at the time of sale. Failure to issue a refund would subject the insurer to a 10% penalty after 45 days. If an issuer cancels due to

nonpayment, the purchaser would receive a prorated refund less an administrative fee of up to 10%.

SB 417 (Kirkpatrick, 32nd) – Background Check Expedited Medical Licenses

This legislation would require physicians, PAs, and other medical professionals receiving expiated licenses to undergo a background check just like in-state applicants.

SB 418 (Thompson, 14th) – LEO and First Responder Heart Attacks and Strokes

This legislation would allow law enforcement officers and first responders that suffer a heart attack or stroke after performing strenuous activities on duty or within 24 hours of performing strenuous activities on duty to receive a \$75,000 permanent disability payment.

SB 423 (Albers, 56th) – Hazing

This legislation would extend hazing laws to cover all minors, both in and out of school, and increase the penalty for hazing that results in serious injury or death to be a felony of one to five years. It would require other participants in hazing to provide aid to a hazing victim or be subject a misdemeanor of a high and aggravated nature. The consent of a victim and tolerance by the school or large organization would not be a defense. Someone who reports hazing would not be subject to civil or criminal liability and would be protected from civil or criminal liability due to drug or alcohol possession when seeking emergency assistance. The Attorney General could bring a civil suit against organizations that sanction hazing. Postsecondary schools would be required to issue an annual hazing report.

SB 428 (Cowsert, 46th) – Fake Musical Affiliations

This legislation would prohibit musicians or musical groups from deceptively using or implying affiliation with an existing group that has released music commercially. Tribute and cover bands would not be affected.

SB 432 (Harbin, 16th) – Life Insurance Policies

This legislation would require annuity and life insurance issuers to annually mail the policy holders proof of the policy's existence to their last known address. Issuers would also be required to retain reports on the policies and submit the reports to the Insurance Commission.

SB 447 (Martin, 9th) – Work Based Learning

This legislation would outline details of work-based learning programs for high school students including paid co-ops, programs not related to a career pathway, temporary internships, and apprenticeships in coordination with TCSG.

SB 463 (Kennedy, 18th) – Voting Machines

This legislation would require counties to split precincts if more than 2,000 people show up to vote and lines exceed one hour before the next general election. It would allow people to register for a primary runoff up until five weeks before the runoff. It would prohibit rejecting absentee ballots on signature grounds if the voter enclosed a copy of his or her ID. It would remove language related to the old DRE machines.

SB 464 (Kennedy, 18th) – Mediation Privileges

This legislation would make communications made during a mediation privileged. It would not apply to CBA negotiations, mediations where the mediator is the judge that may hear the case, or mediations in schools or correctional institutions where the parties are minors.

The privilege could be waived upon agreement of the parties or by the court if determined necessary for cases involving a felony or the occurrences in the mediation itself. It would supersede other model mediation laws, including international mediation upon agreement of the parties.

SB 466 (Martin, 9th) – Teacher Evaluations

This legislation would eliminate the “needs development” category for teacher evaluations that leads to loss of a year’s raise if received twice in a row.

It would create a pilot program for ten school systems to evaluate an alternative teacher evaluation program that evaluates the same criteria as the current system and involves embedded supports, professional development opportunities, recognition and advancement for highly effective teachers, and the creation of a pathway for progression.

SB 468 (Unterman, 45th) – Disabled Veteran Service Dog Registration

This legislation would allow disabled veterans to register their service dogs with a shelter in their county or, if there isn’t one in the county, with the closest shelter. The shelter would record the veteran’s name and contact information, the dog’s breed and appearance, and any other information that could return the service dog to the veteran if need be.

SB 476 (Kirkpatrick, 32nd) – Require Pet Microchips

This legislation would require all dog and cat dealers to microchip pets. Animals would not be able to be sold/adopted or microchipped prior to eight weeks. Animals over eight weeks would have to be chipped the sooner of 30 days after turning eight weeks or sale/adoption.

SB 480 (Hufstetler, 52nd) – Payment for Delinquent Taxpayer Analytics

This legislation would allow DOR to deduct the cost of analytics to identify delinquent taxpayers from the recovered taxes.

SB 483 (Brass, 28th) – Allow Mental Health Facilities to Use Hospital Beds

This legislation would allow mental health treatment centers to contract with hospitals to use up to 16 vacant beds and receive 100% Medicaid reimbursements after being in operation for a year. The reimbursements would not affect the hospitals' ability to receive rural health tax credits.

SB 484 (Kirkpatrick, 32nd) – Covenant of the States to Award Prizes for Curing Diseases

This legislation would enter Georgia into the Covenant of the States to Award Prizes for Curing Diseases to promote the development of new medical treatments and provide them in a manner that reduces costs. The compact commission would identify at least ten major diseases and offer prizes for any treatment that receives FDA approval and cures the disease. The prizes would be determined by the commission and paid by the compacting states. The drugs would be sold through the commission at a price to recoup costs, and the proceeds would be returned to the compacting states. The commission would receive all rights to any treatment that receives a prize. The compact would become effective upon adoption by six states.

SB 489 (Gooch, 51st) – Repeal Amber Strobe for Low Speed Vehicles

This legislation would repeal the requirement that electric vehicles capable of travelling between 20 and 25mph must display an amber strobe light to warn other motorists.

SB 493 (Thompson, 14th) – Defense for Companies that Leak Information

This legislation would allow companies who are breached and the breach results in the release of customer information to raise a defense to liability by claiming that they implemented reasonable safeguards.

Bills Passed in Identical or Similar Form on Other Bills

SB 359 (Hufstetler, 52nd) – Surprise Billing (As Introduced)

This legislation would require insurers to cover emergency care, regardless of whether the providers are in network. Insurers would be required to reimburse the out of network provider at least the most recent agreed upon plan when the provider was in network, if applicable, or the greater of amount paid by in network insurers for the same or similar care.

Insurers would also pay out of network providers that treat a patient for nonemergency care at an in network facility in the same manner. A patient that chooses to receive care from an out of network provider would have to see a price estimate and provide written and oral consent at least 48 hours in advance, at which point the patient would be financially responsible for the out of network care.

The Department of Insurance would maintain an all payer claims database to determine the cost of procedures in different parts of the state. Providers could dispute a reimbursement amount through arbitration under the Department of Insurance.

A version passed as House Bill 888.

SB 407 (Harper, 7th) – Palmetto Berry Harvesting

This legislation would require anyone selling saw palmetto berries to obtain annual documentation that the harvester is operating with permission from the landowner. Harvesters would be required to keep records of where they harvested. Illegal harvesting or sale of up to \$1,500 worth of berries would be a misdemeanor; illegal harvesting or sale in excess of \$1,500 would be a felony punishable with up to three years in prison.

A version passed as HB 966.

HB 167 (Taylor, 173rd) – COVID Civil Immunity

This legislation would provide civil immunity for the transmission and spread of COVID-19. Health care providers would be liable upon a finding of gross negligence, willful or wanton misconduct, or intentional infliction of harm. All other people and companies would only be liable upon willful or wanton misconduct or intentional infliction of harm.

A version passed as Senate Bill 359.

Bills that Failed to Pass Both Chambers in Identical Form

SB 110 (Stone, 23rd) – Business Courts

This legislation is the enabling legislation for the statewide business court constitutional amendment that was approved in 2018. The business court would have one judge with at least 15 years of experience in commercial litigation. The judge and clerk would be appointed by the governor and confirmed by the House and Senate Judiciary committees for a five-year term with no term limits. Cases would be appealable to the Court of Appeals and Supreme Court in the same manner as from state and superior courts.

It would have concurrent jurisdiction over arbitration, international arbitration, trade secrets, UCC, corporation, partnership, limited partnership, LLC, trademark, business receivership, noncompetition agreements, and antitrust cases. It would have jurisdiction over tort claims with the agreement of the parties. It would have jurisdiction over professional malpractice claims that don't involve personal injury, tort and contract claims, fraud cases between businesses or arising from business deals, and other IP cases when the amount in controversy exceeds \$100,000. It would have jurisdiction over commercial property cases when the amount in controversy exceeds \$1 million.

Someone sued in the business court could petition to transfer the case back to superior or state court within 60 days. A defendant in state or superior court could petition to transfer an applicable case to the business court within 60 days, which could be transferred at the business court judge's discretion. All parties could also jointly petition to transfer to business court within 60 days. The filing fee to sue or transfer to business court would be \$1,000. The business court could hold pretrial hearings in the county of origin or by teleconference. If the business court judge must recuse, the Supreme Court would appoint a senior state or superior court judge to preside.

This legislation would also restrict the ability of attorneys to rescind their consent to be served electronically.

It is also HB 246 that would require the state to cover the costs of any criminal deposition taken at the state's instance in the same manner as for any other motion hearing in that court. It would also allow depositions to be taken and filed in the same manner as any other non-jury motion hearing.

This legislation is also SB 38 that would exempt pleadings and documents filed by the Attorney General, Legislative Counsel, a prosecutor, defense attorney, and municipal or county attorneys from electronic filing fees. It would also exempt documents related to child support and alimony cases and leave of absence and

conflict notices. It would change the fee structure for documents filed in person from \$5 after 10 filings to only be processing fees.

SB 119 (Albers, 56th) – Organ Procurement Organization Sales Tax Exemption

This legislation would create a sales tax exemption for organ procurement organizations. It would sunset after 2025.

SB 128 (Hufstetler, 52nd) – Marketplace Facilitators

This legislation is a version of HB 276 that would require any company that contracts with sellers to enable physical or electronic retail sales of at least \$100,000 to collect and pay sales taxes. No class action right would exist for customers against facilitators for overpayment of sales tax, but customers could ask for a refund.

It is also HB 182 that would lower the threshold at which out of state vendors must pay sales taxes from \$250,000 to \$100,000.

SB 131 (Jones, 25th) – Airport, Delta Tax Breaks, and Transit

This legislation would create an oversight committee for the Hartsfield-Jackson Airport, replace the sales tax on jet fuel with an excise tax, and make changes to transit laws, some of which passed on other bills.

SB 149 (Robertson, 29th) – No Impound for Expired Registrations and Digital License Plates

This legislation would no longer allow law enforcement to impound a vehicle just for an expired registration sticker so long as the owner obtains an up to date sticker by the time they go to court. Officers would still be able to impound vehicles with no plate at all. It would also double the maximum fine for failing to maintain up to date vehicle registration stickers from \$25 to \$50 and provide that owners of vehicles with expired registrations can still be fined if someone else is driving.

It would also allow counties to contract with companies to provide digital license plates that display information electronically.

SB 289 (Mullis, 53rd) – Eliminate Mobile Home Tax Decals

This legislation would eliminate the requirement that mobile homeowners obtain an annual decal when they pay property taxes. It would remain illegal to move a mobile home with unpaid taxes.

SB 405 (Tippins, 37th) – Six Person Juries for the Next Year

This legislation would allow judges in state court to use juries of 6-12 people in civil cases. It would allow superior court civil and criminal cases to use 6-12 people upon consent of the parties.

HB 264 (Werkheiser, 157th) – Local EMS Boards

This legislation would require people lobbying local boards state that oversee EMS services to register as lobbyists. Each local board would be required to adopt bylaws that include a prohibition on ambulance company owners from serving on boards or voting on matters. Ambulance providers would petition for a hearing and to appeal a result.

HB 365 (Shaw, 146th) – Ad Valorem Taxes on Motor Vehicles

This legislation would lower the TAVT from 7% to 6.6% from January 1, 2020 to June 30, 2023. It would also set taxable value of used cars purchased from a new or used car dealer without a financing agreement at retail price minus reduction for trade-in value of another car. The average current fair market value and current wholesale value of a motor vehicle as determined by the state revenue commissioner's current motor vehicle ad valorem assessment manual for used cars purchased from persons who are not car dealers. It would also provide that car year models of 1963-1989, instead of 1963-1985, would be subject to only 1/2 the TAVT.

HB 545 (McCall, 33rd) – Limit Circumstances for Nuisance Actions for Agricultural Land

This legislation would extend legal immunity to all farms in industrial areas and any increase in the size of the farm for one year. It would also provide immunity for any new construction during construction and for the first year of operation. Expansion of facilities, adoption of new technology, change in size, change in type, an interruption in activities for less than five years, and reconstruction of facilities would not trigger a new one year window.

Only plaintiffs within five miles would be able to sue at all.

HB 1003 (Burns, 159th) – Remove Statewide Business Court from Court of Appeals

This legislation would remove the statewide business court from the Court of Appeals for administrative purposes.

HB 1020 (Graveley, 67th) – Driver's Licenses

This legislation would reduce the length of DUI school from 20 to 16 hours. It would only allow new drivers to take the driver's test at the driving school they attended. It would also allow people convicted of first DUI-Drug offense to get their licenses reinstated just like an alcohol DUI.

HB 1094 (Gaines, 117th) – Cut Legislator Pay

This legislation would reduce the Lt. Governor's salary for FY 2021 by 14% and legislator salaries for FY 2021 by 11%.

Vetoed Legislation

SB 306 (Seay, 34th) – Audiology and Speech-Language Pathology Interstate Compact

This legislation would enter the state into the Audiology and Speech-Language Pathology Interstate Compact to allow for interstate licensure of audiologists and speech language pathologists. All professionals would have to be licensed in their home state and comply with the scope of practice laws in any state in which they practice. Administrative fees would be determined by the compact commission.

The compact would become effective upon passage by ten states. It is currently pending in eight states.

HB 991 (Hatchett, 150th) – Healthcare Transparency

This legislation would create the Healthcare Transparency and Accountability Oversight Committee to oversee state health plans such as the State Health Benefit Plan. It would be comprised of one physician, one pharmacist, one consumer of a state health care plan, and six legislators, two each appointed by the Governor, Lt. Governor, and Speaker. The committee could access records of plan contractors, prepare reports, order audits, and hire professionals to analyze plan contractors.

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