

# GEORGIA SENATE DEMOCRATIC CAUCUS



## 2022 LEGISLATIVE SUMMARY

### Introduction

In the 2022 Legislative Session, the Georgia Senate Democratic Caucus faced an onslaught of bills aimed at placating far-right voters. Rather than solving problems faced by ordinary Georgians, many bills seemed tailored to satisfy conspiracy theorists and internet culture warriors. Democratic efforts to expand Medicaid, raise the minimum wage, and uplift teachers and students who are suffering from pandemic fatigue and learning loss were once again stymied by GOP intransigence. There were a few bright spots, in particular the passage of HB 1013, the Mental Health Parity Act and SB 338, expanding Medicaid coverage for new mothers to one year postpartum.

A major target for Republicans this year was Georgia's public education system. Teachers, administrators, and even students, were subjected to bills aimed at chilling speech and restricting the ability of local districts to determine their guidelines. HB 1084 will chill speech and inclusive instruction in public school by restricting the teaching of certain 'divisive concepts,' including system racism. HB 1178 imposes an onerous reporting process for schools responding to parental objections regarding curriculum. SB 226 lays the groundwork for censorship in school libraries. All of these bills passed over loud objections from local teachers, administrators and students, but the GOP was determined to sacrifice Georgia's public schools in its efforts to whip up right wing resentment.

Fortunately, thanks to strong Democratic resistance, a dramatic expansion of school vouchers failed to pass the Senate. SB 601 would have diverted an unprecedented amount of public money to unaccountable private schools.

Governor Kemp began the session declaring war on public safety by insisting this was the year that permitless carry would finally have its day in the General Assembly. Bills allowing Georgians to carry weapons without a permit were

introduced in both chambers, and despite vigorous opposition and poll numbers showing an utter lack of public support, SB 319 ultimately passed.

Health care has long been a major priority for our caucus, and the 2022 legislative session provided some gains and some setbacks when it comes to health care access. The GOP once again refused to expand Medicaid and provide health insurance to the more than 500,000 Georgians who still don't have it. Every year we fail to expand Medicaid, it costs our state lives, livelihoods, and millions of federal dollars that taxpayers have already paid in taxes. In better news, HB 1013, the Mental Health Parity Act, was bipartisan legislation marking a major step forward in mental health care for Georgia. This bill brings Georgia in line with federal requirements that insurers provide coverage for mental health claims at the same rates as physical health. It also provides incentives, such as tuition forgiveness, to encourage mental health professionals to work and stay in Georgia. Another important bill that passed in 2022 was SB 338, expanding Medicaid coverage for new mothers to one year postpartum, a goal that Democrats had been seeking for many years. A patient protection bill, HB 1324, makes it harder for insurance companies to deny emergency room claims and adds mental health services or conditions as eligible for emergency care. Finally, Democratic bill, SB 610, paves the way for improved access and availability of home health care aids and other community based health services.

Unfortunately, these gains were tempered by Republican efforts to undermine COVID-19 protections and precautions. SB 345 bans state agencies from requiring so-called "vaccine passports." SB 514 forces school districts to allow parents to opt-out of mask mandates. Both of these bills show an aggressive disregard for medical science and best practices in public health. We should not be undermining trust in vaccines or limiting school districts' ability to react to future viral outbreaks.

In a victory for women's health care and abortion access, SB 456, which limited access to medication abortion via telehealth, failed to gain passage in the House.

Prior to session, Republican leadership indicated there was no appetite for further election legislation, but nevertheless, HB 1464 was introduced. This bill imposed arduous and unnecessary chain of custody rules for absentee ballots and banned donations and grants upon which local elections offices have been dependent. Adamant opposition from Democrats, voting rights activists, and ultimately local election officials of both parties, put a stop to the bill and it failed to reach the floor of the Senate. Some elements of HB 1464 were ultimately adopted as part of another bill, but the most problematic language was dropped. A bill banning drop boxes and an (unnecessary) bill banning non-citizens from voting similarly failed to gain support.

The only legislation Senators and Representatives are legally required to pass is the state budget, and this proved to be a bright spot in the 2022 legislative session. The FY 2023 budget reverses many of the deep budget cuts of the past two year and represents an 11% increase in per capita state spending. It restores most agencies return to pre-pandemic funding levels, increases salaries for teachers and many

state employees, and fully funds Georgia's Quality Basic Education formula, restoring education cuts. It's important to note, however, that even with the proposed increases, Georgia remains on track to spend slightly less per person than in 2008, and we are still failing to address cumulative effects of underfunding vital agencies and services, such as Dept. of Corrections, which is currently in crisis, or Dept. of Juvenile Justice, which reported a 90% officer turnover rate.

In the final days of the session, Republicans were in agreement that they wanted to move state revenue to a regressive flat tax system, but they were unable to come to an agreement over how low they wanted the flat rate to be, and how quickly to implement it. Ultimately, HB 1437 was put into conference committee, and the version that emerged gradually lowers the state income tax to 4.99 for all payers by 2029. This dramatic reduction in revenue could spell doom for the state budget in the near future.

In a session where GOP lawmakers, including the Governor, were facing primary challenges from the far right, much of the legislation passed was short-sighted political theater with unfortunate real-world consequences for our state. Though much of Democrats' energy was focused on fighting bad policy, some of our caucus's bills did pass. In addition to SB 610, the home health care bill, two bills helping veterans (SB 87 and SB 96) passed both chambers.

Fighting for Georgians' best interest can be an uphill battle under the Gold Dome, but our caucus is always committed to doing what is best, finding a path forward, and ultimately expanding our numbers in order to better serve the people of our state.

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## Notable Legislation Passed

### The Good

#### Bills that Passed Both Chambers

##### **SB 10 (Jones, 10th) – Criminal Law**

This legislation would include impersonating court officers as impersonating a police officer.

It would include clandestinely putting a GPS or other surveillance device on the car of someone who has a protective order against the person doing the placing as illegal surveillance. The punishment for illegal surveillance is a felony of 1 to 5 years and a fine of up to \$10,000.

It would give courts discretion whether to suspend people's driver's licenses when someone fails to appear for a traffic offense.

##### **SB 87 (Rhett, 33rd) – Service-Disabled Veterans Scholarships**

This legislation would allow taxpayers to donate part of all of their tax return to the TCSG foundation to provide scholarships for service-disabled veterans.

##### **SB 96 (Jackson, 2nd) – Military IDs for Notarizations**

This bill would add a valid Veterans Health ID issued by the U.S. Department of Veterans Affairs to the list of satisfactory evidence for a notary to confirm one's identity.

##### **SB 343 (Hufstetler, 52nd) – Increase State Employee Retirement**

This legislation would increase the 401(k) match from a full match for the first 1% and a 50% match for the next 4% to be a full match for the first 5% and a 50% match for the next 4%.

State employers would no longer be responsible for paying for accrued sick and vacation leave for people that retired before July 1, 2022.

##### **SB 338 (Burke, 11th) – One Year Medicaid Coverage for New Mothers**

This legislation would extend the period for which new mothers receive Medicaid coverage from six months to one year.

### **SB 403 (Watson, 1st) – Mental Health Co-Responders**

This legislation would create mental health co-responder programs through mental health community service boards. Law enforcement agencies would be able to partner with their respective community service board to create a co-responder program where a licensed counselor or other mental health professional would accompany an officer when responding to a call related to someone experiencing a mental health/addiction related crisis. If a department chooses not to participate, it would designate an officer to review all mental health related cases.

The community service boards would be responsible for ensuring they have enough people available to provide 24/7 availability either in person or remotely. The mental health professional would advise the officer on how to respond and whether to transport the person to a mental health or addiction facility instead of jail.

Officers would be able to take crisis intervention training through POST. All dispatchers would receive training on identifying mental health emergencies so they can dispatch the right people for mental health emergencies. The mental health professionals serving as co-responders would also receive training on the policies and procedures of the law enforcement agencies with which they partner.

When a mental health emergency occurs, dispatch would send a co-responder team, if practicable, even if other officers are dispatched. The co-responder team would work to de-escalate the situation, but the officer would have the final say. After a mental health emergency, the community service board would work to get the person needed services, including housing and work, regardless of whether the person was incarcerated. The board would also provide voluntary outpatient therapy if needed.

Co-responders could also review all publicly available arrest records and recommend treatment options to the police department, jail, or prison.

Co-responders would have civil immunity limited to injuries incurred by the patient or personal representative.

The program would be subject to funds being appropriated by the General Assembly.

### **SB 543 (Halpern, 39th) – No Wrongful Death Recovery for Family Murderers**

This legislation would bar people that murder their family members from bringing wrongful death suits over the murder.

### **SB 562 (Mullis, 53rd) – No State Contracts for Russian Owned Companies**

This legislation would prohibit companies owned by Russia from bidding on state contracts.

### **SB 610 (Harrell, 40th) – Home and Community Service Reimbursements**

This legislation would require DHS to review Medicaid reimbursement rates for home and community based care under the New Options Waiver (NOW) program, the Comprehensive Supports Waiver Program (COMP), the Independent Care Waiver Program (ICWP), and the Elderly and Disabled Waiver Program (EDWP). The department would then develop proposed reimbursement rates and submit them to the DPH board, the DBHDD board, and the General Assembly.

### **HB 389 (Strickland, 17th) – Independent Contractors**

This legislation would establish the following factors for determining whether a person is an employee or contractor:

- Whether they can work for other employers
- Whether they can accept or reject assignments without consequences
- Whether they have set minimum hours or minimum orders
- Whether they can set their own schedule
- Whether they have direct oversight, a set work location, or set deadlines
- Whether the person is subject to a geographical restriction
- Other factors determined by the Department of Labor

It would provide that people are not employees if they work pursuant to a contract that the company cannot:

- Unilaterally set work schedules or minimum hours
- Require the person to accept specific transportation or delivery requests, though the company can require the person to accept a specific percentage of requests
- Prohibit the person from working for other transportation or delivery companies
- Restrict the person from engaging in any other employment

It would create a civil penalty for misclassifying employees. The penalty would be \$2,500 per misclassified employee for companies with fewer than 100 employees and \$7,500 per misclassified employee for employers with 100 or more employees. The fines would be intended to be used to enforce this law. DOL could also assess the company for the costs of the investigation, plus interest.

It would also provide that music industry professionals that set their own hours, are treated as contractors under federal law, and uses their own creative discretion are contractors and not employees.

### **HB 937 (Butler, 55th) – Notice of Mammogram Coverage**

This legislation would require all insurers to notify women 40 or older of their free mammogram coverage.

### **HB 1013 (Strickland, 17th) – Mental Health Care**

This legislation would require all insurers that offer mental health coverage to not charge more for mental health services compared to physical health care services. Coverage would extend to spouses and dependents. It would prohibit insurers from prohibiting multiple mental health care appointment on the same day.

It would include pediatricians, family medicine practitioners, and psychiatrists in the list of professionals that can get their loans forgiven in rural areas.

It would create a grant program through DBHDD to issue grants to support involuntary outpatient mental health care as opposed to involuntary inpatient hospitalizations,

It would provide for a third party contractor to implement the system.

Law enforcement would be able to commit people without needing a criminal charge.

It would give mental health accountability courts jurisdiction over people with substance use disorders.

### **HB 1283 (Mullis, 53rd) – Mandatory Elementary Recess**

This legislation would require recess for all kids in grades K-5, unless they had had PE or situations, such as weather, prevent recess.

### **HB 1324 (Kirkpatrick, 32nd) – Prudent Layperson Standard**

This legislation would clarify that the prudent layperson standard used by insurance companies when individuals seek emergency medical care is not affected by the final diagnosis given so that insurers would still have to cover treatments.

It would also include failure to comply with emergency, patient protection, surprise billing, managed care, group insurance, or price disclosure regulations as unfair claim settlement practices that can be investigated by the Department of Insurance.

### **HB 1335 (Mullis, 53rd) – Juneteenth**

This legislation would make Juneteenth a state holiday. It would also designate the week in which 9/11 falls as Public Safety Week.

### **HB 1355 (Watson, 1st) – Lead Poisoning**

This legislation would decrease the threshold at which someone is considered to have lead poisoning from 20 micrograms per liter of blood to 3.5 micrograms per liter of blood.

It would reduce the threshold for an environmental lead hazard from 100 to 10 micrograms of dust per square foot on floors and from 500 to 100 micrograms of dust per square foot on windowsills. It would provide that 400 parts per million in soil in play areas or 1200 parts per million in soil in other areas around dwellings, schools and childcare facilities is a lead hazard.

It would give DPH 30 days instead of 14 days to approve a lead abatement plan before the plan is automatically approved. It would allow DPH to mandate residual lead monitoring as part of an abatement plan.

It would extend residential lead management laws to apply to schools and child care facilities.

It would require two tests within 12 weeks if a capillary blood test is used instead of a venous test.

It would provide that lead inspectors working for a state or county health department to determine the source of lead poisoning have to take the same, free training as lead risk assessors performing the same job.

### **HB 1390 (Parent, 42nd) – Right of Action against a County or City Employer for Retaliation**

This legislation would create a cause of action against local governments when an employee is retaliated against for opposing, reporting, investigating, or cooperating with an investigation related to sexual harassment. Employees would be able to sue for reinstatement, back pay, and attorney's fees

### **HB 1405 (Parent, 42nd) – Zoning (Allow Judicial Review)**

This legislation would require local zoning ordinances to allow judicial review. They would have to establish procedures and a 30 day notice requirements for hearings.

Adoption or repeal of ordinances, amending ordinances, zoning and rezoning, and granting or denying special use permits would be directly challengeable in superior court. The whole record would be admissible, and the burden of proof would be clear and convincing evidence that the decision is a significant detriment or is insufficiently related to the public health, safety, morality, or general welfare. Other decisions would be appealable to superior court.

### **HB 1409 (Kirkpatrick, 32nd) – Increase Workers Compensation Payments**

This legislation would increase the maximum workers compensation payment from \$675/week to \$725/week. It would increase the maximum payment for partial disabilities from \$450 to \$483/week. It would increase the maximum payment to a surviving spouse when there are no dependents from \$270,000 to \$290,000.

### **HB 1433 (Parent, 42nd) – Require CJCC Mental Health Advisors to be Licensed**

This legislation would require people appointed to the CJCC advisory board appointed based on mental health expertise to be licensed. It would include representatives of witness and victim advocacy groups. If it isn't practical to appoint people who have been under the jurisdiction of DJJ, a parent could be appointed.

### **HB 1435 (Burns 23rd) – Needs Based Financial Aid**

This legislation would rework the needs-based HOPE scholarship that has never been funded to apply to students that have completed 80% of their coursework. Students would have to be from a family that meets GSFC rules to be considered low-income or has a financial aid gap between other funds available as determined by GSFC and their tuition.

Students could receive a total maximum of \$2,500.

It would sunset June 30, 2025.

### **HR 593 (Beach, 21st) – Compensate Dennis Arnold Perry**

This resolution would compensate Dennis Arnold Perry \$1,230,000 for the more than 20 years he spent in prison for two murders he didn't commit. He would receive \$307,500 upfront, and the rest would be a 20 year annuity.

### **HR 626 (Beach, 21st) – Compensate Kerry Robinson**

This resolution would compensate Kerry Robinson \$480,000 for the more than 17 years he spent in prison for a rape he didn't commit. He would receive \$120,000 upfront, and the rest would be a 20 year annuity.

#### **Democratic Bills that Passed Senate but not House**

##### **SB 54 (Harbison, 15th) – Allow Judges to Delay Final Child Custody Determination When the Surviving Parent is Accused of Killing the Other Parent**

This legislation would allow judges to delay a final determination about a surviving parent's child custody until after the trial when the surviving parent is accused of killing the other parent.

##### **SB 108 (Davenport, 44th) – Commission for the Blind and the Visually Impaired**

This legislation would create the Georgia Commission for the Blind and Visually impaired to take over blindness advocacy and service delivery with a focus on employability and quality of life from the Georgia Vocational Rehabilitation Agency. The Commission would be six blind or visually impaired people with two appointees each by the Governor, the Speaker, and the Lt. Governor. It would oversee vending operations by blind people. It would provide services for deaf-blind people, subject to appropriation.

##### **SB 227 (Jones, 22nd) – Condemn Old Big Box Stores**

This legislation would allow a county or municipality seeking to condemn a blighted commercial property to file a petition in the superior court. After the petition, the court would then provide notice to and participate in a hearing with all affected persons or parties. The court would then determine whether the property would be blighted urbanized or developed property which has a building located on at least 375,000 square feet that was built prior to 2000 and has not been legally occupied in ten consecutive years or has had less than 30 percent occupancy for twenty consecutive years. It would not be available if a majority interest in the property had been sold within the past two years.

**SB 279 (Anderson, 43rd) – Original 33 Monument**

This legislation would create a monument to the Original 33, the Black legislators expelled from the General Assembly after Reconstruction. It would be privately funded.

**SB 468 (Jackson, 41st) – Death Benefits When Public Safety Officers Commit Suicide**

This legislation would extend public safety officer death benefits to cases where the officer dies by suicide within 30 days of their last day of duty.

**SB 491 (Davenport, 44th) – Down Payment Savings Programs**

This legislation would allow banks and credit unions to administer down payment savings programs for purchases of primary residences. These programs would allow an individual to make contributions to the account for the purpose of meeting down payment expenses of a designated beneficiary. The account balance couldn't exceed \$100,000.

**SB 537 (Jones, 22nd) – Georgia Food Security Advisory Council**

This legislation would create the Georgia Food Security Advisory Council to recommend policies intended to eradicate food insecurity.

**SB 543 (Halpern, 39th) – No Wrongful Death Recovery for Family Murderers**

This legislation would bar people that murder their family members from bringing wrongful death suits over the murder.

**SB 603 (Rahman, 5th) – Outdoor Learning**

is legislation would create a pilot program for outdoor learning spaces and publish a report about their effectiveness.

## The Bad

### Bills that Passed Both Chambers

#### **SB 116 (Robertson, 29th) – Maternity Housing Residences**

This legislation would allow for the registration of maternity housing residences that house up to six adult women during pregnancy and for up to 18 months after. DHS would have no regulatory authority over them, and local governments couldn't regulate them any more than a single family home. Homes would have to provide wraparound services such as nutritional support, childcare, transportation, and vocational training.

#### **SB 226 (Anavitarte, 31st) – School Libraries and Distribution of Harmful Materials**

This legislation would prohibit schools from providing obscene material lacking in literary, artistic, political, or scientific merit to minors. It would require schools to implement a process to handle complaints by parents that object to materials in the school library that could be based on a model policy to be created by DOE.

The principal would make a determination, which could be appealed to the local school board.

#### **SB 331 (Albers, 56th) – Ban on Local Government Employee Work Output Requirements**

This legislation would prohibit local governments from passing ordinances to combat work output requirements that prevent people from taking breaks or going to the bathroom.

#### **SB 319 (Anavitarte, 31st) – Permitless Weapons Carry, aka “Constitutional Carry”**

This legislation would allow anyone who is legally allowed to possess a firearm to carry it anywhere where weapons carry permit holders are currently allowed to carry a firearm

#### **SB 441 (Hatchett, 50th) – GBI Jurisdiction Over Elections and Electronic Court Records**

This legislation would give the GBI authority to investigate elections law violations.

It would also transfer maintenance of electronic court records to the Council of Superior Court Clerks of Georgia. It would allow the Georgia Technology Authority to issue grants to law enforcement agencies to upgrade their systems. It would also

require courts and law enforcement submit electronic records, even if they're not requested by GCIC.

### **SB 472 (Kennedy 18th) – PSC Maps**

This legislation would provide for new Public Service Commission maps.

### **SB 588 (Miller, 49th) – School Board Meetings**

This legislation would only allow people to be removed from meetings for actual disruption of a public meeting. It would provide that public school board meetings can be recorded by the public.

It would create a civil cause of action to enforce this provision.

### **HB 1 (Thompson, 14th) – Campus Speech**

This legislation would classify all generally accessible outdoor public spaces on college and technical school campuses as public forums and prohibit free speech zones. Schools could implement content-neutral time, place, or manner restrictions. All speech and activity protected by the First Amendment would be protected.

It would prohibit conduct that materially disrupts other speech, including making loud noises or physically blocking areas. Schools could regulate conduct of people not affiliated with the school.

It would not protect student on student harassment or incitements to violence.

It would direct schools to create policies to enforce these provisions.

### **HB 517 (Payne, 54th) – Student Scholarship Organizations**

This legislation would increase the SSO tax credit from \$1,000 to \$2,500 for individuals, from \$2,500 to \$5,000 for married couples, and from \$10,000 for \$25,000 for income from S corporations and other flow through organizations. It would allow insurance companies a credit of up to 75% of its premium tax up to \$1,000,000 with an aggregate cap of 5% of the total cap. It would include interest when determining how much SSOs need to pay out in scholarships. It would outline what must be in an SSO's audit.

It would increase the aggregate cap from \$58 million to \$100 million for tax years 2019-22 and then by an additional \$20 million a year until maxing out at \$200 million for tax years 2027-32. It would drop back down to \$100 million in 2033.

## **HB 1084 (Miller, 49th) – “Divisive Concepts”**

This legislation would prohibit K-12 schools from teaching so-called “divisive concepts.” It would also prevent K-12 schools, universities, technical schools, and the state from using “divisive subjects” in diversity training. The “divisive subjects” would be:

- One race is inherently superior to another race
- States of America is fundamentally racist
- An individual, by virtue of his or her race, is inherently or consciously racist or oppressive toward individuals of other races
- An individual should be discriminated against or receive adverse treatment solely or partly because of his or her race
- An individual's moral character is inherently determined by his or her race
- An individual, solely by virtue of his or her race, bears individual responsibility for actions committed in the past by other individuals of the same race
- An individual, solely by virtue of his or her race, should feel anguish, guilt, or any other form of psychological distress.
- Performance-based advancement or the recognition and appreciation of character traits such as a hard work ethic are racist or have been advocated for by individuals of a particular race to oppress individuals of another race

It also would prohibit:

- Assigning fault, blame, or bias to a race or ethnicity or to an individual of a particular race because of his or her race. Such term includes, but is not limited to, any claim that an individual of a particular race is inherently racist or is inherently inclined to oppress individuals of other races.
- Ascribing character traits, values, moral and ethical codes, privileges, status, or beliefs to a race or ethnicity, or to an individual because of his or her race or ethnicity.

There is a somewhat vague carveout that the legislation wouldn't prohibit:

- Promoting diversity or inclusiveness without teaching "divisive concepts"
- The discussion of divisive concepts, as part of a larger course of instruction, in an objective manner and without endorsement
- Use of curriculum that addresses topics of slavery, racial or ethnic oppression, racial or ethnic segregation, or racial or ethnic discrimination, including topics relating to the enactment and enforcement of laws resulting in such oppression, segregation, and discrimination

K-12 schools would have to create a complaint process for allegations that they are teaching “divisive concepts.” Complaints could be brought by parents, students, teachers and school employees, the local DA, the Attorney General, and the House and Senate Education Committees. The school system would investigate to see if “divisive subjects” are being taught.

The decision would be appealable to the State School Board. If divisive concepts are deemed to be being taught, the school would have to implement a corrective action plan. If the school fails to implement the corrective action plan, it would be at risk of losing some strategic waivers to be determined by the State Board of Education for at least a year.

It would prohibit the Professional Standards Commission from requiring teachers to participate in training programs where “divisive concepts” are taught. It would also prohibit DOE from including “divisive concepts” in its voluntary diversity curriculum available to schools.

It would also create a GHSA Oversight Committee. It would be

- One appointee by the Governor
- One appointee by the Lieutenant Governor
- One appointee by the Speaker
- Two appointees by the Georgia School Superintendents Association, one to represent small schools and one to represent large ones
- One appointee by the Georgia School Boards Association
- Two appointees by coaches, one by coaches in schools with 300+ students and one by coaches in schools with fewer than 300 students
- Two appointments by GHSA, one representing small schools and one representing large schools

School QBE funding would be contingent on GHSA complying or the schools leaving GHSA.

### **HB 1178 (Dixon, 45th) – Parental Interference**

The legislation would require the creation of procedures through which a parent may object to instructional materials intended for use in the classroom or recommended by a teacher. It would also allow a parent to withdraw his or her child from courses in sex education.

### **Bad Bills Stopped in Senate**

#### **SB 86 (Walker, 20th) – Restrict Equitable Caregivers**

This legislation would limit who can be an equitable caregiver to be people that had acted as a parent within the past five years and would require them to prove that the child would suffer harm if they don’t get custody rights. Equitable caregivers would not be eligible for child support. Courts could revoke equitable caregiver status if a party demonstrates that no harm is occurring.

### **SB 115 (Robertson, 29th) – Driver’s Education About How to Interact with Police**

This legislation would direct DPS and the Georgia Public Safety Training Center to create a curriculum for driving schools that instructs on how to interact with police during a traffic stop and actions police can undertake such as using force.

It would cover:

- The best practices of what a driver should do during a traffic stop initiated by a law enforcement officer
- Recommendations for interacting with law enforcement officers during traffic stops
- The consequences associated with continuous citations and habitual violations
- Understanding officer discretion in relation to action taken during a traffic stop, which may include, but not be limited to, requesting identification, use of force detainment, pursuits, and legal warnings.

It would also transfer applications for school speed cameras from the school to the local governing authority.

### **SB 218 (Walker, 20th) – Prosecutor Oversight Commission and Non-partisan Prosecutors**

This is a version of HB 411 that would create the Prosecuting Attorneys Oversight Commission to discipline and remove prosecutors that become incapacitated, engage in willful misconduct, willingly and persistently fail to perform one’s duties, are convicted of a crime of moral turpitude, bring disrepute to the office, or allow the same from their staff. A policy of refusing to bring certain categories of offence would be grounds for sanction.

I would also allow DA and solicitor elections to be converted to non-partisan through local legislation.

### **SB 511 (Anderson, 24th) – Capcos and Expedited Property Tax Appeals**

This legislation would authorize another \$100,000,000 in tax credits for investment funds that invest in rural businesses in Georgia and have at least \$10,000,000 of assets in rural areas nationwide and 250 employees in Georgia. The application fee would be raised from \$5,000 to \$25,000, and recipient funds would have to pay \$7,500/year for five years.

This legislation would reduce the time a county board of tax assessors has to respond to appeals before it gets forwarded to the board of equalizations from 180 to 90 days. The board of equalization would have to hold a hearing within 90 days.

For appeals of nonhomestead property worth over \$500,000, the time the board of tax assessors has to review the case would be reduced from 90 to 60 days. The time for the taxpayer to appeal would be reduced from 30 to 15 days, and the time the board has to send the case over for appeal would be reduced from 30 to 15 days.

It would allow for electronic notifications.

### **SB 601 (Miller, 49th) – Vouchers**

This legislation would create a \$6,000/year private school voucher, subject to appropriation. Funds could be used for postsecondary education.

### **Bad Bills Stopped in House**

#### **SB 171 (Robertson, 29th) – Criminalizing Protest**

This legislation would increase the penalty for battery to be as high as an aggravated misdemeanor if committed at an event deemed an unlawful assembly by law enforcement.

It would make violence when committed in a group of seven or more a felony of 1 to 5 years and a fine of \$1,000 to \$5,000. It would bar anyone convicted of unlawful assembly from state or local employment. It would make blocking the road a felony of 1 to 5 years and a fine of \$1,000 to \$5,000. It would make it legal to run over protesters blocking the road. It would make any crimes committed at an event declared an unlawful assembly racketeering, which is punished by a felony of 5 to 20 years and a fine of up to \$25,000. It would make damaging a statue or other monument a felony of 1 to 15 years with a fine of \$1,000 to \$10,000.

It would create a cause of action against the state and local governments when property is damaged by two or more people or when an unlawful assembly has been declared. It would require local governments to mandate permits and collect personal information about organizers for all protests.

It would require governments to allow first responders to request payroll deductions to purchase insurance to cover legal expenses.

#### **SB 326 (Anavitarte, 31st) – Clarence Thomas Monument**

This legislation would provide for a privately funded monument to Clarence Thomas inside or outside the Capitol.

#### **SB 359 (Albers, 56th) – Mandatory Minimums and Criminal Procedure**

This legislation would require the Council of Accountability Court Judges of Georgia to create an annual report on the quality and effectiveness of accountability courts

and the impacts on other courts. It would also provide guidance on prioritizing the constitutional and other legal prerogatives of superior, state, and juvenile courts.

It would also change the penalty for a convicted violent felony from 5 years to 5 to 10 years with a mandatory 5 year minimum. It would also extend this sentence to domestic violence felons.

It would extend the prohibition on people convicted of gang violence from filing related civil suits to include people that plead nolo.

It would allow for gang related civil and criminal actions to be brought in any county in which the gang operates. In the case of threats, the case could also be brought in the county where the victim is located.

In the event that a person commits a subsequent felony against an elder or disabled person or a minor, they would still be sentenced to the maximum sentence, but the minimum sentence would also become mandatory.

It would require courts to enter evidentiary rulings into the record upon request by any party.

It would allow courts deciding whether evidence is admissible prior to trial to consider:

- Whether it is the sort of issue that would be determined by an appellate court without regard to the trial court decision
- Whether the ruling would affect whether the parties will go to trial
- Whether the ruling will have a significant impact on the trial
- Whether the ruling will affect what witnesses are called
- Whether the decision could affect the decision making of parties before the trial

It would allow continuing objections to evidence of the same or similar nature or subject to a similar objection.

It would allow the defendant's prior conduct to be admitted in civil and criminal domestic abuse cases, child abuse cases, elder abuse cases, and cases with disabled victims. Prosecutors would have to notify defendants that they will seek to use this evidence 10 days before trial unless the judge sets a different timeframe. This provision could not be the sole means to admit evidence.

It would allow remote hearings in civil, administrative, and criminal cases with jail not on the table, so long as it isn't in conflict with court rules or other laws. Trials and evidentiary hearings could only be done remotely with the consent of the parties.

It would allow the GBI to seek coordination with other law enforcement agencies, so long as it wouldn't compromise the investigation, in child abuse, kidnapping, elder

abuse, abuse of the disabled, gang activity, organized crime, election fraud, and terrorism cases.

### **SB 456 (Thompson, 14th) – Prohibit Abortion Pills by Mail**

This legislation would prohibit the prescription of mifepristone, also known as the abortion pill, remotely. The provider would also schedule a follow-up appointment 7-14 days later to confirm the abortion was successful. Abortion pills would not be able to be provided in school or on state ground, including public and private higher educational institutions.

### **SB 393 (Dolezal, 27th) – Ban “Censorship” on Social Media**

This legislation would prohibit social media platforms with 20 million or more monthly active users from “censoring” views by banning, including shadow banning, deplatforming, demonetizing, or otherwise taking adverse action against a user based on:

- The viewpoint of the user or another person
- The viewpoint represented in the user's expression or another person's expression
- A user's geographic location in this state or any part of this state or
- The actual or perceived race, color, ethnicity, religion, religious beliefs, political beliefs, political affiliation, national origin, sex, gender, sexual orientation, or disability of a user or another person or of a class of users or a class of other persons

Social media platforms could censor illegal, pornographic, excessively violent, and harassing content. It would also not apply any restrictions that would violate the dormant commerce clause of the US Constitution.

The social media platforms would also be required to publicly disclose data related to its content and practices in addition to publishing a biannual transparency report. Users would be able to bring civil actions against a social media platform for violations.

### **SB 435 (Harbin, 16th) – No Trans Girls in Girls Sports**

This legislation would only allow students to play for sports teams for the gender they were assigned at birth unless the only team is for the other gender. It applies

to boys and girls. Private schools that play public schools would also have to comply.

A student or parent could file a grievance with the school's Title IX coordinator to intervene if a student plays or plans to play for a disallowed team, with appeal to the school board. Students or their parents could also file suit in superior court for a determination. They could receive an injunction and attorney's fees but not monetary damages.

### **SB 504 (Robertson, 29th) – Require Cash Bond for All Felonies**

This legislation would require a cash bond for any felon released on bail. Currently, people arrested for most nonviolent felonies can be issued bail without a cash bond.

It would prohibit releasing all felons into pretrial diversion programs.

## **The Ugly**

### **SB 345 (Mullis, 53rd) – Ban Covid Vaccine Passports**

This legislation would prohibit the state and local governments from requiring proof of covid vaccinations in order for a person to receive a service or access a facility. Governments would not be required to violate federal regulations. It would sunset June 30, 2023.

### **SB 514 (Dixon, 45th) – Parental Opt-out of Mask Mandates**

This legislation would require schools to let parents opt out of any mask mandates.

It would sunset June 30, 2023.

### **HB 1437 (Hufstetler, 52nd) – Flat Income Tax**

This legislation would switch the state to a flat tax and reduce the state income tax rate to 4.99% by 2029. It would be phased in at the following rates:

- 2024: 5.49%
- 2025: 5.39%
- 2026: 5.29%
- 2027: 5.19%
- 2028: 5.09%
- 2029 and beyond: 4.99%

It would delay the implementation of a lower rate if the Governor's revenue estimate for the next year isn't 3% above the estimate for the current year, if the prior year's revenue collection wasn't higher than all of the past five years, or if the rainy day fund is lower than the projected revenue loss.

It would increase the standard deduction for married people as follows:

- 2024: \$18,500
- 2026: \$20,000
- 2028: \$22,000
- 2030: \$24,000

Married people filing separately would get half the amount

It would increase the standard deduction for individuals and heads of households from \$12,000.

It would increase the amount of wages that can be considered retirement income from \$4,000 to \$5,000.

It would cap the state and local tax deduction at \$10,000 for couples and \$5,000 for individuals.

It would direct the House Ways & Means Committee and the Senate Finance Committee to review all tax expenditures by December 1, 2023,

#### **Bills that Passed Senate Only**

##### **SB 609 (Mullis, 53rd) – Medical Cannabis**

This legislation would require the Medical Cannabis Commission to conduct a review of all existing license applications and issue licenses by July 1, 2022. The commission would then rank the remaining applicants. For every 50,000 people added to the Low THC Oil Patient Registry, the commission would issue one more license for a medical cannabis facility up to 100,000 sq. ft. and two more licenses for facilities up to 50,000 sq. ft according to the ranked list. This process would end June 30, 2027.

It would subject contracts made by the Medical Cannabis Commission to state purchasing law in addition to purchases.

It would provide that the commission must turn over any information not exempt from public records to the Medical Cannabis Commission Oversight Committee.

It would authorize the commission to hire third party contractors to help with license applications.

## Legislation Passed by House and Senate

### Agriculture

#### **SB 396 (Goodman, 8th) – Georgia Grown Farm to Food Bank Program**

This legislation would rename the Georgia State Nutrition Assistance Program (SNAP) to the Georgia Grown Farm to Food Bank Program (F2FB). The program would be required to procure all food from Georgia grown rather than Georgia based sources and purchased at a rate of the seller's input costs plus one-half the project appreciation costs instead of wholesale rate or better. A requirement that caps the amount of grant funds that can be used for any regional food bank's administrative costs would be eliminated.

Reporting requirements would be updated to include the names of producers who provide food to the program. Personal use of any food would be allowed if the recipient is qualified through the program.

#### **SB 486 (Harper, 7th) – Agricultural Commodity Commission for Propane**

This legislation would allow the Agricultural Commodity Commission for Propane to hold meetings virtually, so long as they are open to the public. Commission meetings would be advertised online and in the Farmers and Consumers Market Bulletin instead of in an Atlanta newspaper. It would also not require all testimony to be under oath.

Currently marketing orders that assess fees on propane dealers to fund marketing for the industry as a whole need to be approved by a majority vote of at least 50% of dealers in the state. This legislation would change that to a requirement to receive a 2/3 vote of at least 25% of dealers in the area. It would allow local marketing orders in addition to state-wide ones.

#### **HB 1150 (Walker, 20th) – Agricultural Nuisance Exception**

This legislation would exempt any agricultural uses from nuisance regulation so long as the property had been involved in agriculture for over two years. A change in the use of the property would not change the exemption. A new hog farm would trigger a new two-year period.

Only people in possession of an affected parcel could bring suit.

#### **HB 1175 (Mullis, 53rd) – Raw Milk**

This legislation would allow the sale of raw milk with a permit from the Department of Agriculture. Raw milk would have to be clearly labeled as raw milk according to department and statutory regulations. The department would promulgate rules to

ensure safety. It would have to have a label saying “Warning: This is a raw milk product that is not pasteurized and may increase the risk of foodborne illness.” All raw milk must be packaged and sealed on location.

If raw milk is found to have a freezing point below  $-0.525^{\circ}\text{C}$ , the producer would be notified that their milk contains water. If it happens again within two years, the department would determine if the farm has a different freezing point. A deviation from the freezing point by more than 3% would trigger a two-day permit suspension.

If milk is found to be adulterated, the milk would be disposed of until it comes back clean. If the adulterant is a drug, the permit would be immediately suspended, a recall would be issued, the department would conduct an investigation, and a penalty would be assessed. The permit could not be reinstated until the milk is clean, and the department could require changes at the farm to prevent another issue.

## Appropriations

### **HB 910 (Ralston, 7) FY 2022 Supplementary Budget**

### **HB 911 (Ralston, 7) FY 2023 Budget**

### **HR 593 (Beach, 21st) – Compensate Dennis Arnold Perry**

This resolution would compensate Dennis Arnold Perry \$1,230,000 for the more than 20 years he spent in prison for two murders he didn’t commit. He would receive \$307,500 upfront, and the rest would be a 20 year annuity.

### **HR 626 (Beach, 21st) – Compensate Kerry Robinson**

This resolution would compensate Kerry Robinson \$480,000 for the more than 17 years he spent in prison for a rape he didn’t commit. He would receive \$120,000 upfront, and the rest would be a 20 year annuity.

## Businesses and Regulated Industries

### **HB 1049 (Hickman, 4th) – Add More Administrators to Nursing Home Administrator Board**

This legislation would add a fourth nursing home administrator and a fourth administrator of a non-nursing elder care facility to the State Board of Nursing Home Administrators.

### **HB 1193 (Brass, 28th) – Funeral Director Licenses**

If a funeral director in good standing lets his or her license lapse for less than 10 years, he or she may get it reinstated upon paying missed license fees and making up any missed continuing education hours.

It would allow funeral director and embalmer apprentices to renew their apprenticeship license more than twice and to apply for reinstatement after letting a license lapse more than twice.

### **HB 1219 (Watson, 1st) – Expand Dentistry Board**

This legislation would add a second dental hygienist, an appointee by the University System, and four more dentists to the Georgia Board of Dentistry.

### **HB 1443 (Albers, 56th) – Statewide Permits for Food Trucks**

This legislation would require county health departments to recognize food truck or other mobile restaurants permitted in other counties. The restaurant would submit its permit to the county with a list of locations and times the location will operate. The county would verify the permit with DPH and, if the restaurant is in good standing, authorize the location. Counties could charge fees to cover the actual cost of approval and any inspections.

### **HB 1481 (Miller, 49th) – Dealer Plates**

This legislation would issue car dealers at least as many dealer plates that they qualified for as of January 1, 2020 through January 1, 2025.

## **Civil Law**

### **SB 493 (Mullis, 53rd) – Non-Judicial Timeshare Foreclosures**

This legislation would authorize a time share owners' association to foreclose on an owner's time-share without going to court. Funds would be distributed to creditors, then to pay off any time-share association fees and legal costs, and then the remainder would be distributed to the former owner. The owners' association could bid at the sale and purchase the time-share itself.

### **HB 464 (Mullis, 53rd) – Guardianships and Conservatorships**

This legislation would allow courts to consider the best interest of a minor or ward when determining who should pay guardianship or conservatorship fees. When

determining fees, the court can assess the fees against the minor or ward's estate, and petitioner, anyone who perpetuate abuse, neglect against the minor or ward, the minor or ward's property, or the county if a liable party can't pay.

It would also incorporate the existing legal criteria for what constitutes the best interest of a child with respect to parental consent to a temporary guardianship. It would also expressly list the criminal offenses that constitute abuse or neglect.

### **HB 961 (Kennedy, 18th) – Clarify That Damages in a Single Defendant Suit Aren't Required to be Split**

This legislation would clarify that damages in a single defendant lawsuit do not need to be split and can be apportioned entirely to that defendant. It is a response to a recent Georgia Supreme Court case.

### **HB 1088 (Hatchett, 50th) – Non-Judicial Timeshare Foreclosures**

This legislation would authorize a time share owners' association to foreclose on an owner's time-share without going to court. Funds would be distributed to creditors, then to pay off any time-share association fees and legal costs, and then the remainder would be distributed to the former owner. The owners' association could bid at the sale and purchase the time-share itself.

### **HB 1390 (Parent, 42nd) – Right of Action against a County or City Employer for Retaliation**

This legislation would create a cause of action against local governments when an employee is retaliated against for opposing, reporting, investigating, or cooperating with an investigation related to sexual harassment. Employees would be able to sue for reinstatement, back pay, and attorney's fees

### **HB 1428 (Strickland, 17th) – Code Revision Update**

This is the annual Code Revision Commission bill to fix errors, update cross-references, and repeal obsolete language.

## **Consumer Protection**

### **SB 332 (Albers, 56th) – Contact Information for Online Sellers**

This legislation would require online marketplaces to collect payment information, contact information including a working phone number and email address, and a taxpayer ID for all sellers and their third party suppliers that engage in 200+ sales or sales totaling over \$5,000.

For sellers with sales over \$20,000, the marketplace would post the name and working contact information on the product listing page or the order confirmation page.

Sellers operating out of a residential address could have their physical address information limited to city and country. Sellers without a business phone line would be allowed to have all inquiries done by email or other electronic means.

Marketplaces would have to ask these sellers if any of that information has changed at least annually. Sellers that fail to respond would be suspended until they respond.

Any seller found to be misrepresenting any required information would be suspended until they correct the information.

The Attorney General would have authority to sue any nonconforming marketplace, and any violations would be a violation of the Fair Business Practices Act.

### **SB 363 (Tillery, 19th) – Advertisements Disguised as Official Documents**

This legislation would extend the requirement that advertisements disguised as corporate filing notices to apply to employment and labor related notices and state that they are not from the Department of Labor. It would require that these ads include on the front of the envelope or ad the word “solicitation.”

It would make damages for violations of this notice requirements the greater of \$100 per violation or actual damages and allow class action lawsuits against violators.

### **SB 445 (Burns, 23rd) – Civil Penalties for Improper Mobile Home Construction**

This legislation would increase the civil penalties for companies that manufacture mobile homes that don’t comply with federal safety standards to match the maximum federal fines. The current state penalty \$1,000 per offense to a maximum of \$1,000,000. The current maximum federal penalty is \$3,011 per offense to a maximum of \$3,763,392.

### **HB 508 (Harper, 7th) – Deceptive Advertisement of Musical Performance Groups**

This legislation would prohibit live musical performance from using a name identical or very similar to the name of a group with at least one commercial recording under their name and that maintains the legal right to their name. It would not impact cover or tribute acts that clearly market themselves that way. It would require any website that disseminates electronic audio or video recordings to post contact information and remove any unauthorized recordings within 14 days of

receiving a complaint that the recording is unauthorized. If the website fails to do so, the owner of the recording could sue for injunctive relief and attorney's fees.

## **Criminal Law**

### **SB 10 (Jones, 10th) – Criminal Law**

This legislation would include impersonating court officers as impersonating a police officer.

It would include clandestinely putting a GPS or other surveillance device on the car of someone who has a protective order against the person doing the placing as illegal surveillance. The punishment for illegal surveillance is a felony of 1 to 5 years and a fine of up to \$10,000.

It would give courts discretion whether to suspend people's driver's licenses when someone fails to appear for a traffic offense.

### **SB 461 (Dixon, 45th) – Require Court Appearance for Human Trafficking Bail**

This legislation would add human trafficking to the list of offenses for which someone must appear in person to receive bail.

### **SB 479 (Hatchett, 50th) – Treat Each Gun Possessed by a Felon as a Separate Crime**

This legislation would treat each gun possessed or attempted to be purchased by a convicted felon as a separate offense.

### **SB 543 (Halpern, 39th) – No Wrongful Death Recovery for Family Murderers**

This legislation would bar people that murder their family members from bringing wrongful death suits over the murder.

### **HB 963 (Burke, 11st) – Controlled Substances Update**

This is the annual controlled substances update to incorporate substances added to the federal list over the past year.

Note: Covid vaccines are on the list, but that simply means they can't be distributed over the counter, which is in line with medical practice.

**HB 1188 (Hatchett, 50th) – Each Act of Child Molestation Charged as a Separate Offense**

This legislation would require that each act of child molestation, each area of the body touched, and each visual medium or material depicting illicit acts be charged as a separate offense.

**HB 1216 (Hatchett, 50th) – Increased Penalties for Running from Police in a Vehicle**

This legislation would increase the minimum fine for a first offense running from the police in a vehicle from \$5000 to \$1,000 and the minimum jail term from 10 to 30 days. It would increase the minimum fine for a second offense within ten years from \$1,000 to \$2,500 and the minimum jail term from 30 to 90 days. It would increase the minimum fine for a third offense within ten years from \$2,500 to \$4,000 and the minimum jail term from 90 to 180 days.

It would make the fourth offense within ten years a felony with a fine of \$5,000 to \$10,000 and a sentence of 1 to 10 years.

It would add indirectly causing an accident, driving on a sidewalk, illegally passing a school bus, zig-zagging or laying drags, reckless driving, and stunt driving to the list of factors that makes fleeing an automatic felony. It would change the fine from a fine of \$5,000 to a fine of \$10,000 and increase the maximum sentence from 5 to 10 years.

It would also add using blue lights to the list of things that constitute impersonating an officer.

It would provide an affirmative defense when someone slows down and puts on their flashers while driving to a lighted area.

**HB 1441 (Brass, 28th) – Exempt a Certified Peace Officer Employed as an Independent Contractor from Certain Requirements**

This legislation would exempt POST-certified law enforcement officers from requiring licensure to work as a private security guard or detective as a contractor. Current law only exempts employees.

**HB 1452 (Kennedy, 18th) – Dating Violence**

This legislation would extend the time frame for which someone can get a dating violence protective order from six months to twelve months since the end of the relationship.

## Economic Development

### **HB 1042 (Burke, 11) – Primary Care Facility Grants**

This legislation would, subject to appropriation, issue grants through OneGeorgia to establish medical, dental, and mental health facilities in underserved areas. DCH would determine what areas are underserved. The grants would go to local development authorities. The funds could be used to enter into lease-purchase agreements to buy medical facilities and any providers that operated at that facility within the last ten years. The maximum grant would be \$200,000.

### **HB 1044 (Gooch, 51) – Regional Development Authorities**

This legislation would allow groups of three to five counties to create regional development authorities. At least half the commissioners from each county would have to take economic development training through the Department of Community Affairs. Counties could only be in one regional development authority.

Companies claiming a job creation tax credit would be able to use the development tier of the lowest tier county in the region when determining their tax credit.

## Elections

### **SB 120 (Tippins, 37th) – Campaign Finance**

This legislation would allow staff attorneys at the Ethics Commission to initiate investigations. It would increase the time for which campaign finance records must be kept for officials serving terms of office longer than two years to be one year past the end of the term. Ballot question committees and officials serving two year terms would remain at three years. It would prohibit candidates from loaning campaign funds to themselves or organizations they or a family member control. It would provide that candidates are deemed to have advanced to the runoff prior to official certification for accounting purposes. It would transfer the Ethics Commission from the Secretary of State to the State Accounting Office for administrative purposes.

It would also prohibit candidates from qualifying for office if they have outstanding ethics fines or unpaid taxes.

It would allow for a personal financial disclosure to satisfy the requirement to file an affidavit saying that an elected official didn't engage in official action that they personally benefitted from if it is filed by the January 31 deadline. It would require candidates to file personal financial disclosures. Soil and water conservation district supervisors would not be required to file disclosures.

### **SB 441 (Hatchett, 50th) – GBI Jurisdiction Over Elections and Electronic Court Records**

This legislation would give the GBI authority to investigate elections law violations.

It would also transfer maintenance of electronic court records to the Council of Superior Court Clerks of Georgia. It would allow the Georgia Technology Authority to issue grants to law enforcement agencies to upgrade their systems. It would also require courts and law enforcement submit electronic records, even if they're not requested by GCIC.

### **SB 472 (Kennedy 18th) – PSC Maps**

This legislation would provide for new Public Service Commission maps.

## **Family Law and Juvenile Justice**

### **SB 576 (Strickland, 17th) – Grandparent Visitation**

This legislation would raise the burden of proof for grandparent visitation to require clear and convincing evidence that visitation is in the best interest of the child and expressly state that merely not having a relationship with a grandparent when no prior relationship existed is not sufficient.

It would provide that it is in the best interest of the child to grant grandparent visitation when, prior to the death, incarceration, or incapacity of a parent, the child lived with the grandparent for six months or more, the grandparent supported the child financially for at least one year, that a preexisting pattern of visitation or child care exists, or any other factors that would suggest a lack of visitation would lead to emotional or physical harm.

## **Financial Regulation**

### **SB 438 (Tippins, 37th) – Reduce Payment Retention to Contracts**

This legislation would reduce the maximum amount of process payments on new public works contracts a government entity can retain from contractors pending a satisfactory conclusion from 10% to 5%. It would remove the process for withholding to stop after 50% of the project is complete.

### **SB 470 (Robertson, 29th) – Second Chance for Ancillary Mortgage Employees**

This legislation would limit the prohibition on people who can't work in the mortgage industry to people that actually handle money and financial records.

### **HB 891 (Kennedy, 18th) – Banking Update**

This legislation would no longer require the Banking Commissioner and Deputy Banking Commissioner to report all lines of credit to the AG and increase their maximum allowed credit card balance from \$10,000 to \$25,000.

It would reduce the threshold where a financial institution acquisition needs to be approved by the Department of Banking.

It would expand numerous regulations to apply to broader categories of corporations and/or financial institutions.

It would bring some regulations in alignment with federal law.

It would allow credit union boards to meet fewer than 10 times so long as they meet quarterly, with department approval.

It would remove restrictions on credit union loans under \$50,000.

It would increase some bond requirements.

It would replace the 3% tax on installment loan interest with a .125% tax on the gross loan amount.

## **Health Care and Human Services**

### **SB 116 (Robertson, 29th) – Maternity Housing Residences**

This legislation would allow for the registration of maternity housing residences that house up to six adult women during pregnancy and for up to 18 months after. DHS would have no regulatory authority over them, and local governments couldn't regulate them any more than a single family home. Homes would have to provide wraparound services such as nutritional support, childcare, transportation, and vocational training.

### **SB 164 (Hufstetler, 52nd) – Modernization of HIV Related Laws**

This legislation would legalize HIV positive people who have sex with a negative person when he or she is medicated and has blood levels that don't support transmission, and instead only criminalize people who have sex with intent to spread the virus. It would remove the enhanced penalties for HIV positive people that assault a law enforcement officer with intent to spread HIV. It would no longer require HIV tests to be approved by the state.

It would legalize hypodermic needles and needle sharing by HIV positive people.

It would legalize any FDA approved drug and remove it from Georgia's Schedule 1.

### **SB 539 (Hatchett, 50th) – No Recording in Medical Facilities**

This legislation would prohibit any person from photographing or recording patients in county health care facilities without their consent.

### **SB 573 (Brass, 28th) – Surgical Smoke Evacuation Systems**

This legislation would require hospitals and surgical centers to adopt policies to reduce exposure to dangerous smoke.

### **HB 918 (Watson, 1st) – Georgia Rare Disease Advisory Council**

This legislation would establish the Georgia Rare Disease Advisory Council to study rare diseases that affect fewer than 200,000 people nationally and make recommendations to improve patient outcomes.

It would be comprised of:

- Six appointees by the Governor
  - A chair who is not a state employee
  - A representative from a research university that studies rare diseases
  - A representative from the DCH Division of Medical Assistance Plans
  - A representative from DFCS
  - A representative from DPH
  - A geneticist
- Five appointees by the Speaker
  - A RN or APRN with rare disease experience
  - A physician with rare disease experience
  - A pediatric specialist with experience treating rare diseases in children
  - A patient with a rare disease
  - A caregiver of a person with a rare disease
- Five appointees by the Lt. Governor
  - A patient with a rare disease
  - A representative of a rare disease patient organization
  - A representative of the biopharma industry
  - A representative from an insurance company

- A social worker with experience working with people that have rare diseases

### **HB 1086 (Watson, 1st) – Lower Age for Mandatory Flu Shot Opportunities**

This legislation would reduce the age at which hospitals must offer patients a flu shot from 65 to 50.

### **HB 1276 (Walker, 20th) – State Health Plan Reporting**

This legislation would require DCH to perform biennial analysis of Medicare, PeachCare, the State Health Benefit Plan, the teachers' health plan, and the school employees' health plan. The report would analyze provider availability, utilization, and finances.

### **HB 1304 (Burke, 11st) – Lay Caregiver**

This legislation would let inpatient hospital patients to designate a lay caregiver. The lay caregiver would assist with tasks after discharge that don't require one to be a licensed medical professional. The hospital would contact the lay caregiver before discharge, if possible, and work with the patient and the lay caregiver to ensure they are educated on post-hospitalization care. The program would never result in a delayed discharge.

### **HB 1355 (Watson, 1st) – Lead Poisoning**

This legislation would decrease the threshold at which someone is considered to have lead poisoning from 20 micrograms per liter of blood to 3.5 micrograms per liter of blood.

It would reduce the threshold for an environmental lead hazard from 100 to 10 micrograms of dust per square foot on floors and from 500 to 100 micrograms of dust per square foot on windowsills. It would provide that 400 parts per million in soil in play areas or 1200 parts per million in soil in other areas around dwellings, schools and childcare facilities is a lead hazard.

It would give DPH 30 days instead of 14 days to approve a lead abatement plan before the plan is automatically approved. It would allow DPH to mandate residual lead monitoring as part of an abatement plan.

It would extend residential lead management laws to apply to schools and child care facilities.

It would require two tests within 12 weeks if a capillary blood test is used instead of a venous test.

It would provide that lead inspectors working for a state or county health department to determine the source of lead poisoning have to take the same, free training as lead risk assessors performing the same job.

### Healthcare Professionals

#### **SB 496 (Burke, 11st) – Medical Examiner Inquiries**

This legislation would require a coroner’s report or medical examiner’s inquiry when a woman that is pregnant or has been pregnant within the past year dies, unless she dies in a car accident. It would be done by a regional partner, such as the Department of Health. A coroner’s inquiry would also be forwarded to the Maternal Mortality Review Committee.

It would provide that a person dies unattended by a physician, and therefore requires a medical examiner’s report, when the person had not been seen by a physician within 180 days for treatment related to the cause of death.

#### **HB 1520 (Miller, 49th) – Georgia Council on Addressing HealthCare Workforce Challenges**

This legislation would create the Georgia Council on Addressing HealthCare Workforce Challenges to explore healthcare staffing challenges and make recommendations on how to increase our healthcare workforce. It would be comprised of 27 appointees from across the healthcare industry, both from businesses and workers.

It would sunset June 30, 2025.

### Health Insurance and Medicaid

#### **SB 338 (Burke, 11th) – One Year Medicaid Coverage for New Mothers**

This legislation would extend the period for which new mothers receive Medicaid coverage from six months to one year.

#### **SB 341 (Kirkpatrick, 32nd) – One Year Minimum Prior Authorization for Chronic Pain Medication**

This legislation would make prior authorizations for chronic pain medication last for at least one year so long as the insured remains on the plan. It would extend to changes in dosage. It would not apply to short term treatments or prescriptions for less than one year. The prescription must be continuous. It would also not apply to opioids or benzodiazepines.

### **SB 566 (Burke, 11st) – Surprise Billing**

This legislation would include mental health emergencies in the surprise billing law that prevents people from having to pay out-of-network prices in emergencies.

It would provide that all followup care as part of the same hospital visit are covered.

It would clarify that voluntary nonemergency care at out-of-network facilities is not covered.

### **SB 610 (Harrell, 40th) – Home and Community Service Reimbursements**

This legislation would require DHS to review Medicaid reimbursement rates for home and community based care under the New Options Waiver (NOW) program, the Comprehensive Supports Waiver Program (COMP), the Independent Care Waiver Program (ICWP), and the Elderly and Disabled Waiver Program (EDWP). The department would then develop proposed reimbursement rates and submit them to the DPH board, the DBHDD board, and the General Assembly.

### **HB 733 (Anavitarte, 31st) – Car Payment Insurance and Equal Treatment for Supplemental Breast Exams**

This legislation would include reducing one's monthly payment if a vehicle is totaled in the category of ancillary property insurance one can purchase for a vehicle separate from car insurance. It would also include that coverage in asset protection waivers, and it would make asset protection waivers available regardless of whether they are provided for a separate charge.

It is also SB 487 that would require health insurance policies that cover breast cancer examinations to use equal cost-sharing requirements for supplemental breast screening examinations, such as MRI, X-ray, or ultrasounds for people with a family history of breast cancer, that are no less favorable than for regular mammograms.

### **HB 937 (Butler, 55th) – Notice of Mammogram Coverage**

This legislation would require all insurers to notify women 40 or older of their free mammogram coverage.

### **HB 1308 (Walker, 20th) – Electronic Health Insurance Information**

This legislation would allow people enrolled in employer, union, etc. healthcare plans not provided by a regular insurer to consent to receive all information electronically.

## **HB 1324 (Kirkpatrick, 32nd) – Prudent Layperson Standard**

This legislation would clarify that the prudent layperson standard used by insurance companies when individuals seek emergency medical care is not affected by the final diagnosis given so that insurers would still have to cover treatments.

It would also include failure to comply with emergency, patient protection, surprise billing, managed care, group insurance, or price disclosure regulations as unfair claim settlement practices that can be investigated by the Department of Insurance.

## **Mental Health Care**

### **SB 403 (Watson, 1st) – Mental Health Co-Responders**

This legislation would create mental health co-responder programs through mental health community service boards. Law enforcement agencies would be able to partner with their respective community service board to create a co-responder program where a licensed counselor or other mental health professional would accompany an officer when responding to a call related to someone experiencing a mental health/addiction related crisis. If a department chooses not to participate, it would designate an officer to review all mental health related cases.

The community service boards would be responsible for ensuring they have enough people available to provide 24/7 availability either in person or remotely. The mental health professional would advise the officer on how to respond and whether to transport the person to a mental health or addiction facility instead of jail.

Officers would be able to take crisis intervention training through POST. All dispatchers would receive training on identifying mental health emergencies so they can dispatch the right people for mental health emergencies. The mental health professionals serving as co-responders would also receive training on the policies and procedures of the law enforcement agencies with which they partner.

When a mental health emergency occurs, dispatch would send a co-responder team, if practicable, even if other officers are dispatched. The co-responder team would work to de-escalate the situation, but the officer would have the final say. After a mental health emergency, the community service board would work to get the person needed services, including housing and work, regardless of whether the person was incarcerated. The board would also provide voluntary outpatient therapy if needed.

Co-responders could also review all publicly available arrest records and recommend treatment options to the police department, jail, or prison.

Co-responders would have civil immunity limited to injuries incurred by the patient or personal representative.

The program would be subject to funds being appropriated by the General Assembly.

### **HB 752 (Kennedy, 18th) – Psychiatric Advanced Directives**

This legislation would allow a competent adult to execute a psychiatric advance directive stating their preferences or instructions for mental health care. It could include, but would not be limited to, information such as the medications they are currently taking, situations that may trigger or mitigate a mental health event, and to appoint a mental health care agent to make decisions based on the psychiatric advance directive on their behalf. The agent would not have the authority to act when a declarant is capable and would have limited power to make decisions contrary to what the declarant requested. A person would not be required to execute or refrain from executing a directive as a criterion for insurance or as a condition of receiving mental or physical health services, or as a condition of discharge from a medical facility.

### **HB 1013 (Strickland, 17th) – Mental Health Care**

This legislation would require all insurers that offer mental health coverage to not charge more for mental health services compared to physical health care services. Coverage would extend to spouses and dependents. It would prohibit insurers from prohibiting multiple mental health care appointment on the same day.

It would include pediatricians, family medicine practitioners, and psychiatrists in the list of professionals that can get their loans forgiven in rural areas.

It would create a grant program through DBHDD to issue grants to support involuntary outpatient mental health care as opposed to involuntary inpatient hospitalizations,

It would provide for a third party contractor to implement the system.

Law enforcement would be able to commit people without needing a criminal charge.

It would give mental health accountability courts jurisdiction over people with substance use disorders.

### **HB 1069 (Kennedy, 18th) – Regulate Inpatient Adult Mental Health Facilities**

This legislation would regulate inpatient, adult mental health care facilities with four or more beds. The facilities could only accept patients pursuant to a referral from a psychiatric hospital that is discharging a patient or pursuant to a referral from a physician. Patients could only stay for up to six months without getting a waiver from DCH. Details about the facilities and standards of care would be

determined by DCH. Proof of accreditation would show compliance with the requirements.

Facilities would have to be licensed by January 1, 2024. Facilities could apply for a provisional license as soon as July 1, 2022 to run through December 31, 2023 if they are in substantial compliance. Hospitals would not need a license unless they operate a separate mental health care facility.

## Higher Education

### **SB 333 (Albers, 56th) – Tuition Guaranty Trust Fund**

This legislation would:

- This legislation would increase the time frame that new private postsecondary institutions have to provide a surety bond to be used to reimburse students in case the institution closes suddenly from five years to seven years. Schools that have already participated for five years would be exempt.
- It would make the bonding requirement permissive based on the Nonpublic Postsecondary Education Commission’s analysis of the school’s fiscal health.
- It would remove minimum bonds and let the commission decide the bond amount.
- It would allow the Nonpublic Postsecondary Education Commission to require bonds after a change in ownership at the director’s discretion.
- It would raise the minimum fund amount from \$475,000 to \$4 million and the maximum
- Students at a school that shuts down would be eligible for refunds of fees and other costs incurred in addition to tuition.
- The maximum payout per closing school would be changed from \$250,000 to 10% of the total fund unless the commission decides otherwise.
- It would allow the fund to grow beyond the current \$7.5 million cap.
- It would also eliminate regulations on third party agents that enroll students in private postsecondary institutions.
- It would clarify that non-degree issuing certification programs aren’t regulated as private postsecondary institutions.

### **HB 1435 (Burns 23rd) – Needs Based Financial Aid**

This legislation would rework the needs-based HOPE scholarship that has never been funded to apply to students that have completed 80% of their coursework.

Students would have to be from a family that meets GSFC rules to be considered low-income or has a financial aid gap between other funds available as determined by GSFC and their tuition.

Students could receive a total maximum of \$2,500.

It would sunset June 30, 2025.

## **Insurance Other than Health Insurance**

### **HB 969 (Burke, 11st) – Insurer Liquidity Stress Tests**

This legislation would update insurance company holding system regulations to reflect best practices from the National Association of Insurance Commissioners for managing liquidity. This would include reporting procedures for group capital calculation and liquidity stress tests meant to monitor solvency and capital adequacy of insurance companies. Most companies would be required to report the findings of those tests annually with the state insurance commissioner. If the commissioner finds an insurer to be in a hazardous financial condition, the insurer may be required to take steps necessary to insurer's protection for the duration of its existing contracts. The commissioner shall be required to maintain the confidentiality of any group capital calculations and liquidity stress tests and shall not use their results to grade or rank insurers unless necessary to rebut false statements against an insurer.

### **HB 1021 (Burke, 11st) – Minimum Annuity Interest Rates**

This legislation would reduce the minimum interest rate for determining the current value of an annuity absent other provisions to the contrary from 1 to 0.15 percent per annum.

### **HB 1059 (Walker, 20th) – Insurance Kickbacks**

This legislation would prohibit insurance kickbacks from insurance companies that aren't in an existing contract to minimize potential costs.

### **HB 1195 (Walker, 20) – Statutory Accounting Practices for Interlocal Risk Management Agencies**

This legislation would allow interlocal risk management agencies that local governments can form to do multi-jurisdictional audits to use statutory accounting practices in addition to GAAP (Generally Accepted Accounting Practices).

## Judicial Process

### **SB 257 (Anderson, 43rd) – Criminal Record Restrictions**

This legislation would exclude theft by taking or theft of services from theft convictions that prohibit an individual from seeking criminal record restrictions.

This legislation would also restrict the criminal history record of an individual who was granted a pardon by the State Board of Pardons and Paroles as long as the offense was not a serious violent felony or a sexual offense, and they have not been convicted of any crime since the pardon was granted, excluding nonserious traffic offenses.

This legislation would also allow individuals who were cited for a criminal offense but not arrested, and the charged offense was subsequently dismissed or reduced to petition the court for an order to seal all criminal history.

It would no longer require the consent of a prosecutor for a person who was eligible for first offender treatment but not informed of their eligibility to retroactively seek first offender treatment. It would not apply to repeat offenders.

### **SB 395 (Hatchett, 50th) – Add a Judge to Mountain Judicial Circuit**

This legislation would add a third judge to the Mountain Judicial Circuit. The Mountain Judicial Circuit is Habersham, Rabun, and Stephens Counties.

### **SB 409 (Hatchett, 50th) – Judicial Defense Fund and Transfer Appointing Special Prosecutors to PAC**

This legislation would create the Judicial Legal Defense Fund to defend judges for suits related to their official duties and representation isn't paid for elsewhere. It would be overseen by a commission comprised of judges at the superior court level or higher with one appointee each by the Chief Justice of the Supreme Court, the Governor, the Lt. Governor, the Speaker, and the Council of Superior Court Judges of Georgia who would determine when the state would fund representation.

It would transfer responsibility to appoint special prosecutors when a prosecutor is conflicted from the Attorney General to the Prosecuting Attorneys' Council.

### **SB 500 (Strickland, 17th) – Statewide Opioid Settlements**

This legislation would allow the state to enter into settlements with opioid companies on behalf of the state and all local governments with pending claims. The settlement would be required to have a mechanism for local governments to join the settlement. Any settlement would have to be approved by 65% of local governments with pending litigation against a party to the settlement. It would not

affect existing national bellwether litigation seeking to establish the liability of opioid manufacturers.

### **SB 565 (Strickland, 17th) – Human Trafficking Victims**

This legislation would remove the sixth month statute of limitations for human trafficking victims vacated and allow a petition for vacation at any time.

The person with a vacated conviction would be able to request to have any fines or fees returned from the agency to which the fines or fees were paid. That agency would return the entire amount; if a portion of the fines or fees was passed on, the agency would have to request a return from the entity to which the fines or fees were forwarded.

### **HB 56 (Thompson, 14th) – Add a Judge to the Blue Ridge Circuit**

This legislation would add a fourth judge to the Blue Ridge Judicial Circuit (Cherokee County).

### **HB 478 (Strickland, 17th) – Experts in Criminal Cases**

This legislation would apply the same standards to expert witnesses in criminal cases as civil cases. In addition to possessing expert knowledge, the court would consider whether the expert's opinion is based on sufficient facts or data, whether it's the result of reliable principals and methods, and whether the expert reliably applied those principals and methods.

### **HB 620 (Hatchett, 50th) – Minor Property During Guardianship Proceedings**

This legislation would increase the amount of personal property of a minor that can be administered by a guardian without the guardian having to become a legal conservator of that property from \$15,000 to \$25,000. It would allow guardians to settle cases without the approval of the probate court, though the court would still have to be notified. If the net settlement is less than \$25,000 and the gross settlement is over \$25,000, the guardian could settle the claim without needing to be a conservator, but the settlement would have to be settled in the case where the case is pending if a case had been filed. If no case has been filed, it could be settled in probate court. A trial court could expressly retain jurisdiction. The trial court would retain jurisdiction over the settlement if the case is appealed.

It would give courts hearing cases related to a minor's property authority to determine whether cases could be dismissed. Guardians would not be able to receive any of the minor's property until they post their bond. Bonds would not be required until the value of the estate is determined.

### **HB 624 (Kennedy, 18th) – Add a Judge to South Georgia Circuit**

This legislation would add a third judge to the South Georgia Judicial Circuit. The South Georgia Judicial Circuit includes Baker, Calhoun, Decatur, Grady, and Mitchell Counties.

### **HB 916 (Kennedy, 18th) – Superior and State Court Appellate Practice Act**

This legislation would create a formal process for people to appeal a determination of a lower judiciary, such as a court, board, authority, administrative hearing, etc. to superior or state court.

People seeking to appeal would file a petition for review with the superior or state court or a form set by statute. Any errors in the petition would be amendable when found. The petitioner would file a copy of the petition with all parties and the lower court within five days. Cross appeals and counterclaims would not be allowed unless required by court order. Parties could request a single 30 day filing extension. All pleadings would have to be served on all parties. The parties could consent to electronic service.

The court would not reject a petition solely on procedural grounds. The court would consider the case on its merits unless

- The petition was filed outside of the filing window
- The reviewing court lacks jurisdiction
- The question is moot
- The question is nonjusticiable
- The failure of a petitioner to prosecute
- The failure of the petitioner to comply with the statutory process, any court order, or any court rule

If a court finds that it lacks jurisdiction, it would transfer the petition to the correct court.

Transcripts from the lower judiciary would be provided on their terms. If no transcript exists, the petitioner would have to pay for one to be prepared from recollection, unless the lower judiciary orders the cost split.

Petitioners could file for review before paying all lower court costs, but the petition could not be heard until they pay costs or file an affidavit of indigence. The case wouldn't be dismissed for nonpayment unless the reviewing court ordered payment and the petitioner didn't comply.

The court could only require a bond when the petitioner is disputing that they owe unpaid costs or in a criminal matter to ensure they show up for trial.

Final determinations would be appealable like any other determination.

The court could assess attorney's fees for frivolous petitions.

It would provide that superior and state courts don't have jurisdiction over:

- Each other
- Juvenile courts
- The Municipal Court of Columbus
- The Civil Court of Macon-Bibb County
- The Civil Court of Richmond County
- The State-wide Business Court
- A jury trial in probate court
- Any case appointing a temporary administrator
- Any other court with direct appeal to the Court of Appeals or Supreme Court

#### **HB 974 (Robertson, 29) Electronic Filing of Deeds**

This legislation would require the clerk to electronically file liens, mortgages, and deeds

#### **HB 1134 (Kennedy, 18th) – AG Jurisdiction Over Gang Cases**

This legislation would provide prosecuting attorneys and the Attorney General with concurrent authority over criminal cases related to criminal gang activity. The Attorney General would also be allowed to employ fully empowered peace officers in pursuit of this authority.

#### **HB 1183 (Hatchett, 50th) – Bail Bonds**

This legislation would reduce the amount of money a bail bond company would have to keep in its escrow account from 10% of its outstanding bail liability to 5%. It would also cap the maximum amount a company must keep in its escrow at \$1,000,000.

It also would provide that one is only entitled to recover part of their bond amount if found within two years if the delay did not delay the prosecution.

It would also clarify that bonds have to be paid within 120 days of the entry of judgment in order to be eligible for partial repayment but that the defendant has 120 days after paying the bond to notify the court that they missed trial.

### **HB 1275 (Kennedy, 18th) – Appointment and Removal of Municipal Court Judges**

This legislation would allow municipalities to adopt municipal court judge terms in excess of one year in their charters. For vacancies not created by removal proceedings, municipalities may appoint a legally qualified individual to serve the remainder of the term.

This legislation would require that the following be included in a petition to remove a municipal court judge: the cause for the termination in sufficient detail; the names of witnesses and a summary of evidence; a requirement that the judge may subpoena witnesses and request documents and evidence. Required notice to the judge for removal proceedings would be extended from at least 10 days prior to the hearing, to at least 20 days prior. The judge may be represented by an attorney at the judge's expense. The hearing must be recorded. The chief judge of the superior court in the municipality must appoint a senior superior court judge or senior state court judge to preside over the hearing. The municipality must pay the presiding judge no more than \$500 per day, plus reasonable and necessary expenses. The basis for the final decision must be provided at the hearing and in writing. If a judge is removed under these proceedings, the municipality may fill the vacancy by appointing any legally qualified individual to serve for 30 to 60 days, rather than the 1 to 90 days provided for now.

### **HB 1346 (Kirkpatrick, 32nd) – Allow Clerks to do JAG**

This legislation would allow Superior Court Clerks to practice law as a JAG officer while in office.

### **HB 1361 (Kennedy, 18th) – AG to Defend Any Legislative Acts**

This legislation would allow the Attorney General to defend any Act of the General Assembly when its constitutionality is challenged.,

### **HB 1391 (Hatchett, 50th) – Compensation for Public Defenders**

This legislation would match public defender salaries to DA salaries.

It would increase the maximum compensation of a level four (highest) assistant public defender to be 95% of the public defender's salary.

### **HB 1405 (Parent, 42nd) – Zoning (Allow Judicial Review)**

This legislation would require local zoning ordinances to allow judicial review. They would have to establish procedures and a 30 day notice requirements for hearings.

Adoption or repeal of ordinances, amending ordinances, zoning and rezoning, and granting or denying special use permits would be directly challengeable in superior court. The whole record would be admissible, and the burden of proof would be clear and convincing evidence that the decision is a significant detriment or is insufficiently related to the public health, safety, morality, or general welfare. Other decisions would be appealable to superior court.

## **K-12 Education and Pre-K**

### **SB 220 (Payne, 54th) – Civics and Financial Literacy**

This legislation would create the Georgia Commission on Civics Education to promote civics education. The commission would have 17 members made up of legislators, state officials, appointees, and current or former civics teachers. All members would serve two-year terms, and the Governor would designate the chairperson.

The Commission would review the needs, conditions and issues related to civics education in Georgia schools and would issue an annual report to the General Assembly. The head of the social studies program of the Department of Education would report yearly to the commission. It would sunset December 31, 2028.

This legislation is also HB 681 that would add a financial literacy course to high schools. The course would include information determined by DOE.

### **SB 226 (Anavitarte, 31st) – School Libraries and Distribution of Harmful Materials**

This legislation would prohibit schools from providing obscene material lacking in literary, artistic, political, or scientific merit to minors. It would require schools to implement a process to handle complaints by parents that object to materials in the school library that could be based on a model policy to be created by DOE.

The principal would make a determination, which could be appealed to the local school board.

**SB 321 (Anavitarte, District 31) – Charter Schools Pilot Program for Ages 21-35**

This legislation would establish a pilot program that would allow individuals between 21 and 35 years old who have not attained a high school diploma to enroll in a state-funded charter program where they will complete academic and technical education and training to earn their high school diploma. The pilot program would include up to three separate charter schools in different geographical areas for a period of five years.

**SB 340 (Kirkpatrick, 32nd) – Residency Accreditation**

This legislation would provide that residency programs must be approved by the Accreditation Council for Graduate Medical Education rather than the American Medical Association. The American Medical Association is a member of the Accreditation Council for Graduate Medical Education

**SB 379 (Strickland, 17th) – TCSG Apprenticeships**

This legislation would create an apprenticeship program through the technical school system, subject to appropriation. Employers that participate through the program to create new apprenticeships would receive a reward of up to \$10,000 for each successfully completed apprenticeship. Each employer would be limited to five apprenticeships per year. Employers and unions with existing apprenticeships would not be eligible to participate. The program would sunset July 1, 2027.

**SB 357 (Kirkpatrick, 32nd) – Allow Military Students to Choose School**

This legislation would allow children of members of the military that live on base or in off-bases military housing to enroll in any school in the district in which the child resides or within 50 miles of where the student resides, so long as the school has room for additional enrollment. The student would not have to live in military housing.

**SB 397 (Goodman, 8th) – Rename GEDs as HSEs**

This legislation would increase the civil penalties for companies that manufacture mobile homes that don't comply with federal safety standards to match the maximum federal fines. The current state penalty \$1,000 per offense to a maximum of \$1,000,000. The current maximum federal penalty is \$3,011 per offense to a maximum of \$3,763,392.

**SB 514 (Dixon, 45th) – Parental Opt-out of Mask Mandates**

This legislation would require schools to let parents opt out of any mask mandates. It would sunset June 30, 2023.

**HB 1215 (Albers, 56th) – Charter Schools**

To remove a provision that reduced the amount of certain funding provided to state This legislation would allow students to withdraw from a local school and enroll in a charter school with available space at any time.

It would require local funds to a locally chartered school to be adjusted semiannually to account for actual revenue collections.

It would no longer require the Department of Audits and Accounts to compile an annual report on state virtual charter schools’ student and financial performance and the school’s professional development plans. Currently these reports are provided to the State Charter School Commission, BOE, Governor, Speaker, and Lt. Governor. These reports are also compiled every four years and when the school’s charter is up for renewal and provided to the Board of Education, Governor, Speaker, and Lt. Governor.

**HB 1283 (Mullis, 53rd) – Mandatory Elementary Recess**

This legislation would require recess for all kids in grades K-5, unless they had had PE or situations, such as weather, prevent recess.

**HB 1292 (Harper, 7th) – No Absentees for 4-H Students**

This legislation would prohibit schools from counting students who participate in 4-H sponsored activities as absent, either excused or unexcused, from school, and require that it be treated in the same manner as an educational field trip. Schools may request documentation from a 4-H representative for proof of a student’s participation.

**HB 1303 (Burns, 23rd) – Permanent Elementary Agricultural Education**

This legislation would make the existing voluntary elementary agricultural education program administered by DOE permanent.

## Labor

### **SB 331 (Albers, 56th) – Ban on Local Government Employee Work Output Requirements**

This legislation would prohibit local governments from passing ordinances to combat work output requirements that prevent people from taking breaks or going to the bathroom.

### **SB 605 (Burke, 11st) – Slower UI Repayments for Nonprofits**

This legislation would allow 501(c)(3)s that pay actual cost of unemployment benefits instead of contributing to the trust fund that incurred more than \$360,000 in employment costs between January 1, 2020 and January 1, 2022 to pay their balance over 36 months instead of 12.

It would sunset December 31, 2026.

### **HB 389 (Strickland, 17th) – Independent Contractors**

This legislation would establish the following factors for determining whether a person is an employee or contractor:

- Whether they can work for other employers
- Whether they can accept or reject assignments without consequences
- Whether they have set minimum hours or minimum orders
- Whether they can set their own schedule
- Whether they have direct oversight, a set work location, or set deadlines
- Whether the person is subject to a geographical restriction
- Other factors determined by the Department of Labor

It would provide that people are not employees if they work pursuant to a contract that the company cannot:

- Unilaterally set work schedules or minimum hours
- Require the person to accept specific transportation or delivery requests, though the company can require the person to accept a specific percentage of requests
- Prohibit the person from working for other transportation or delivery companies
- Restrict the person from engaging in any other employment

It would create a civil penalty for misclassifying employees. The penalty would be \$2,500 per misclassified employee for companies with fewer than 100 employees and \$7,500 per misclassified employee for employers with 100 or more employees. The fines would be intended to be used to enforce this law. DOL could also assess the company for the costs of the investigation, plus interest.

It would also provide that music industry professionals that set their own hours, are treated as contractors under federal law, and uses their own creative discretion are contractors and not employees.

### **HB 1331 (Goodman, 8th) – Governor Takeover of Unemployment**

This legislation would take administration of the state unemployment insurance system away from the Labor Commission and give it to a gubernatorial designee. The Department of Labor would still collect funds and then transfer it to the governor’s designee.

### **HB 1409 (Kirkpatrick, 32nd) – Increase Workers Compensation Payments**

This legislation would increase the maximum workers compensation payment from \$675/week to \$725/week. It would increase the maximum payment for partial disabilities from \$450 to \$483/week. It would increase the maximum payment to a surviving spouse when there are no dependents from \$270,000 to \$290,000.

## **Licensed Professionals**

### **SB 358 (Kirkpatrick, 32nd) – Reimburse LEO Training Cost**

This legislation would allow the Georgia Public Safety Training Center to reimburse training costs for active or retired military members attending police academy, subject to appropriation. If insufficient funds are appropriated, the reimbursements would be prorated.

### **HB 305 (Mullis, 53rd) – Certified Massage Therapy Educational Programs**

This legislation would require massage therapy educational programs to be approved by a national massage therapy certifying organization or entity approved by the board

### **HB 412 (Brass, 28th) – License Applied Behavior Analysts**

This legislation would license applied behavior analysts that use behavior analysis to treat autism and other mental health issues, usually in children.

It would allow for behavior analyst licenses and assistant behavior analyst licenses. Behavior analysts would be required to have a master's degree, while assistants would only need a bachelor's degree. Behavior analysts and assistants would also be able to supervise non-licensed behavior technicians who could deliver services but not design assessment or intervention plans or procedures.

### **HB 476 (Albers, 56th) – Georgia Professional Engineers and Land Surveyors Board**

This bill would allow the Georgia Professional Engineers and Land Surveyors Board to become an independent agency with a separate and distinct budget. The board would hire an executive director to run all actions and regulations delegated to the board. The director would be able to hire sworn investigators.

### **HB 972 (Brass, 28th) – Professional Counselors, Social Workers, and Marriage and Family Therapists**

This legislation would exempt people working as social workers working for community service boards as of January 1, 2022, professional counselors working at private prisons or for the state as of January 1, 2022, and rehabilitation counselor interns from licensure requirements.

It would require everyone to have a graduate degree to be licensed instead of merely receiving letters of recommendation from two teachers or supervisors.

It would no longer require people with a doctorate to practice under supervision after graduating to be licensed so long as they had a one year supervised internship.

It would specify that the practical part of a counseling degree must be at least 60 semester hours.

It would increase the minimum fine for unauthorized practice from \$100 to \$500 per offense. The \$1,000 maximum would remain unchanged. It would clarify that violations done through a corporation could still result in jail time.

It also contains numerous cleanup provisions.

### **HB 1186 (Kirkpatrick, 32nd) – Speech-language Pathologists**

Relating to state speech-language pathology and audiology licensing, so as to allow persons who are not licensed audiologists to use otoacoustic emissions or auditory brainstem response technology as part of a screening process for the initial identification of communication disorders in individuals up to age 22

### **HB 1433 (Parent, 42nd) – Require CJCC Mental Health Advisors to be Licensed**

This legislation would require people appointed to the CJCC advisory board appointed based on mental health expertise to be licensed. It would include representatives of witness and victim advocacy groups. If it isn't practical to appoint people who have been under the jurisdiction of DJJ, a parent could be appointed.

## **Local Government**

### **SB 337 (Walker, 20th) – No Pay for Indicted Local Elected Officials**

This legislation would withhold local elected officials' and Public Service Commission members' pay when removed from office after being indicted for a felony. They would receive back pay if acquitted. It is the companion legislation for SR 134 which received final passage in 2021. SR 134 proposes a constitutional amendment to withhold statewide officials' and legislators' pay when removed from office after being indicted for a felony.

### **SB 345 (Mullis, 53rd) – Ban Covid Vaccine Passports**

This legislation would prohibit the state and local governments from requiring proof of covid vaccinations in order for a person to receive a service or access a facility. Governments would not be required to violate federal regulations. It would sunset June 30, 2023.

### **SB 581 (Walker, 20th) – Surveys**

This legislation would switch Georgia to the National Spatial Reference System when determining property boundaries. The north/south and east/west coordinates of locations would be based on the central meridian of the east or west zone of the state instead of based on a map projection.

It would give the State Board of Registration for Professional Engineers and Land Surveyors approval authority over survey standards instead of using federal regulations.

It would eliminate a less precise definition of a meter and use a terminating decimal instead of a repeating one.

### **SB 586 (Gooch, 51st) – County Design-Build Contracts**

This legislation would allow counties to solicit bids for design-build contracts where a single contractor would design a project, do all the pre-build work such as relocating utilities and environmental assessments, and build the project under a

single contract. This would be available for buildings, bridges, rail, technology, and projects within existing rights of way. Counties would pre-approve the firms that could bid on design-build projects. Counties couldn't approve design-build contracts totaling more than 50% of the construction project awards from the prior year.

**HB 923 (Anavitare, 31st) – Cap Development Authority Per Diem**

Cap the per diem allowance available to directors of development authorities so as not to exceed that of members of the General Assembly.

**HB 1280 (Dixon, 45th) – Cities to Using County Tax Commissioner and Tax Commissioner Retirement.**

This legislation would create a uniform process for cities to use county tax commissioners instead of having separate rules for small counties, big counties, and Gwinnett County. It would require approval by the county and tax commissioner. The tax commissioner would get paid for doing the city contract up to 50% of his or her state minimum salary. It also would create a Roth IRA-style deferred compensation program for tax commissioners. The state would match the first 5%.

**HB 1385 (Hatchett, 50) – File Annexations with LCRO**

This legislation would require cities that annex property to file notice with the Legislative and Congressional Reapportionment Office in addition to the Department of Community Affairs and include a shapefile. If the local government can't produce a shapefile, their regional commission would assist the city. Reapportionment would have 60 days to notify the city if the shapefile is incomplete.

**HB 1461 (Hatchett, 50th) – Annexations**

This legislation would specify that cities have to provide notice of an annexation petition within 30 days. They would also have to notify any school system that would be affected.

If a county objects to an annexation, it would have to notify DCA along with the city. This notification could be by email. The deadline to object would be extended from 30 to 45 days.

It would increase the number of arbitration panels arbitrators hearing annexation objections could serve on to four each year. The Carl Vinson Institute would provide annual training to arbitrators, subject to appropriation. Arbitration panels could employ court reporters or hearing officers. Local governments could mutually agree

to waive the 60 day decision deadline for the arbitration panel in order to try and come up with a settlement. Arbitrations could be done virtually.

Arbitration costs would be split 50/50 instead of 75% on the county.

Results of an arbitration would be provided to DCA, which would put the results online.

It would extend the time in which a local governments can't change zoning in an objected annexation, regardless of outcome, from one to two years. The local governments could agree to waive this period.

### **New Cities**

#### **HB 840 (Kirkpatrick, 32nd) – Vinings**

#### **HB 841 (Albers, 56th) – East Cobb**

### **Natural Resources and Environment**

#### **HB 1148 (Harper, 7th) – Chronic Wasting Disease**

This legislation would authorize the DNR to limit or prohibit the importation or transportation of any deer or other cervid meat or other carcass parts if chronic wasting disease is detected in Georgia or an adjacent county. It would also extend existing limitations on cervid importation, such as requiring meat to be cleaned, to all states, not just states with documented CWD cases.

#### **HB 1233 (Harper, 7th) – DNR Update**

This legislation would incorporate regulations promulgated by the DNR into state law.

It would clarify that one needs a migratory bird stamp to hunt all migratory birds, including doves. It would require anyone hunting migratory birds to have a plugged shotgun that's limited to three rounds.

It would combine the minimum size and daily catch limits for smallmouth, shoal, Suwanee, spotted, and redeye bass.

#### **HB 1349 (Harper, 7th) – Protect Current Hunting Land**

This legislation would direct DNR to protect all current state-owned hunting land to the extent possible. Current law only applies to public hunting land in use as of 2005.

## Public Safety

### **SB 319 (Anavitarte, 31st) – Permitless Weapons Carry, aka “Constitutional Carry”**

This legislation would allow anyone who is legally allowed to possess a firearm to carry it anywhere where weapons carry permit holders are currently allowed to carry a firearm

### **SB 404 (Abers, 56th) – Retain EMT Fingerprints**

This legislation would allow the GBI and FBI to retain fingerprint records from EMT background checks.

### **SB 505 (Robertson, 29th) – CPR Training for 9-1-1 Operators**

This legislation would require 9-1-1 operators and other communications officers to receive training on how to instruct people over the phone on how to preform CPR until a first responder arrives.

Dispatch center directors hired after January 1, 2023 would also be required to receive CPR training.

### **HB 218 (Hatchett, 50th) – Weapons Carry Reciprocity**

This legislation would no longer require reciprocity for out of state weapons carriers to carry in Georgia. The AG could enter into necessary agreements to satisfy states that require reciprocity to recognize Georgia licenses.

House Amendment: Language prohibiting firearm restrictions during emergencies, prohibiting a multijurisdictional database of carry permits, and

### **HB 1146 (Albers, 56th) – No Longer Require Lightbars for State Patrol Cars**

This legislation would no longer require State Patrol Cars to have exterior, visible light bars. It would also clarify that police should use primarily blue lights.

### **HB 1147 (Harper, 7th) – Allow Hunting and Trapping of Raccoon and Opossum Year Round**

This legislation would extend the hunting seasons for raccoons and opossum to year round. Currently, hunting season is October 15 to February 29, and trapping season is November 20 to February 29. It would also allow year-round trapping of

raccoons and opossums year round on private land. It would limit year round trapping of beaver, rats, and mice to private land.

## Revenue and Taxation

### **SB 87 (Rhett, 33rd) – Service-Disabled Veterans Scholarships**

This legislation would allow taxpayers to donate part of all of their tax return to the TCSG foundation to provide scholarships for service-disabled veterans.

### **HB 328 (Gooch, 51st) – Telephone Company Due Compensation**

This legislation would provide that the process where phone companies are taxed by cities at no more than 3% of their revenue earned in the city does not preclude permitting fees for building structures or colocations. It would assess a 10% penalty of companies that fail to pay their required taxes. Phone companies that don't have users within a city would pay 5¢ per foot of line in the city with an initial permit fee of actual costs up to \$100 instead of the 3%.

### **HB 893 (Harper, 7th) – Extend Hazardous Waste Fee**

This legislation would extend the imposition of hazardous waste management fees through July 1, 2027.

## Process

### **HB 907 (Anavitarte, 31st) – Early T-SPLOSTs**

This legislation would allow counties to hold a T-SPLOST vote during the third week of March this year and next year despite there not being a presidential preference primary to attach the vote to. Due to increased sales tax revenue, many counties will hit their

### **HB 934 (Anavitrae 31st) – County T-SPLOSTs**

This legislation would clarify that counties that levy a county T-SPLOST pursuant to the IGA with its cities required to collect the full 1% could collect the tax for the full tax period, even if it hits its funding goal.

It would also limit votes on county T-SPLOSTs to be on the date of the presidential preference primary, the general primary, the general election in even years and on the third Tuesday in March or the Tuesday after the first Monday in November in odd numbered years.

### **HB 1058 (Hickman, 4th) – Consolidated Returns for Affiliated Companies**

This legislation would allow all affiliated corporations that can file consolidated federal returns to elect to file consolidated state returns instead of requiring DoR approval. The election would be binding for five years. Each corporation would still be considered an individual taxpayer.

Ballot Question: "Shall the Constitution of Georgia be amended to provide that temporary loans for counties, municipalities, and other political subdivisions of this state are payable in full within 12 months rather than by the end of the calendar year?"

### **HB 1320 (Hickman, 4th) – IRC Update**

This legislation is the annual Revenue Code update to incorporate changes to the federal tax code made during 2021.

### **Tax Cuts and Expenditures**

#### **SB 361 (Walker, 20th) – Tax Credit for Law Enforcement Donations**

This legislation would create a tax credit for donations to nonprofits affiliated with a specific law enforcement agency. The nonprofits could use the funds for compensation of officers, training, and equipment purchases.

The credit would be up to \$5,000 for an individual, \$10,000 for a married couple, \$10,000 for members of LLCs, partnerships, and S corporations, and 75% of a C corporation's tax liability. It would be capped at \$100 million aggregate.

It would sunset December 31, 2027.

#### **HB 275 (Albers, 56th) – Organ Donations**

This legislation would prohibit life insurers from discriminating against liver or kidney donors

It would create an income tax deduction of \$25,000 for a living organ donation

It would create an employer tax credit for employers that provide paid leave to organ donors. The credit would be the lesser of the amount paid or \$300/day. Employers could receive credits for up to 30 days of paid leave per employee per year. The credit would be capped at \$54,000 per employer.

#### **HB 304 (Hufstetler, 52nd) – Suspend Gas Tax Through May 31**

This legislation would suspend the state gas tax through May 31, 2022

### **HB 424 (Cowsert, 46th) – Aging out Foster Child Placement Tax Credit**

This legislation would create a tax credit for donations to DFCS-certified aging out programs that are part of the Technical College System Foundation, the University System Foundation, or any nonprofit that either funds those programs or runs its own program to support current and former foster children aged 16 to 25.

To be eligible, an organization would have to spend 90% of donated funds to the cost of obtaining tuition waivers available to former foster children, funding wraparound services for those people, and mentoring aging foster children up to a maximum \$100/month of \$500/year.

The credit would be up to \$2,500 for individuals, \$5,000 for couples, or 10% of a corporation's tax liability. It would be capped at \$20 million per year.

### **HB 469 (Albers, 56th) – Historic Preservation Tax Credit**

This legislation would cap the historic preservation tax credit at \$5 million aggregate for historic homes in 2023 and 2024 and end all credits for historic homes after 2024. It would be capped at \$30 million for other structures through 2027 and sunset after 2027.

### **HB 517 (Payne, 54th) – Student Scholarship Organizations**

This legislation would increase the SSO tax credit from \$1,000 to \$2,500 for individuals, from \$2,500 to \$5,000 for married couples, and from \$10,000 for \$25,000 for income from S corporations and other flow through organizations. It would allow insurance companies a credit of up to 75% of its premium tax up to \$1,000,000 with an aggregate cap of 5% of the total cap. It would include interest when determining how much SSOs need to pay out in scholarships. It would outline what must be in an SSO's audit.

It would increase the aggregate cap from \$58 million to \$100 million for tax years 2019-22 and then by an additional \$20 million a year until maxing out at \$200 million for tax years 2027-32. It would drop back down to \$100 million in 2033.

### **HB 586 (Gooch, 51st) – Tax Expenditures**

This legislation would extend the sales tax exemption on tickets to nonprofit arts museums through December 31, 2026. This legislation would reinstate the conservation easement tax credit that sunset at the end of 2021. The aggregate cap would be reduced from \$30 million to \$4 million. The new sunset would be December 31, 2026.

### **HB 997 (Walker, 20th) – Exempt Timber Production Equipment from Property Taxes**

This legislation would exempt timber production equipment, other than motor vehicles, owned or leased by a timber company from property taxes. It would be subject to a referendum.

Ballot Question: “Shall the Act be approved which grants a state-wide exemption from all ad valorem taxes for certain equipment used by timber producers in the production or harvest of timber?”

### **HB 1034 (Albers, 56th) – Extend Major Sporting Event Sales Tax Exemption**

This legislation would extend the sales tax exemption on tickets to major sporting events through 2031. It would also add World Cup matches to the exempt list.

### **HB 1041 (Hickman, 4th) – Increase Rural Hospital Tax Credit**

This legislation would increase the aggregate cap on the rural hospital tax credit from \$60 million to \$75 million.

### **HB 1064 (Kirkpatrick, 32nd) – Military Retirement Income Tax Exemption**

This legislation would allow veterans under 62 to exempt up to \$17,500 of military retirement income from state taxes. At age 62, they would become covered by the \$35,000-\$65,000 retirement income exemption that applies to all taxpayers.

### **HB 1291 (Gooch 51st) – Extend Technology Equipment and Datacenter Tax Exemption**

This legislation would extend the sales tax exemption on computer equipment over \$15 million purchased by tech companies through 2028. They would pay 10% of their sales tax liability on the first \$15 million. It would no longer apply to personal devices issued to employees or software.

This legislation would also extend the sales tax exemption on datacenter equipment through 2031.

It would require datacenters in counties with a population over 50,000 to create at least 25 jobs to be eligible.

It would require datacenters in counties with population 30,000 to 50,000 to create ten jobs. It would limit the aggregate investment requirement for those datacenters from \$150 million to \$75 million.

It would require datacenters in counties with a population smaller than 30,000 to create five jobs. It would reduce the aggregate investment requirement for those datacenters from \$100 million to \$25 million.

### **HB 1302 (Dixon, 45th) – Tax Refunds**

This legislation would issue tax refunds for people who filed 2020 and 2021 tax returns in Georgia in the amount of

- \$250 for an individual
- \$375 for a head of household
- \$500 for a married couple

The refunds would not exceed one's 2020 tax liability. The refunds would not be taxable income.

### **HB 1437 (Hufstetler, 52nd) – Flat Income Tax**

This legislation would switch the state to a flat tax and reduce the state income tax rate to 4.99% by 2029. It would be phased in at the following rates:

- 2024: 5.49%
- 2025: 5.39%
- 2026: 5.29%
- 2027: 5.19%
- 2028: 5.09%
- 2029 and beyond: 4.99%

It would delay the implementation of a lower rate if the Governor's revenue estimate for the next year isn't 3% above the estimate for the current year, if the prior year's revenue collection wasn't higher than all of the past five years, or if the rainy day fund is lower than the projected revenue loss.

It would increase the standard deduction for married people as follows:

- 2024: \$18,500
- 2026: \$20,000
- 2028: \$22,000
- 2030: \$24,000

Married people filing separately would get half the amount

It would increase the standard deduction for individuals and heads of households from \$12,000.

It would increase the amount of wages that can be considered retirement income from \$4,000 to \$5,000.

It would cap the state and local tax deduction at \$10,000 for couples and \$5,000 for individuals.

It would direct the House Ways & Means Committee and the Senate Finance Committee to review all tax expenditures by December 1, 2023,

### **HR 594 (Brass, 28th) – Tax Relief for Damaged Structures**

This resolution would propose a constitutional amendment to allow local governments to give temporary property tax relief when structures have been heavily damaged or destroyed during a declared emergency.

Ballot Question: “Shall the Constitution of Georgia be amended so as to provide that the governing authority of each county, municipality, and consolidated government and the board of education of each independent and county school system in this state shall be authorized to grant temporary tax relief to properties within its jurisdiction which are severely damaged or

## **Retirement and Pensions**

### **SB 84 (Albers, 56th) – Add Dispatchers to Peace Officers’ Annuity Benefit Fund**

This legislation would add POST certified dispatchers and other communications officers to the Peace Officers’ Annuity and Benefit Fund.

It would reduce the Department of Revenue’s administration fee for 911 service from 1% to 0.25% and redirect that 0.75% to the Peace Officers’ Annuity and Benefit Fund.

### **SB 267 (Mullis, 53rd) – Allow Appellate Judges to Transfer Credit from ERS to JRS**

This legislation would allow appellate judges to transfer credit from the Employees’ Retirement System to the Judicial Retirement System. Judges would receive one year of credit in JRS for every two years transferred from ERS.

### **SB 343 (Hufstetler, 52nd) – Increase State Employee Retirement**

This legislation would increase the 401(k) match from a full match for the first 1% and a 50% match for the next 4% to be a full match for the first 5% and a 50% match for the next 4%.

State employers would no longer be responsible for paying for accrued sick and vacation leave for people that retired before July 1, 2022.

### **HB 263 (Hickman, 4th) – Probate Judges Retirement Benefit Calculations**

In lieu of receiving all retirement benefits as a single payment, a probate court judge may choose to receive monthly payments that are payable up to the date of death of the judge's spouse or other designated survivor. Currently, these monthly payments are computed on the Group Annuity Table for 1951 using a 5.5% interest. This legislation would provide that these monthly payments be calculated using an interest rate and current mortality table adopted by the Board of Commissioners of the Judges of the Probate Courts Retirement Fund of Georgia.

### **HB 385 (Goodman, 8th) – Allow Retired Teachers to Teach and Receive Full Pension**

This legislation would allow teachers who have been retired for over a year to return to teaching and still receive their full retirement through June 30, 2026. These teachers could only teach in one of the three subjects with the most unfilled positions in their Regional Educational Service Area. A school system employing a retired teacher under this provision would pay their employer contribution amount to TRS. Retired teachers would not accrue any more creditable service.

### **HB 1056 (Mullis, 53rd) – Allow Firefighter's Retirement System to Invest 15% in Alternative Investments**

This legislation would increase the maximum dry weight for a vehicle that is regulated as an all-terrain vehicle from 2,500 pounds to 3,500 pounds.

## **State Government**

### **SB 346 (Mullis, 53rd) – No State Contracts for Chinese Companies**

This legislation would prohibit any companies owned or operated by China from bidding on or submitting proposals for a contract with a state agency for goods or services. A company that falsely certifies that it is not Chinese owned or operated

would be fined the greater of \$250,000 or twice the contract value and become ineligible to bid on future contracts.

### **SB 532 (Kennedy, 18th) – Limit Regulations on 501(c)(3)s**

This legislation would require agencies implementing rules that affect 501(c)(3) nonprofits implement regulations no more burdensome than required by law and be narrowly tailored to achieve a compelling state interest.

The agency would also have to provide their notice of rulemaking to the relevant House and Senate committees.

### **SB 562 (Mullis, 53rd) – No State Contracts for Russian Owned Companies**

This legislation would prohibit companies owned by Russia from bidding on state contracts.

### **HB 824 (Robertson, 29th) – Increase Legislative Pensions**

This legislation would increase the monthly retirement payment for retired legislators from \$28 per year of service to \$50 per year of service.

It would increase the monthly contribution from 7.5% of one's monthly salary (about \$108) to \$165.

It would increase the Speaker's contribution to \$660/month and retired Speakers would get an extra \$200/month for each year as Speaker.

### **HB 1335 (Mullis, 53rd) – Juneteenth**

This legislation would make Juneteenth a state holiday. It would also designate the week in which 9/11 falls as Public Safety Week.

### **HR 663 (Harbison, 15th) – Easement Resolution**

### **HR 664 (Harbison, 15th) – Conveyance Resolution**

### **State Agencies, Authorities, Boards, and Commissions**

#### **HB 1516 (Cowsert, 46th) – Georgia Music Hall of Fame Authority**

This legislation would direct the board of the Georgia Music Hall of Fame to partner with the Clarke County Classics Center to house the Hall of Fame.

It would replace the board with five appointees by the Governor, three from across the state and two from Athens-Clarke County. Venue for any legal actions would be in Athens-Clarke County.

### License Plates

#### **HB 203 (Watson, 1st) – Tybee Island Historical Society License Plate**

This legislation would create a license plate for the Tybee Island Historical Society with funds going to the Tybee Island Historical Society.

### Transportation

#### **SB 469 (Harper, 7th) – Visual Distress Signals on Boats**

This legislation would require all vessels being operated at night to carry Coast Guard approved visual distress signals, such as flairs, smoke signals, or Coast Guard approved non-pyrotechnic signals. For pyrotechnic signals, at least three should be available.

It would require vessels, other than recreational vessels under 16 feet in length, non-motorized sailboats under 26 feet, and all manually propelled vessels, operated during the day to carry Coast Guard approved visual distress signals. Signals such as orange flags that are only visible during the day would be sufficient.

It would also eliminate the specific references to the types of personal flotation devices and simply refer to Coast Guard

#### **SB 553 (Sen. Robertson, 29) – Allow 15 Year Olds to Operate Boats**

This legislation would allow 15 year olds who have a learner's permit to operate any boat so long as they are accompanied by an adult legally allowed to operate boats and able to assume immediate control. The 15 year old would have to have taken a state boating education course.

#### **SR 596 (Ginn, 47th) – Road Dedications**

#### **HB 246 (Albers, 56th) – Increased Fee for Replacement Drivers License**

This legislation would increase the fee for a drivers' license replacement from \$5 to \$10. The replacement fee for a limited driving permit issued to people with DUIs would be raised from \$25 to \$32.

### **HB 1009 (Gooch, 51st) – Automated Delivery Vehicles**

This legislation would allow automated delivery vehicles to operate on sidewalks, bike paths, and on the right side of a road with a speed limit no higher than 45 mph. They would be limited to 20 mph on the road, 10 mph on a sidewalk, and 3.5 ft/second (2.4 mph) in crosswalks.

These vehicles would be no more than 500 pounds empty. They would be required to yield to all other vehicles and make a noise when within six feet of a person or vehicle. They would need to have lights if operated at night and a visible ID number and a phone number to contact the operator.

The vehicles would have to be monitored when in use, and the operator would have to maintain \$100,000 in insurance coverage. Should the vehicle be in an accident, the operator would call law enforcement.

The only additional restrictions local governments would be able to impose are:

- Prohibiting them at night
- Prohibiting operating on school property, hospital property, sidewalks near stadiums, and locally owned sidewalks adjacent to government property.
- Regulating them in a way no more restrictive than state law in a specific area of no more than seven liner miles.

The local government would have to hold a public hearing before imposing any restrictions.

They would not be allowed on the Beltline.

Any violations would be a civil penalty of \$500.

### **HB 1011 (McNeill, 3rd) – Amber Strobe Lights**

This legislation would prohibit any permitting requirements for the legally required amber strobe light on low speed vehicles.

It would also extend the permit length for amber strobes on privately owned vehicles from one year to five years to match the permit length for government owned vehicles.

### **HB 1055 (Gooch, 51st) – Larger ATVs**

This legislation would increase the maximum dry weight for a vehicle that is regulated as an all-terrain vehicle from 2,500 pounds to 3,500 pounds.

### **HB 1089 (Tippins, 37th) – Increase Fine for an Unregistered Vehicle**

This legislation would increase the fine for driving an unregistered vehicle from \$25 to \$145

### **HB 1103 (Thompson, 14th) – Revise the definition of “heavy duty equipment motor vehicle”**

This legislation would reduce the weight for a motor vehicle to qualify as heavy equipment on which a rental company can pass along a 1.5% property tax recovery fee from 5,000 lbs to 1,500 lbs. It would also provide that heavy vehicles are only treated as rentals if they’re rented out for less than a year at the time.

### **HB 1194 (Dixon, 45th) – Annual DOT Update**

This legislation would incorporate regulations passed at the federal level into state law.

### **HR 820 (Gooch, 51st) – Road Dedications**

## **Utilities**

### **HB 1372 (Strickland, 17th) – Underground Facilities**

This legislation would rename as utility facilities that need to be marked before digging or blasting as underground facilities. It would include traffic control devices as underground facilities.

It would replace the current 48 hour notice that one must give a utility protection center (811) to be a period of two to eight days. It would prohibit underground facility operators from recovering damages if the excavator complies with the notice period but the facilities were never marked. Road contractors grading roads that aren’t required to get underground facilities marked would not be liable to any damage to underground facilities in the existing road or within a foot of the surface.

It would require excavators to call 911 if they hit a gas or oil or other liquid fuel line.

It would direct GDOT to coordinate with 811 for locating underground facilities in its right of way.

It would require excavators to still notify 811 and determine utility locations during natural disasters that make it impossible to send out an inspector.

Excavators would not be liable for any upgrades to a damaged underground facility.

It would create a three year statute of limitations starting when the damage was reported to the PSC.

## Veterans and Military

### **SB 96 (Jackson, 2nd) – Military IDs for Notarizations**

This bill would add a valid Veterans Health ID issued by the U.S. Department of Veterans Affairs to the list of satisfactory evidence for a notary to confirm one's identity.

### **HB 884 (Kirkpatrick, 32nd) – Issue Military Spouse License Within 30 Days**

This legislation would require licensing boards to issue expedited licenses for military spouses within 30 days of receiving all necessary documentation.

## Bills Failed in the Senate

### **SB 203 (Gooch, 51st) – Use of Cell Phones in Stopped Cars**

This would allow people operating personal vehicles to use their phones when the vehicle is at a complete stop.

### **SB 218 (Walker, 20th) – Prosecutor Oversight Commission and Non-partisan Prosecutors**

This is a version of HB 411 that would create the Prosecuting Attorneys Oversight Commission to discipline and remove prosecutors that become incapacitated, engage in willful misconduct, willingly and persistently fail to perform one's duties, are convicted of a crime of moral turpitude, bring disrepute to the office, or allow the same from their staff. A policy of refusing to bring certain categories of offence would be grounds for sanction.

I would also allow DA and solicitor elections to be converted to non-partisan through local legislation.

### **SB 601 (Miller, 49th) – Vouchers**

This legislation would create a \$6,000/year private school voucher, subject to appropriation. Funds could be used for postsecondary education.

### **SR 131 (Mullis, 53rd) – Legalize Horse Racing**

This resolution would propose an amendment to the constitution to allow pari-mutuel betting on horse racing. Revenue would be used to fund educational programs, rural health care, gambling addiction, and rural development.

Ballot Question: “Shall the Constitution of Georgia be amended so as to authorize pari-mutuel betting on horse racing in the State of Georgia?”

### **SR 363 (Miller, 49th) – Only US Citizens Allowed to Vote**

This resolution would propose an amendment to the constitution to say that only US citizens are allowed to vote. Currently it says every US citizen has the right to vote. It would make no substantive changes.

Ballot Question:

Shall the Constitution of Georgia be amended so as to clarify that only citizens of the United States shall have a right to vote in elections in the State of Georgia?”

### **HR 842 (Mullis, 53rd) – Raise Legislator Pay**

This resolution would propose a constitutional amendment to 50% of the median household income in Georgia. (Just under \$30,000) It would be updated each term.

Ballot Question: “Shall the Constitution of Georgia be amended to restrict the ability of the General Assembly to increase the salary of state Senators and Representatives and establish a standard salary for such individuals equal to one-half of the median household income in Georgia?”

## **Bills Only Passed by the Senate**

### **Bills Not Considered by the House**

#### **SB 54 (Harbison, 15th) – Allow Judges to Delay Final Child Custody Determination When the Surviving Parent is Accused of Killing the Other Parent**

This legislation would allow judges to delay a final determination about a surviving parent’s child custody until after the trial when the surviving parent is accused of killing the other parent.

### **SB 76 (Albers, 56th) – Upgrade 9-1-1 System**

This bill would implement new features in the state's 9-1-1 system to allow text and other electronic methods of communication and to pass GIS data along for routing purposes. These services would be funded by increasing the monthly 9-1-1 charge for phone subscribers from \$1.50 to \$2.00 and for every prepaid wireless retail transaction. 16.5% of the 9-1-1 fees would be earmarked specifically for the new system for the next ten years and 20% of those earmarked fees could be used for the Peace Officers' Annuity and Benefit Fund.

### **SB 108 (Davenport, 44th) – Commission for the Blind and the Visually Impaired**

This legislation would create the Georgia Commission for the Blind and Visually impaired to take over blindness advocacy and service delivery with a focus on employability and quality of life from the Georgia Vocational Rehabilitation Agency. The Commission would be six blind or visually impaired people with two appointees each by the Governor, the Speaker, and the Lt. Governor. It would oversee vending operations by blind people. It would provide services for deaf-blind people, subject to appropriation.

### **SB 167 (Mullis, 53rd) – Earlier Appellate Judge Retirement**

This legislation would reduce the age at which appellate court judges would be able to retire from 65 to 60.

### **SB 171 (Robertson, 29th) – Criminalizing Protest**

This legislation would increase the penalty for battery to be a high an aggravated misdemeanor if committed at an event deemed an unlawful assembly by law enforcement.

It would make violence when committed in a group of seven or more a felony of 1 to 5 years and a fine of \$1,000 to \$5,000. It would bar anyone convicted of unlawful assembly from state or local employment. It would make blocking the road a felony of 1 to 5 years and a fine of \$1,000 to \$5,000. It would make it legal to run over protesters blocking the road. It would make any crimes committed at an event declared an unlawful assembly racketeering, which is punished by a felony of 5 to 20 years and a fine of up to \$25,000. It would make damaging a statue or other monument a felony of 1 to 15 years with a fine of \$1,000 to \$10,000.

It would create a cause of action against the state and local governments when property is damaged by two or more people or when an unlawful assembly has been

declared. It would require local governments to mandate permits and collect personal information about organizers for all protests.

It would require governments to allow first responders to request payroll deductions to purchase insurance to cover legal expenses.

### **SB 227 (Jones, 22nd) – Condemn Old Big Box Stores**

This legislation would allow a county or municipality seeking to condemn a blighted commercial property to file a petition in the superior court. After the petition, the court would then provide notice to and participate in a hearing with all affected persons or parties. The court would then determine whether the property would be blighted urbanized or developed property which has a building located on at least 375,000 square feet that was built prior to 2000 and has not been legally occupied in ten consecutive years or has had less than 30 percent occupancy for twenty consecutive years. It would not be available if a majority interest in the property had been sold within the past two years.

### **SB 277 (Mullis, 53rd) – Allow Courthouse Officials to Carry Guns in Courthouses**

This legislation would extend the provision that allows law enforcement officers to carry guns in courthouses to also apply to:

- Active and retired District Attorneys, Assistant District Attorneys, prosecutors working for the Prosecuting Attorneys' Council of the State of Georgia and their investigators
- Solicitors, assistant solicitors, and their investigators
- The Attorney General and staff he or she authorizes in writing
- Judges
- Federal prosecutors
- Superior Court clerks
- Constables employed by magistrate courts

**SB 279 (Anderson, 43rd) – Original 33 Monument**

This legislation would create a monument to the Original 33, the Black legislators expelled from the General Assembly after Reconstruction. It would be privately funded.

**SB 281 (Robertson, 29th) – Increase Death Benefit for Non-retired Former Sheriffs**

This legislation would increase the death benefit for former sheriffs who have not reached retirement age or filed for retirement from \$15,000 to \$35,000.

It would be funded by increasing the cost to buy credit for prior law enforcement or military service from \$37.50/month to \$65/month. It would increase the monthly dues from \$45/month to \$65/month. It would direct \$2 of the \$1,000 pretrial intervention fee to the fund. It would increase the fee charged on civil actions for the fund from \$1 to \$5.

**SB 316 (Anavitarte, 31st) – Stalking**

This legislation would increase the penalty for an adult stalking a minor from a misdemeanor to a high and aggravated misdemeanor. It would also require schools to notify parents and students through their codes of conduct that some bullying or cyberbullying can constitute criminal stalking

**SB 326 (Anavitarte, 31st) – Clarence Thomas Monument**

This legislation would provide for a privately funded monument to Clarence Thomas inside or outside the Capitol.

**SB 339 (Kirkpatrick, District 32) – Missing Veterans**

This legislation would add veterans with potential mental conditions to the statewide alert system for disabled adults.

**SB 342 (Kirkpatrick, 32nd) – Federal Mental Health Insurance Parity Act Compliance Reporting**

This legislation would require insurers to annually report to the Department of Insurance whether its five largest individual, small group, and large group plans comply with the federal Paul Wellstone and Pete Domenici Mental Health Parity and Addiction Equity Act that prohibits insurers from imposing stricter deductibles, co-

pays, visit limits, etc. on mental health and addiction treatment than on medical or surgical treatment.

It would include information on how medical necessity is determined, how and how often claims and prior authorizations are denied, treatment limitations, and actual claims paid.

If an insurer fails to comply with the Parity Act, the Insurance Commissioner could impose fines, compliance plans, or ordering the insurer to reprocess claims.

### **SB 359 (Albers, 56th) – Mandatory Minimums and Criminal Procedure**

This legislation would require the Council of Accountability Court Judges of Georgia to create an annual report on the quality and effectiveness of accountability courts and the impacts on other courts. It would also provide guidance on prioritizing the constitutional and other legal prerogatives of superior, state, and juvenile courts.

It would also change the penalty for a convicted violent felony from 5 years to 5 to 10 years with a mandatory 5 year minimum. It would also extend this sentence to domestic violence felons.

It would extend the prohibition on people convicted of gang violence from filing related civil suits to include people that plead nolo.

It would allow for gang related civil and criminal actions to be brought in any county in which the gang operates. In the case of threats, the case could also be brought in the county where the victim is located.

In the event that a person commits a subsequent felony against an elder or disabled person or a minor, they would still be sentenced to the maximum sentence, but the minimum sentence would also become mandatory.

It would require courts to enter evidentiary rulings into the record upon request by any party.

It would allow courts deciding whether evidence is admissible prior to trial to consider:

- Whether it is the sort of issue that would be determined by an appellate court without regard to the trial court decision
- Whether the ruling would affect whether the parties will go to trial
- Whether the ruling will have a significant impact on the trial
- Whether the ruling will affect what witnesses are called
- Whether the decision could affect the decision making of parties before the trial

It would allow continuing objections to evidence of the same or similar nature or subject to a similar objection.

It would allow the defendant's prior conduct to be admitted in civil and criminal domestic abuse cases, child abuse cases, elder abuse cases, and cases with disabled victims. Prosecutors would have to notify defendants that they will seek to use this evidence 10 days before trial unless the judge sets a different timeframe. This provision could not be the sole means to admit evidence.

It would allow remote hearings in civil, administrative, and criminal cases with jail not on the table, so long as it isn't in conflict with court rules or other laws. Trials and evidentiary hearings could only be done remotely with the consent of the parties.

It would allow the GBI to seek coordination with other law enforcement agencies, so long as it wouldn't compromise the investigation, in child abuse, kidnapping, elder abuse, abuse of the disabled, gang activity, organized crime, election fraud, and terrorism cases.

### **SB 456 (Thompson, 14th) – Prohibit Abortion Pills by Mail**

This legislation would prohibit the prescription of mifepristone, also known as the abortion pill, remotely. The provider would also schedule a follow-up appointment 7-14 days later to confirm the abortion was successful. Abortion pills would not be able to be provided in school or on state ground, including public and private higher educational institutions.

### **SB 360 (McNeil, 3rd) – Crimes Against Disabled Minors**

This legislation would extend the statute criminalizing exploiting or intimidating disabled adults to also apply to exploiting or intimidating disabled minors, which would prohibit people that abuse or intimidate disabled minors from taking a first offender plea and require any pardon or parole to be made public.

### **SB 364 (Tillery, 19th) – Cause of Action Against Illegal Telephone Solicitations**

This legislation would allow people to sue organizations that contract out illegal telephone solicitations in addition to the organization actually making the calls. A contracting organization would have a defense if they did not know their contractor was making illegal calls.

Damages would be changed from up to \$2,000 to a fixed \$1,000 per violation. Attorney's fees would be allowed. It would also allow for class action suits against violators.

It would remove the requirement that violations must have actual knowledge that they are in violation to be liable and remove the defense that the violator had a process in place intended to avoid illegal calls.

### **SB 378 (Albers, 56th) – Hazing**

This legislation would expand the anti-hazing statute to apply to all minors, even in non-school situations.

It would include forcing people to break the law as hazing. It would expressly consider caning, etc. to be hazing. It would consider any activities that endanger one’s physical or mental health, such as sleep deprivation, confinement in small spaces, or intense physical activity to be hazing.

It would increase the penalty for anyone 17 or older who forcefully commits hazing that results in a serious bodily injury or to reach a BAC over 0.25 to be a felony of one to five years. Anyone 17 or older that forcefully commits hazing that results in a death would be guilty of a felony of one to ten years.

It would require anyone engaging in or witnessing hazing to offer aid to someone injured by hazing, to the extent it can be done safely. Failure to do so would be a misdemeanor.

Consent of the victim or the fact that the hazing is sanctioned, approved, or treated as traditional by the organization would not be defenses.

It would give immunity to anyone who tries to prevent hazing and reports it to the school or law enforcement. It would give immunity from alcohol or drug charges to anyone who calls or needs medical attention due to hazing.

It would require more details and wider publication of college and university hazing reports.

### **SB 381 (Robertson, 29th) – Increase Penalties for Pimping and Pandering**

This legislation would increase the penalty for a first offense of pimping or pandering from a high an aggravated misdemeanor with a mandatory 72 hour minimum to be a felony of one to ten years. It would make the one year minimum for a subsequent offense mandatory absent a plea agreement providing for a lesser sentence. It would also make the one year minimum for maintaining a place of prostitution involving a minor mandatory absent a plea agreement providing for a lesser sentence.

### **SB 393 (Dolezal, 27th) – Ban “Censorship” on Social Media**

This legislation would prohibit social media platforms with 20 million or more monthly active users from “censoring” views by banning, including shadow banning, deplatforming, demonetizing, or otherwise taking adverse action against a user based on:

- The viewpoint of the user or another person

- The viewpoint represented in the user's expression or another person's expression
- A user's geographic location in this state or any part of this state or
- The actual or perceived race, color, ethnicity, religion, religious beliefs, political beliefs, political affiliation, national origin, sex, gender, sexual orientation, or disability of a user or another person or of a class of users or a class of other persons

Social media platforms could censor illegal, pornographic, excessively violent, and harassing content. It would also not apply any restrictions that would violate the dormant commerce clause of the US Constitution.

The social media platforms would also be required to publicly disclose data related to its content and practices in addition to publishing a biannual transparency report. Users would be able to bring civil actions against a social media platform for violations.

#### **SB 435 (Harbin, 16th) – No Trans Girls in Girls Sports**

This legislation would only allow students to play for sports teams for the gender they were assigned at birth unless the only team is for the other gender. It applies to boys and girls. Private schools that play public schools would also have to comply.

A student or parent could file a grievance with the school's Title IX coordinator to intervene if a student plays or plans to play for a disallowed team, with appeal to the school board. Students or their parents could also file suit in superior court for a determination. They could receive an injunction and attorney's fees but not monetary damages.

#### **SB 468 (Jackson, 41st) – Death Benefits When Public Safety Officers Commit Suicide**

This legislation would extend public safety officer death benefits to cases where the officer dies by suicide within 30 days of their last day of duty.

#### **SB 474 (Summers, 13th) – Exempt Cropdusters from Property Taxes**

This legislation would exempt aircraft used for the application of agricultural products, like fertilizers and pesticides, from property taxes.

It would be subject to a statewide referendum.

#### **SB 491 (Davenport, 44th) – Down Payment Savings Programs**

This legislation would allow banks and credit unions to administer down payment savings programs for purchases of primary residences. These programs would allow an individual to make contributions to the account for the purpose of meeting down payment expenses of a designated beneficiary. The account balance couldn't exceed \$100,000.

**SB 498 (Tippins, 37th) – More Generous Accreditation Agencies**

This legislation would give the State Board of Education more control over standards for accreditation agencies. It would allow districts that SACS has issues with to remain accredited through a process that focuses less on the board.

**SB 504 (Robertson, 29th) – Require Cash Bond for All Felonies**

This legislation would require a cash bond for any felon released on bail. Currently, people arrested for most nonviolent felonies can be issued bail without a cash bond. It would prohibit releasing all felons into pretrial diversion programs.

**SB 510 (Ginn, 47th) – Passengers in Minors' Cars**

This legislation would remove the restriction that 16-year-olds with Class D Provisional licenses (16 and 17 year olds) may not drive passengers that are not members of their immediate family during the first 6 months after the issuance of the license. However, for the first 12 months after the issuance of the license, they may only have up to one passenger in their vehicle who is not a member of their immediate family and is under 21 years old.

**SB 537 (Jones, 22nd) – Georgia Food Security Advisory Council**

This legislation would create the Georgia Food Security Advisory Council to recommend policies intended to eradicate food insecurity.

**SB 545 (Halper, 39th) – First Aid Training in Schools**

This legislation would require schools to provide an at least one hour course in first aid in 9th or 10th grade.

**SB 556 (Thompson, 14th) – Free Law Enforcement License Plates**

This legislation would allow law enforcement and retired law enforcement to receive free license plates in the same manner as currently applies to veterans.

### **SB 572 (Mullis, 53rd) – Regulated Vape Products**

This legislation would only allow vape products approved by the FDA to be sold in Georgia. Products with pending applications as of 9/9/2020 would be grandfathered in. It would also expressly prohibit counterfeit vape products that imitate approved vape products. Violations of either provision would be a civil penalty of 500% of the retail value of the illegal products, up to \$5,000 and can result in the loss of their license. The illegal products could be seized.

### **SB 575 (Tippins, 37th) – Quarterly Financial Reviews**

This legislation would require school boards to do financial reviews quarterly instead of monthly.

### **SB 603 (Rahman, 5th) – Outdoor Learning**

is legislation would create a pilot program for outdoor learning spaces and publish a report about their effectiveness.

### **SB 609 (Mullis, 53rd) – Medical Cannabis**

This legislation would require the Medical Cannabis Commission to conduct a review of all existing license applications and issue licenses by July 1, 2022. The commission would then rank the remaining applicants. For every 50,000 people added to the Low THC Oil Patient Registry, the commission would issue one more license for a medical cannabis facility up to 100,000 sq. ft. and two more licenses for facilities up to 50,000 sq. ft according to the ranked list. This process would end June 30, 2027.

It would subject contracts made by the Medical Cannabis Commission to state purchasing law in addition to purchases.

It would provide that the commission must turn over any information not exempt from public records to the Medical Cannabis Commission Oversight Committee.

It would authorize the commission to hire third party contractors to help with license applications.

## **Bills Passed in Identical or Similar Form on Other Bills**

### **SB 330 (Albers, 56th) – Organ Donations**

This legislation would prohibit life insurers from discriminating against liver or kidney donors

It would create an income tax deduction of \$25,000 for a living organ donation

It would create an employer tax credit for employers that provide paid leave to organ donors. The credit would be the lesser of the amount paid or \$300/day. Employers could receive credits for up to 30 days of paid leave per employee per year. The credit would be capped at \$54,000 per employer.

This passed as HB 275.

### **SB 353 (Thompson, 14th) – Judicial Discretion for Traffic FTAs**

This legislation would give courts discretion whether to suspend people’s driver’s licenses when someone fails to appear for a traffic offense.

This passed on SB 10.

### **SB 370 (Cowsert, 46th) – Aging Out Foster Child Placement Tax Credit**

This legislation would create a tax credit for donations to DFCS-certified aging out programs that are part of the Technical College System Foundation, the University System Foundation, or any nonprofit that either funds those programs or runs its own program to support current and former foster children aged 16 to 25.

To be eligible, an organization would have to spend 90% of donated funds to the cost of obtaining tuition waivers available to former foster children, funding wraparound services for those people, and mentoring aging foster children up to a maximum \$100/month of \$500/year.

The credit would be up to \$2,500 for individuals, \$5,000 for couples, or 10% of a corporation’s tax liability. It would be capped at \$20 million per year.

This passed as HB 424.

### **SB 377 (Hatchett, 50th) – “Divisive Concepts”**

This legislation would prohibit K-12 schools from teaching so-called “divisive concepts.” It would also prevent K-12 schools, universities, technical schools, and the state from using “divisive subjects” in diversity training. The “divisive subjects” would be:

- One race or ethnicity is inherently superior to another race or ethnicity
- The United States of America and the State of Georgia are fundamentally or systemically racist
- An individual, solely because of his or her race, skin color, or ethnicity, is inherently racist or oppressive, whether consciously or subconsciously

- An individual should be discriminated against or receive adverse treatment solely or partly because of his or her race, skin color, or ethnicity
- An individual's moral character is inherently determined by his or her race, skin color, or ethnicity
- An individual, because of his or her race, skin color, or ethnicity, bears
- responsibility for actions committed by other individuals of the same race, skin color, or ethnicity, whether past or present
- An individual should feel demeaned or caused to feel guilt by a teacher because of the individual's race, skin color, or ethnicity
- Performance based advancement or traits such as a hard work ethic are racist or were created by individuals of a particular race to oppress individuals of another race

It also would prohibit:

- Assigning fault, blame, or bias to a race or ethnicity or to an individual of a particular race or ethnicity because of his or her race or ethnicity. Such term includes, but is not limited to, any claim that an individual of a particular race or ethnicity is inherently racist or is inherently inclined to oppress others.
- Ascribing character traits, values, moral and ethical codes, privileges, status, or beliefs to a race or ethnicity, or to an individual because of his or her race or ethnicity.

There is a somewhat vague carveout that the legislation wouldn't prohibit:

- Promoting diversity or inclusiveness without teaching "divisive concepts"
- The discussion of divisive concepts, as part of a larger course of instruction, in an objective manner and without endorsement
- Use of curriculum that addresses topics of slavery, racial or ethnic oppression, racial or ethnic segregation, or racial or ethnic discrimination, including topics relating to the enactment and enforcement of laws resulting in such oppression, segregation, and discrimination

K-12 schools would have to create a complaint process for allegations that they are teaching "divisive concepts." Complaints could be brought by parents, students, teachers and school employees, the local DA, the Attorney General, and the House and Senate Education Committees. The school system would investigate to see if "divisive subjects" are being taught.

The decision would be appealable to the State School Board. If divisive concepts are deemed to be being taught, the school would have to implement a corrective action plan. If the school fails to implement the corrective action plan, it would be at risk of losing some strategic waivers to be determined by the State Board of Education for at least a year.

State agencies would be required to take unspecified disciplinary action against any employees or contractors using “divisive concepts” in diversity training.

A version of this passed as HB 1084.

### **SB 449 (Dixon, 45th) – Parental Interference**

This legislation would require the creation of procedures through which a parent may object to instructional materials intended for use in the classroom or recommended by a teacher. It would also allow a parent to withdraw his or her child from courses in sex education.

This legislation would prohibit schools from interfering with:

- Direct the upbringing and moral or religious training of his or her child.
- Review all instructional materials intended for use in the classroom.
- Enroll his or her child in a public school, private school, or home study program.
- Review all records relating to his or her child.

Consent in writing before a photograph, video, or voice recording of his or her child is made, unless necessary for safety or security.

This passed as HB 1178.

### **SB 487 (McNeil, 3rd) – Equal Treatment for Supplemental Breast Exams**

This legislation would require health insurance policies that cover breast cancer examinations to use equal cost-sharing requirements for supplemental breast screening examinations, such as MRI, X-ray, or ultrasounds for people with a family history of breast cancer, that are no less favorable than for regular mammograms.

This passed on HB 733.

### **HB 681 (Thompson, 14th) – Financial Literacy Course**

This legislation would direct DOE to create a one semester personal financial literacy course. Students would have to take the class during 11th or 12th grade. It could count as a math, social studies, or elective credit.

Teachers would need to have

- A business, economics, mathematics, family and consumer service, or marketing certificate
- A special education certificate with social science content designations

- A secondary level teaching endorsement in financial literacy from the Professional Standards Commission

This Passed on SB 220

## **Bills that Failed to Pass Both Chambers in Identical Form**

### **SB 86 (Walker, 20th) – Restrict Equitable Caregivers**

This legislation would limit who can be an equitable caregiver to be people that had acted as a parent within the past five years and would require them to prove that the child would suffer harm if they don't get custody rights. Equitable caregivers would not be eligible for child support. Courts could revoke equitable caregiver status if a party demonstrates that no harm is occurring.

### **SB 92 (Robertson, 29th) – Nurses and Physician Assistants to Prescribe Schedule II Drugs and Affidavits for Disability Parking Permits**

This legislation is a version of HB 369 that would permit advanced practice registered nurses and physicians assistants to provide affidavits and statements for disability parking permit applications and to prescribe Schedule II controlled substances in emergency situations.

### **SB 95 (Ginn, 47th) – Teleconference Meetings and COAMs**

This legislation would allow members of state and local agencies that are currently allowed to meet by teleconference to vote in those meetings. State agencies could declare themselves to be under emergency conditions without an official emergency being declared. Public hearings would have to be conducted in a way that the public could participate. It does not affect the legislature.

It would add the chair of the Coin Operated Amusement Machine Board to the Lottery Corporation board. It would allow gift cards for prizes so long as they are not redeemable for cash. Class A machines would be limited to a \$50/day payout. It would require financial information about the licensee, the location operator and related businesses. It would allow single location COAM nonprofit facilities that have been in existence for at least ten years to derive more than 50% of their revenue from the machines. It would increase the Lottery Corporation's share from 10% to 11% assessed to the master license holder.

### **SB 115 (Robertson, 29th) – Driver’s Education About How to Interact with Police**

This legislation would direct DPS and the Georgia Public Safety Training Center to create a curriculum for driving schools that instructs on how to interact with police during a traffic stop and actions police can undertake such as using force.

It would cover:

- The best practices of what a driver should do during a traffic stop initiated by a law enforcement officer
- Recommendations for interacting with law enforcement officers during traffic stops
- The consequences associated with continuous citations and habitual violations
- Understanding officer discretion in relation to action taken during a traffic stop, which may include, but not be limited to, requesting identification, use of force detention, pursuits, and legal warnings.

It would also transfer applications for school speed cameras from the school to the local governing authority.

### **SB 259 (Mullis, 53rd) – Firearm Law Preemption**

This legislation would create a private cause of action if a county enters into a multijurisdictional database of weapons carry permit holders.

It would prohibit local governments from prohibiting discharging a firearm on parcels 10 acres or larger.

It would also create a private cause of action to force local governments to have an auction of confiscated guns if it hasn’t had the at least one annual auction required by law.

### **SB 352 (Thompson, 14th) – Expedited Licenses for First Responders and Medical Professional Spouses**

This legislation would provide that spouses of firefighters, healthcare providers, and law enforcement officers that move to Georgia would be eligible for expedited professional licenses in fields other than firefighting, healthcare, or law enforcement in the same manner as currently applies to military spouses. The spouse must be in

good standing in their home state, met substantially similar licensure requirements to Georgia's requirements, and pass a test on relevant Georgia laws and regulations.

It would also provide that people must not have pending disciplinary investigation to be considered in good standing.

### **SB 374 (Tillery, 19th) – Records Transferred to GDAC**

This legislation would provide that the Georgia Data Analytic Center that compiles data from state agencies is an agent of the executive branch authorized to receive data and that transmitting data to the center is not a public disclosure subject to disclosure laws. Records from criminal investigations, confidential legislative information, and confidential advisory opinions from the office of inspector

### **SB 382 (Robertson, 29th) – Sexual Felonies**

This legislation would require people with a second sexual felony that is aggravated assault with the intent to rape a child under 14, kidnapping a child under 14 that is not their child, human trafficking for sexual servitude, rape, aggravated sodomy, statutory rape by someone 21 or older, child molestation, aggravated child molestation, enticing a child for indecent purposes, improper sexual contact in the first degree, incest, aggravated sexual battery, or sexual exploitation of children to be sentenced for life or to a sentence that includes lifetime probation that includes wearing an ankle monitor. Probation termination would be available after ten years unless the person has been classified as a sexually dangerous predator.

It would rename the Sexual Offender Registration Review Board as the Sexual Offender Risk Review Board

Under current law, a minor is only guilty of misdemeanor child molestation when their victim is 13 or older. This legislation would raise that age to 14.

### **SB 511 (Anderson, 24th) – Capcos and Expedited Property Tax Appeals**

This legislation would authorize another \$100,000,000 in tax credits for investment funds that invest in rural businesses in Georgia and have at least \$10,000,000 of assets in rural areas nationwide and 250 employees in Georgia. The application fee would be raised from \$5,000 to \$25,000, and recipient funds would have to pay \$7,500/year for five years.

This legislation would reduce the time a county board of tax assessors has to respond to appeals before it gets forwarded to the board of equalizations from 180 to 90 days. The board of equalization would have to hold a hearing within 90 days.

For appeals of nonhomestead property worth over \$500,000, the time the board of tax assessors has to review the case would be reduced from 90 to 60 days. The time

for the taxpayer to appeal would be reduced from 30 to 15 days, and the time the board has to send the case over for appeal would be reduced from 30 to 15 days.

It would allow for electronic notifications.

### **SB 516 (Robertson, 29th) – Tire Disposal Fees**

This legislation would earmark hazardous waste management and hazardous substance reporting fees to the Hazardous Waste Trust Fund. These fees scale with the amount of waste generated.

It would provide that one of the Governor's appointments to the Recycling Market Development Council should be a tire recycler.

This is an earmark that requires a 2/3 vote.

Language to state legislative intent that 10% of Solid Waste Trust Fund revenue should be used for grants to local governments for innovative tire recycling projects and would require the trust fund to report how funds are allocated.

Language moving the responsibility to collect the tire disposal fee from retailers to distributors.

### **SB 529 (Gooch, 51st) – Exempt Streaming Services from Franchise Fees**

This legislation would exempt streaming services from local government and franchise fees.

### **SB 558 (Gooch, 51st) – GDOT**

This legislation would allow legislators to be notified of GDOT elections by email instead of regular mail.

It would provide that negotiations after GDOT has selected finalists for bids would involve RFP revisions, not RFPs.

It would also increase the maximum allowable length for vehicles that transport modular housing units from 80 to 84 feet and subject those longer vehicles to a \$30/trip permit fee.

It would allow the DOT board to waive the 5% cap on contracts where the preconstruction and construction contracts are issued together.

It would also allow coroners and medical examiners to delegate the authority to declare someone dead at the scene of a car accident to other medical personnel in order to get traffic flowing again.

### **HB 67 (Coesert, 46th) – Extend Higher Education Sunsets**

This legislation would extend the sunset allowing state agencies, the university system, and TCSG to write off small debts through July 1, 2026. It would extend the sunset on the university system and TCSG not lapsing through July 1, 2026 and require those entities to issue an annual report on lapsed funds and how they're used.

### **HB 68 (Thompson, 14th) – Extend Military Member Professional License Deadline**

This legislation would extend the period members of the military have for applying for a professional license or certification based on military specialty or certification from 180 days to two years after discharge. It would also permit the licensing board to extend the two-year period for applicants with certain circumstances such as health, hospitalization or other emergencies.

### **HB 92 (Hatchett, 50th) – Earlier Archival of Records**

This legislation would decrease the time the state keeps records before archiving them from 125 to 100 years for birth certificates and from 100 to 75 years for death and marriage records.

### **HB 200 (Robertson, 29th) – Three-Wheeled Motor Vehicles**

This legislation would exempt three-wheeled motor vehicles that are equipped with seatbelts and a frame that partially or fully encloses the driver from the requirement to wear headgear and protective eyewear. It would also redefine the car/motorcycle difference for three wheel vehicles to be based on whether they have seatbelts and a frame instead of whether they are steered with a steering wheel or handlebars.

This would take effect January 1, 2025.

### **HB 302 (Albers, 56th) – Regulatory Fees**

This legislation would require any regulatory fees collected by local governments to be used for that regulatory purpose and not for general operations.

It would prohibit regulatory fees on shooting ranges and firearms dealers.

It would remove taxis and limousine operators and boxing, but not wrestling, promoters from the non-exclusive list of business that can be charged fees.

It would prohibit using construction costs or square footages in conjunction with labor costs to determine the fee and only use labor costs.

### **HB 303 (Harbison, 15th) – Jaida Act**

This legislation would allow insurance companies to offer discounts to active duty military members who have assets sufficient to meet minimum coverage amounts.

It would also require all life insurers to mail notice of existence of a policy to all policy holders and other designated by the policy holder. In an insurer receives a request from the National Association of Insurance Commissioners seeking a determination whether they hold a policy, the insurer would notify the policy holder and the other listed persons within 90 days.

### **HB 322 (Brass, 28th) – Child Attorney Standards**

It would also direct the Office of the Child Advocate to establish statewide standards and training requirements for attorneys that represent children in dependency, termination of parental rights, or extended youth care cases and make recommendations to ensure quality attorneys are taking those cases.

### **HB 334 (Tillery, 19th) – Remote Notarizations**

This legislation would allow notaries to notarize things remotely. They would issue an electronic certificate and record notarizations in an electronic journal. Technical standards would be developed by the Georgia Superior Court Clerks' Cooperative Authority. Notaries would need to take a specific, free course and separately be appointed as an online notary.

### **HB 554 (Hatchett, 50th) – Notices of Litigation (Lis Pendens)**

This legislation would only allow courts to issue a lis pendens, or official notice of pending legal action related to real property when there is a deed and all owners are parties to the litigation and upon a motion and potential posting of a bond. Court clerks would be allowed to charge a fee when recording a lis pendens.

Family law cases would not have the requirement added and would remain under the old system where a court can issue a lis pendens under any circumstance

### **HB 1004 (Robertson, 29th) – Unified Campus Public Safety**

This legislation would allow colleges and universities to enter into unified public safety agreements to share police, firefighters, EMTs and related resources between multiple schools. It would also extend the police jurisdiction around technical schools from 500 feet to 500 yards to match universities.

### **HB 1008 (Kennedy, 18th) – Combine ABLE Account and 529 Account Boards**

This legislation would eliminate the ABLE Program Corporation and bring ABLE Accounts under the Higher Education Savings Plan board that oversees Section 529 higher education savings accounts. ABLE Accounts are Section 529A for tax free contributions to be used for disability expenditures.

It would remove the Governor from the board and add the commissioner of behavioral health a developmental disabilities, the commissioner of community health, the state treasurer and a fourth appointee by the Governor. At least one of the Governor’s appointees must be disabled, a family member of a disabled person, or a disability advocate.

It would also let the board determine the maximum balance in a 529 fund. Currently they are capped at \$235,000.

### **HB 1039 (Kirkpatrick, 32nd) – Expand Rural Physician Tax Credit to More Medical Professionals**

This legislation would expand the \$5,000 tax credit for physicians in rural areas to also apply to dentists, nurses, and physician assistants. It would also redefine rural to be counties with a population under 50,000 instead of counties with fewer than 65 people per square mile.

### **HB 1053 (Mullis, 53rd) – Media Tax Credits**

This legislation would subject residual personal and corporate income from projects that received a film, video game, digital production, or postproduction tax credit to state taxation.

It would extend the postproduction tax credit through 2025 and the current \$10 million aggregate level. It would no longer allow the postproduction tax credits to be sold.

House Amendment:

The House amendment extended the sunset to from 2024 to 2025.

It added the provision making the credits not sellable.

(First summary w/o amendments: HB 1053 (Mullis 53))

This legislation would subject residual personal and corporate income from projects that received a film, video game, digital production, or postproduction tax credit to state taxation.

It would extend the postproduction tax credit through 2024 and the current \$10 million aggregate level. It would no longer allow the credits to be sold.)

### **HB 1344 (Thompson, 14th) – Military Spouse Discrimination**

This legislation would prohibit the state from discriminating against military spouses. Current law only protects wives.

### **HB 1350 (Gooch, 51st) – Wills**

This legislation would require estate executors to notify all beneficiaries that the will is being executed and provide their contact information by certified mail within 30 days, unless the beneficiary waived written notification. The executor would have to file copies of the waivers or notices and the return receipts. Executors that fail to comply or fail to provide their contact within five days of a request could be revoked as executor.

It would also clarify that all managed investment accounts, trusts, etc. are security accounts treated the same as regular investment accounts.

### **HB 1381 (Anderson, 24th) – Water and Sewer Authority Training**

This legislation would require water and sewer authority members to have completed a four hour training course on water, sewer, and environmental quality within a year prior to being appointed.

Senate Amendment:

It would allow DCA to waive the requirement.

### **HB 1384 (Anderson, 24th) – Ungraded Lumber**

This building would allow the use of ungraded lumber that hasn't been certified for a specific construction use when building or repairing accessory structures on residential or agricultural properties.

### **HB 1421 (Robertson, 29th) – Earmark Hazardous Waste**

This legislation would earmark hazardous waste management and hazardous substance reporting fees to the Hazardous Waste Trust Fund. These fees scale with the amount of waste generated. This is an earmark that requires a 2/3 vote. It is also SB 516 that would state legislative intent that 10% of Solid Waste Trust Fund revenue should be used for grants to local governments for innovative tire recycling projects and would require the trust fund to report how funds are allocated. It would provide that one of the Governor's appointments to the Recycling Market Development Council should be a tire recycler.

It would move the responsibility to collect the tire disposal fee from retailers to distributors.

## **HB 1425 (Watson, 1st) – Immediate Issuance of Medical Cannabis Licenses**

This legislation would require the Medical Cannabis Commission to issue all production licenses by May 31, 2022.

It would issue two license for facilities up to 100,000 sq. ft. and four for facilities up to 50,000 sq. ft.

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