
Gold Dome Report

2019 Georgia Legislative Session

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We are pleased to present the Nelson Mullins Gold Dome Report for the 2019 Session of the Georgia General Assembly. We appreciate the privilege of representing our clients and wish to accumulate in some detail the key pieces of legislation that were passed or considered and in which our clients and our lobbying team are actively involved. This report is organized by subject matter, such as health or education, with subtopics where helpful and appropriate.

2019 was a transition year with new statewide constitutional officers and numerous new legislators elected in 2018. In terms of the big picture, the passage of a \$3000 pay raise for all certified teachers and educators in public schools, certificate of need legislation, and the passage of an abortion bill stand out. The agricultural growth of hemp was authorized and a limited production of THC oil was also permitted. The efforts of our lobbying team, in particular Helen Sloat and George Ray, were crucial for several of our education clients in extending the teacher pay raise to all certified professionals in public schools, including counselors, social workers, and psychologists. In the certificate of need wars, the hospital side succeeded in keeping CON largely intact.

Highlights of the detailed summaries in this report include:

Health and Mental Health:

- Authorization for the Governor to design and present to the federal government two waivers to serve the Medicaid expansion population.
- Passage of new interstate compacts for psychologists, physicians, and physical therapists, and revision to the nurse compact already passed, all of which aim to increase the health care workforces in communities where the supply of health professionals is absent or very small.
- Revisions to procedures under the certificate of need laws, but with retention of the facilities and events currently in existence and regulated by the Department.
- New funding for community mental health services, noticeably expansion of the APEX Program for wraparound services for school age kids with intense mental health or emotional issues. Interest in child and adolescent services continues at a high level, as the suicide rates continue to rise for this and other population groups.
- Establishment of the Georgia Mental Health Reform and Innovation Commission.

Education:

- A \$3000 increase in the state salary schedule for teachers and other certified school personnel.
- The defeat of school voucher expansion efforts.
- Additional focus on children identified with dyslexia and providing assistive services.
- New funds for school counselors in Title I high schools and wraparound services provided by Communities in Schools.
- \$30,000 per public school for school safety improvements.

Child Welfare:

- Authorization of planning and funding for the new federal Family First Prevention Services Act that encourages community-based services to reduce the number of children and adolescents who are placed in the custody of the state's congregate and foster care systems.
- Amendments to the Child Abuse Protection Act and its child abuse registry, affording additional procedural rights to victims and persons accused of violations.
- Additional funding for out of home care and for the schools in education programs for kids in residential programs.

Other:

- New restrictions on when an abortion is permitted, namely prior to the detection of a heartbeat in the fetus with some exceptions.
- Permission for commercial growth of hemp.
- Establishment of a new commission on medical marijuana, specifically Low THC Oil, that will establish a licensing system for its manufacture and sale.
- Increased protections for human trafficking victims and penalties for offenders.
- Continued efforts to increase broadband coverage throughout the state to help rural areas attract better education, healthcare, and investment.

In terms of the political climate in the 2019 Session, new Governor Brian Kemp and Lieutenant Governor Geoff Duncan were sorting out their new staff teams. The Democrats got a larger minority in the House, winning a net 12 seats. The swing of independent women away from Trump "principles" caused this result. The House Republican majority is 105-75, and in the Senate the Republicans continue to dominate with a 35-21 majority. As each party shifts in the composition of its subgroups, particularly around value issues, the change in the size of the Republican majorities becomes more interesting. At the legislative level, next year's 2020 election results for

state House and Senate seats are likely to affect reapportionment decisions that follow the 2020 Census.

Some Republican leaders interpreted the 2016 election results as necessitating efforts to win back women voters in the north Atlanta suburbs. This view drove the passage of the Medicaid expansion waivers on the theory that women often make health care decisions. There was also a good bit more health legislation than normal, as you will see in this Report. These efforts were caused at least in part, ironically, by Stacey Abrams's broadcasting support for Medicaid expansion.

Governor Kemp and Lt. Governor Duncan pushed for a vote on the abortion bills to promote Republican value issues. There was a new private school voucher bill as well that the public school systems opposed and defeated, but the debate is likely to renew in the 2020 Legislative Session. There were no religious freedom or immigration bills in 2019, but Georgia may be in for a showdown on economic development issues, if other value bills are pushed by the Governor or Lt. Governor in 2020.

So the parties tack left, then tack right. Both parties seek their true base. American and Georgia politics are likely to continue to realign in 2020. Enjoy and savor the question, "Who is Georgia?"

Please call on us if we can help you on any state governmental issue or insight.

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Bills Passed

Abortion

- [HB 481](#), authored by Rep. Ed Setzler (R-Acworth), is the “Living Infants Fairness and Equality (“LIFE”) Act”, also known as the “Heartbeat Bill”. The bill amends O.C.G.A. § 16-12-141 to prohibit and criminalize most abortions after an unborn child has a “detectable human heartbeat,” which is defined as embryonic or fetal cardiac activity or the steady and repetitive rhythmic contraction of the heart within the gestational sac. Exceptions to this general prohibition include cases where a physician determines in reasonable medical judgment that a medical emergency exists that would cause death or substantial and irreversible physical impairment of a major bodily function of a pregnant woman; the pregnancy is medically futile; or in cases of rape or incest that is documented with a police report and where the unborn child is 20 weeks or less. The bill requires that any permissible abortion be performed by a Georgia licensed physician who has determined the probable gestational age of the unborn child and in a licensed hospital, ambulatory surgery center, or abortion facility. It also requires that the physician report abortions to the Department of Public Health under O.C.G.A. § 31-9B-3, including whether there was a detectable human heartbeat and, if so, the basis for the determination that the abortion was permissible under the new law.

The bill gives a woman who is subject to an abortion a civil cause of action against anyone who performs an abortion in violation of the law, but it also provides affirmative defenses from prosecution if a licensed physician, pharmacist, physician’s assistant, or advanced practice registered nurse accidentally injures or kills an unborn child while caring for the pregnant woman. The bill amends the “Woman’s Right To Know Act” at O.C.G.A. § 31-9A-3 and 4 to require disclosure of the presence of a detectable human heartbeat prior to abortion and disclosure that a detectable human heartbeat may be present as early as six weeks’ gestational age.

The bill provides several privileges of “personhood” to an unborn child, including defining natural person in state law to include any unborn child and including unborn children in provisions relating to child support (O.C.G.A. § 19-6-15) and qualification as a dependent for state tax purposes (O.C.G.A. § 48-7-26). Governor Kemp signed this bill on May 7, 2019 as Act Number 234. The Act becomes effective on January 1, 2020.

Agriculture and Natural Resources

- [HB 501](#), authored by Rep. Jesse Petrea (R-Savannah), amends Title 27 to authorize the commercial farming of oysters in Georgia. The bill grants authorization for the Board of Natural Resources to promulgate rules and regulations necessary to develop and cultivate the shellfish industry in Georgia in O.C.G.A § 27-4-189. This includes size, possession, and creel limits; season criteria; siting criteria, including lease size for maricultural activities; methods for issuing leases, including number issued per year, lease values and terms, and the importation of molluscan shellfish, shellfish tissues, or shells into Georgia to include place or region of origin, minimum and maximum seed size, ploidy, and type. The bill sets forth rules about the permitting of harvester permits in O.C.G.A § 27-4-190. The bill also provides for the department to offer leases of state intertidal and subtidal water bottoms within an approved growing area for exclusive harvesting rights in O.C.G.A § 27-4-198. Each of these leases is valid for a maximum term of ten years. As long as a lease is in good standing, it may be renewed. These leases may be transferred after approval from the department along with a \$50.00 fee, but are also inheritable and transferable to a lessee's spouse, siblings, lineal descendants, or lineal ancestors without a fee if the lessee dies or is permanently disabled. Governor Kemp signed this bill on May 6, 2019 as Act Number 217. The Act took effect upon his signature.
- [HR 48](#), authored by Rep. Carl Gilliard (D-Garden City), supports Georgia's coastal tourism and fisheries and opposes seismic testing and oil and gas drilling activities off of Georgia's coast. This resolution was adopted by the House on April 2, 2019.

Banks and Banking

- [HB 185](#), authored by Rep. Bruce Williamson (R-Monroe), is the annual bill containing cleanup language regarding banking and finance in Chapter 1 of Title 7. Some of the provisions in this legislation are that it allows the Department to disapprove a proposed acquisition in O.C.G.A. § 7-1-234, in the case of trust companies, and finding of any acquiring person or an individual that is a director or officer of such person has unsatisfactory results from a fingerprint record check report conducted by the Georgia Crime Information Center and the Federal Bureau of Investigation. The department is authorized to obtain conviction data with respect to any acquiring person or an individual that is a director or officer of such person, and such acquiring person or an individual that is a director or officer of such person shall provide express written consent to the department to conduct a criminal background check and to use all information

necessary to run such check, including, but not limited to, a classifiable set of fingerprints. The acquiring person or an individual that is a director or officer of such person shall be responsible for all fees associated with the performance of such criminal background check. Governor Kemp signed this bill on May 7, 2019 as Act Number 270, and the Act takes effect on July 1, 2019.

- [HB 193](#), authored by Rep. Emory Dunahoo (R-Gainesville), adds a new Code Section at O.C.G.A. § 7-1-239.10 to allow banks and credit unions to offer savings promotion raffle accounts in which deposits to a savings account enter a depositor in a raffle. The legislation also adds a change to Georgia's definitions relating to gambling and related offenses in O.C.G.A. § 16-12-20(4) so as to exclude such raffle from the definition of "lottery." Governor Kemp signed this bill on May 7, 2019 as Act Number 243. The Act becomes effective on July 1, 2019.
- [HB 212](#), authored by Rep. Clay Pirkle (R-Ashburn), amends O.C.G.A. § 7-1-1000(19) to exempt retailers, retail brokers of manufactured homes or mobile homes, and residential contractors from the requirement to obtain a license as a mortgage loan originator, mortgage broker, or mortgage lender under certain conditions. It also amends the definition of "mortgage broker." Governor Kemp signed this bill on April 18, 2019 as Act Number 33. The Act becomes effective on July 1, 2019.

Broadband

- [SB 2](#), authored by Senator Steve Gooch (R-Dahlonega), amends Chapter 3 of Title 46 to permit electric membership corporations (EMCs) and their affiliates to deliver broadband services. The bill:
 - Adds new definitions relating to electric membership corporations and foreign electric cooperatives in O.C.G.A. § 46-3-171.
 - Revises the purposes of electric membership corporations in O.C.G.A. § 46-3-200, outlining that they may provide and operate broadband affiliates and provide and use broadband services.
 - Adds a new Code section at O.C.G.A. § 46-3-200.1 so as to authorize a broadband affiliate to apply for, accept, repay and utilize loans, grants and other financing from any person and enter into contracts, agreements, partnerships or other types of business relationships with any person.

- Adds a new Code section at O.C.G.A. § 46-3-200.2 prohibiting an electric membership corporation, broadband affiliate, and gas affiliate from cross-subsidization between its electricity services activities, its broadband services activities or its gas activities (and how such prevention efforts are to be made).
- Adds a new Code section at O.C.G.A. § 46-3-200.3 outlining the broadband affiliates' rights, powers, and benefits.
- Adds a new Code section at O.C.G.A. § 46-3-200.4 to require certain rates, terms and conditions for pole attachments between communications service providers and electric membership corporations and their broadband affiliates and permit the use of electric easements for broadband services.

Governor Kemp signed this bill on April 26, 2019 as Act Number 51. The Act took effect immediately upon his signature on April 26, 2019.

- [SB 17](#), authored by Senator Steve Gooch (R-Dahlonega), amends Chapter 5 of Title 46 to authorize telephone cooperatives and their broadband affiliates to provide broadband services. The bill:
 - Adds language in the purposes of the “Rural Telephone Cooperative Act” in O.C.G.A. § 46-5-61 so as to include that in addition to furnishing telephone service, such cooperative nonprofit corporations “may also furnish broadband services directly or indirectly through a contractual arrangement or through a broadband affiliate.”
 - Defines “broadband affiliate” and “broadband services” in O.C.G.A. § 46-5-62(3).
 - Adds additional powers of cooperatives in O.C.G.A. § 46-5-63 (e.g. furnish, improve and expand broadband services; to apply for, accept, repay, and utilize loans, grants and other financing; and to enter into contracts, agreements, partnerships or other types of business relationships).

Governor Kemp signed this bill on April 26, 2019 as Act Number 52. The Act took effect immediately upon his signature on April 26, 2019.

- [SB 66](#), authored by Sen. Steve Gooch (R-Dahlonega), is the “Streamlining Wireless Facilities and Antennas Act.” The bill adds new definitions in O.C.G.A. § 36-66C-2 that identify key stakeholders in the disbursement and regulation of

wireless small cell antennas across the state. The bill provides authorization in O.C.G.A. § 36-66C-4 for wireless providers to collocate small wireless facilities and install, modify, or replace associated poles or decorative poles without an agreement with an authority and without an implementing ordinance. The bill also creates a fee system so as to incentivize collocation and limit new poles. Applicants for new poles must submit documents from a licensed engineer to demonstrate need. The bill stipulates in O.C.G.A. § 36-66C-6 that authorities must notify the applicant, within 20 days of the receipt of the application, of any aspect of the application that appears to be grounds for the authority's denial of the application along with a determination on the completeness of the application. The authority must make its final decision within 30 days of this completeness determination. The bill also stipulates special circumstances to protect historic districts, including limits on the height and size of new poles and collocated wireless antenna. Governor Kemp signed this bill on April 26, 2019 as Act Number 53. The Act becomes effective on October 1, 2019

Certificate of Need

- [HB 186](#), authored by Rep. Ron Stephens (R-Savannah), which originally dealt with the sale or lease of a hospital by a hospital authority, was amended after Crossover Day in the Senate Finance Committee and again by the Senate Rules Committee to incorporate changes to Georgia's Certificate of Need ("CON") program. The amendment represented a compromise position between the Georgia Hospital Association ("GHA"), Cancer Treatment Centers of America ("CTCA"), and other stakeholders. The changes to the CON program contained in HB 186 include:
 - **Expanding and clarifying exemptions from CON review.** Under HB 186, the following expenditures are exempt from the CON application and review process:
 - Clinical capital expenditures at or under \$10 million with annual adjustment for inflation (increased from \$3,068,601), including:
 - Expansion or addition of clinical health services including operating rooms (other than dedicated outpatient operating rooms), medical-surgical services, gynecology, procedure rooms, intensive care, pharmaceutical services, pediatrics, cardiac care, and other general hospital services (expansion of current law).
 - Renovation or upgrade of healthcare facility, so long as it does not result in new or expanded clinical health services, an increase in inpatient bed capacity, or redistribution of existing

- bed capacity among existing clinical health services (expansion of existing law).
 - Movement of clinical health services from one location on a health care facility's primary campus (as defined in the bill) to another location on that campus (expansion of existing law).
 - Clinical equipment expenditures at or under \$3 million with annual adjustment for inflation (increased from \$1,324,921), including acquisition of non-PET imaging equipment by hospitals or physician practices so long as a member of the practice is present at least 75% of the time equipment is in use (expansion of existing law).
 - Replacement of MRI, CT, PET, and PET/CT equipment (clarification of existing law).
 - Expenditures for the corporate restructuring or acquisition of existing health care facilities (clarification of existing law).
 - Non-clinical projects, including administrative office space, conference rooms, education facilities, lobbies, common spaces, clinical staff lounges and sleep areas, waiting rooms, bathrooms, cafeterias, hallways, engineering facilities, mechanical systems, roofs, grounds, signage, family meeting or lounge areas, and other nonclinical physical plant renovations or upgrades that do not result in new or expanded clinical health services (expansion of existing law). (O.C.G.A. § 31-6-47(a)(16))
 - *Notably, the following health care services still require CON application and review: freestanding emergency departments, inpatient psychiatric services, multi-specialty ambulatory surgery centers, additional inpatient hospital beds (subject to existing exemptions).*
- **Reforming CON planning, application, and appeal processes.** HB 186 institutes several changes to how health planning is conducted in Georgia, as well as how CON applications and appeals are managed, including:
 - Allowing the Department of Community Health ("DCH") to establish a Technical Advisory Committee to help prepare the State Health Plan and advise DCH on implementation of the CON program. (O.C.G.A. § 31-6-21(b))
 - Exempting rural hospitals from CON filing fees.
 - Restricting standing to appeal the award of a CON to health care facilities that are competing applicants in the same batching cycle, competing health care facilities within 35 miles of an applicant, or health care facilities with service areas that overlap an applicant's proposed service area.

- Establishing timelines for DCH’s review of determination requests (if no objection is filed within 30 days of the Department’s receipt of the request, the Department has 60 days from its receipt of the request to issue a Letter of Determination).
- **Increases transparency requirements for health care facilities**, requiring health care facilities, ambulatory surgery centers, and imaging centers to report to DCH and through annual reports on their websites the number of transfers to a hospital emergency department (direct or through EMS); the number of rooms, beds, procedures, and patients including demographic information and payer source; patient origin by county, and operational information such as procedure types, volumes, and charges. Tax-exempt hospitals must also file their IRS 990 form with DCH.
- **Allows Cancer Treatment Centers of America (“CTCA”) in Newnan to convert from a Destination Cancer Hospital to a General Cancer Hospital** without substantive CON review or ability of other health care facilities to appeal. (O.C.G.A. § 31-6-40.3) Upon conversion, CTCA will be subject to the same CON requirements as hospitals wishing to add or expand services and will be limited to providing services to cancer patients. (O.C.G.A. § 31-6-40.3(c))
- **Directs DCH to study Indigent and Charity Care (“ICC”)** provided by each type of health care facility and develop ICC requirements for each type of health care facility and a standardized methodology for calculating the amount of ICC provided.
- **Prohibits medical use rights** by restricting any health care facility from purchasing, renewing, extending, leasing, maintaining, or holding medical use rights, defined as rights or interests in real property in which the owner of the property has agreed not to sell or lease such real property for identified medical uses or purposes. (O.C.G.A. § 31-6-3)
- **Extends Rural Hospital Tax Credit until 2024** and requires additional public posting of information by state agencies. (O.C.G.A. § 48-7-29.20 (k)) DCH must provide information on the process for the ranking of hospitals by financial need and post on its website a list of eligible hospitals, ranking information, annual reports, the total amount received by Georgia HEART, and a link to the Department of Revenue (“DOR”) website. DOR must post on its website all applicable timelines and deadlines for the tax credit, the list and

ranking of eligible hospitals, monthly progress reports by hospital, and a list of undesignated donations and hospitals receiving such donations. The bill also extends the time for a taxpayer to make a donation to 180 days from approval of tax credit (increased from 60 days).

- **Establishes the Office of Health Strategy and Coordination** to provide a strategic vision for a healthcare system in Georgia. (O.C.G.A. § 31-53-2) The Office will report directly to the Governor, and it is required to convene a Georgia Data Access Forum with representatives from hospital associations, pharmacy associations, physician associations, dental associations, DCH, DPH, DBHDD, the Insurance Commissioner, insurance carriers, and self-insured employers. (O.C.G.A. § 31-53-21)

The bill was signed by Governor Kemp on April 25, 2019, as Act 41. The law becomes effective on July 1, 2019.

Child Welfare

- [HB 64](#), authored by Rep. Brian Prince (D-Augusta), enacts the “Protecting Military Children Act” in O.C.G.A. § 19-7-5. It requires child welfare agencies to make efforts to determine whether a parent or guardian of a child, who is the subject of abuse allegations, is on active duty in the military. It further requires certain notifications to military installation family advocacy programs and provides for the reporting of child abuse to military law enforcement in certain situations. Governor Kemp signed this bill on May 7, 2019 as Act Number 268, and the Act takes effect on July 1, 2019.
- [HB 70](#), authored by Rep. Chuck Efstrotation (R-Dacula), makes numerous changes in Title 29 such as: guardianships and their bonding requirements and how those will be paid from an estate from a minor; makes error corrections; adds language back in that was omitted in 2018; makes clarifications on bond payments; marries the Georgia law with the uniform law passed in 2016; addresses emergency guardians; places guardian appointments’ time lengths for 60 days (home state of Georgia); repeals section on cost; addresses orders from other states and how they are registered; corrects an erroneous code reference; adds language relating to probate court enforcement of orders; and addresses foreign conservators who register their orders in Georgia. Governor Kemp signed this bill on May 6, 2019 as Act Number 233, and the Act takes effect on January 1, 2020.

- [HB 79](#), authored by Rep. Carl Gilliard (D-Garden City), addresses the rights of persons with disabilities, providing that legally blind persons are not to be discriminated against by the courts, Department of Human Services or a child-placing agency in matters relating to child custody, guardianship, foster care, visitation, placement, or adoption in O.C.G.A. § 30-4-5. If a parent or prospective parent's disability of being legally blind is alleged to have a detrimental impact on a child, the party raising the allegation bears the burden of proving by a preponderance of the evidence that the parent's or prospective parent's disability of being legally blind is endangering the child or will likely endanger the health, safety or welfare of the child. If the burden is met, the parent or prospective parent is required to have the opportunity to demonstrate how the implementation of supportive parenting services can alleviate parental care concerns and the court can require such services with an opportunity to review the continuation of such services within a reasonable period of time. If the court determines that a legally blind parent's right to custody, visitation, foster care, guardianship or adoption should be denied or limited, the court is required to make specific findings stating the basis for the determination and why the supportive parenting services is not a reasonable accommodation to prevent such denial or limitation. Governor Kemp signed this bill on May 2, 2019 as Act Number 144, and the Act became effective upon his signature.
- [HB 228](#), authored by Rep. Andy Welch (R-McDonough), addresses the age of marriage of a child in O.C.G.A. § 19-3-2. It moves the age from the age of 16 to the age of 17, and it requires that there be documentary proof of emancipation if either applicant for the marriage license is 17 years of age. An emancipation petition is required to be filed with the court and that there is a certified copy of an order for emancipation. The petition for emancipation requirements are outlined in O.C.G.A. § 15-11-721 which include for the appointment of an attorney for the petitioner. The court is prohibited from issuing an order of emancipation if he or she makes certain findings (including that the petitioner is being compelled to marry against the petitioner's will; the petitioner is younger than 17 years of age or the age difference between the parties is more than four years; the intended spouse has been a perpetrator of statutory rape or had a stalking protective order; or the intended marriage is not in the best interests of the petitioner). The marriage applicants are to wait 15 days after such emancipation order is entered, and it requires that the older party to the marriage be no more than four years older than the younger party to the marriage contract and requires that each party to the marriage contract who is 17 years of age present a certificate of completion of premarital education. It also adds a new Code section at O.C.G.A.

§ 19-3-30.1, outlining the premarital education requirements and who must conduct such education which is to be completed within 12 months prior to the application for the marriage license. This education is to include instruction on potential risks of marrying young (including high divorce rates, increased rates of non-completion of education, greater likelihood of poverty, medical and mental health problems as well as information on domestic violence and resources for such victims). It requires in O.C.G.A. § 19-3-41.1 that the Department of Public Health prepare a fact sheet for the public and for distribution to premarital education providers. This fact sheet is to be developed in partnership with the Georgia Commission on Family Violence and other agencies which serve survivors of dating violence, sexual assault and human trafficking identified by the Department of Public Health. Governor Kemp signed this bill on May 6, 2019 as Act Number 187, and the Act takes effect July 1, 2019.

- [HB 381](#), authored by Rep. Chuck Efstrotation (R-Dacula), amends O.C.G.A. § 19-6-15 so as to update and modernize child support guidelines. This bill contains the recommendations of the Child Support Commission and bring Georgia’s law in line with federal requirements. Governor Kemp signed this bill on May 6, 2019 as Act Number 219, and the Act takes effect on July 1, 2019.
- [HB 472](#), authored by Rep. Bert Reeves (R-Marietta), amends portions of the Code in an effort to assist the Division of Family and Children’s Services as it prepares for implementing the federal law, “Family First Prevention Services Act.” This legislation adds definitions to the Juvenile Code in O.C.G.A. § 15-11-2(33) and (73.1) for the terms, “fictive kin” (individuals unrelated to a child by blood, marriage or adoption and were known to the child before placement in foster care and such person has a substantial and positive relationship with the child and is willing and able to provide a suitable home) and “temporary alternatives to foster care” (measures the court may order in lieu of removal of or placement of a child alleged to be dependent in protective custody which will prevent or reduce the trauma or removal; allow a child to be cared by a person who the child has an existing bond or attachment; or that ensures the safety of the child pending further court action on the dependency complaint or petition). It also:
 - Prohibits Department of Juvenile Justice staff from serving as juvenile court intake officers in a dependency proceeding in O.C.G.A. § 15-11-68(b). Further, in subsection (c), it requires that each juvenile court intake officer exercising authority to remove a child is to successfully complete annually eight hours of training to perform such determinations.
 - Requires the court in O.C.G.A. § 15-11-133(g) to consider reasonable alternatives to the removal of the child and placement of the child in foster

care and permits the court to order temporary alternatives to foster care. Such orders are permitted to be made ex parte in O.C.G.A. § 15-11-133.1 so that a child may be cared for by a relative or fictive kin and also permits the court to enter an order that the Division of Family and Children's Services investigate and report to the court whether such removal of the child is necessary. If the child is placed in a temporary alternative, then an assessment within 72 hours is to be performed before an entry of an order may be made and such assessment includes a walk-through of the person's residence, criminal background check performed, search of the Georgia Sex Offender Registry is to be conducted of all adults living in that individual's residence, search of the data provided to the public by the Department of Community Supervision and Department of Corrections concerning such individuals considered for placement, and a search of the child abuse registry. This order for the temporary alternative remains in effect until modified by the court or until the court holds the preliminary protective hearing.

- Permits the court to enter an order for temporary alternative to foster care if the court determines such order is necessary to prevent abuse or neglect prior to the adjudicatory hearing and prevent the need for the child to be placed in foster care in O.C.G.A. § 15-11-146(b)(2).
- Addresses the adjudication hearing law in O.C.G.A. § 15-11-181(a) so that it is required to be held within 30 days after filing of the petition alleging dependency.
- Addresses the court's considerations of placement options of the child in O.C.G.A. § 15-11-411(c) and the continued custody hearings and findings in O.C.G.A. § 15-11-414(c)(2) so that prior to placing the child in the custody of the Division, determining whether the child may be placed with a relative or fictive kin upon that person's promise to bring the child before the court when requested to do so.

Governor Kemp signed this bill on April 18, 2019 as Act Number 28, and the Act became effective upon his signature.

- [HB 478](#), authored by Rep. Mandi Ballinger (R-Canton), amends current law concerning Georgia's Child Abuse Registry. The bill was a combination of efforts from the Barton Law Clinic, Prosecuting Attorneys Council, Child Advocacy Centers, and Together Georgia in an effort to improve the operations of this registry and provide due process to those individuals who may be impacted.
 - It eliminates a child (an individual under the age of 18 years of age) from being placed on this registry.

- It establishes in O.C.G.A. § 49-5-182 that an abuse investigator who determines that a substantiated case of abuse has occurred is to notify the Division within 30 days of such determination and specifies the contents of the notice (which now includes that it must contain the date the child abuse occurred and the date the child abuse was reported as well as the type of abuse).
- It amends the requirements relating to the notification of the substantiated case which is sent to the alleged child abuser via certified mail, return receipt requested. It is required to state that an abuse investigator has investigated a report of child abuse and has found by a “preponderance of the evidence” that the alleged child abuser committed an act of child abuse; include the name of the alleged child abuser and a copy of the investigator’s report which is to be included in the child abuse registry (unless there is a hearing to dispute the investigator’s determination is requested within 30 days of receipt of the notice); the name of the alleged child abuser; name of the child alleged to have been abused; date the child abuse occurred; date the child abuse was reported; copy of the investigator’s report; and summary of the known details of the child abuse (including classification and type of abuse); and advise the alleged child abuser of the right to request a hearing to dispute the determination (in writing within 30 days after receipt of the notice and to inform the Division and Office of State Administrative Hearings of any subsequent change in address or telephone number); procedure and time frame in which to request a hearing for such dispute (it outlines that the Division which receives the timely request for the hearing is to transmit this request within ten days of receipt to the Office of State Administrative Hearings and the office of the District Attorney for the judicial circuit where such child abuse was committed – it does allow for a stay of a criminal prosecution and allows that the prosecuting attorney may file a request for postponement of the hearing if it will impact the ability to prosecute the criminal case (30 days following the final disposition of the criminal prosecution and within 30 days following the such receipt by the Office of State Administrative Hearings, an administrative law judge is to conduct a hearing); right to be represented by an attorney at the hearing and to present evidence (the office of the State Administrative Hearings is to give written notice of the time and place of the hearing at least 15 days prior to the date of the hearing); consequences of being named on the child abuse registry (including effect upon employment and professional licensure); and opportunity to request expungement and process for that procedure (this is outlined in O.C.G.A. § 49-5-184 and may be initiated within three years

from the date of the individual's name was included in the child abuse registry). It does outline that at the conclusion of the hearing upon finding that there is *not* a preponderance of evidence to conclude that the alleged child abuser's committed an act of child abuse, then the administrative law judge is to enter an order that such alleged child abuser's name be included in the child abuse registry provided, however, that if the evidence is insufficient, the judge is to issue an order to that effect and that order is to be issued to the alleged child abuser within five days after the conclusion of the hearing. There is timing outlined for judicial review to the superior court (or to the superior court of Fulton County if the hearing was conducted by telephone) so that such is to be requested 30 days after the decision. No name of an individual is to be placed on the child abuse registry until the exhaustion of the alleged child abuser's appellate rights. In the expungement process, the administrative law judge is to consider a number of factors (such as the nature and circumstances of the child abuse; seriousness of the harm caused; criminal history of the individual who requested the hearing; the risk to the child who was found to have been abused; the risk to the community such individual poses; impact on such individual's employment/licensure opportunities due to inclusion of the individual's name on the child abuse registry; evidence of the individual's completion of training, rehabilitation or efforts to learn effective strategies to care for children; and other factors deemed to be relevant by the administrative law judge). There are instances where an individual's name shall not be expunged: 1) if the individual is involved in an open dependency case for the act of child abuse; 2) if the individual was included in the child abuse registry for an act of child abuse which resulted in a child fatality; or 3) if the individual's parental rights have been terminated as a result of the act of child abuse.

Governor Kemp signed this bill on May 7, 2019 as Act Number 252, and the Act becomes effective on January 1, 2020.

- [HB 530](#), authored by Rep. Bill Hitchens (R-Rincon), amends O.C.G.A. § 20-2-690(c)(1) to provide additional requirements of parents and guardians when they home school a child. In current law, it requires a parent, parents, or guardian to submit to the Department of Education within 30 days after the establishment of a home study program and by September 1 annually thereafter a "declaration of intent" (written or electronic) to utilize a home study program. This bill adds that the Department of Education is required to provide a copy of the declaration to the local school system in which the home study program is located. The bill adds at O.C.G.A. § 20-2-785 that if a child is withdrawn from a public school

without such declaration filed and the child stops attending a public school for a period of 45 days, the school is required to refer the matter to the Division of Family and Children's Services to conduct an assessment so as determine if such withdrawal was to avoid educating the child. Presentation of a copy of the filed declaration satisfies the assessment and the Division of Family and Children's Services is to immediately terminate the assessment. Governor Kemp signed this bill on May 6, 2019 as Act Number 224, and the Act takes effect on July 1, 2019.

- [HB 543](#), authored by Rep. Chuck Efstrotation (R-Dacula), establishes the "equitable caregiver" permission in O.C.G.A. § 19-7-31. This legislation adds that a court may adjudicate an individual to be an "equitable caregiver" and outlines the requirements that an individual who seeks to be adjudicated an equitable caregiver of a child is to follow (including the initial pleading with an affidavit alleging under oath facts to support the existence of an equitable caregiver relationship with the child). It permits the court to hold, in its sole discretion and on an expedited basis, a hearing to determine undisputed facts that are necessary and material to the issue of standing, and if the court's determination is in the affirmative, the party claiming to be an equitable caregiver has standing to proceed to adjudication. This legislation includes the form to be used for this process. To establish standing, the court is required to find by clear and convincing evidence that the individual 1) fully and completely undertaken a permanent, unequivocal, committee, and responsible parental role in the child's life; 2) engaged in consistent caretaking of the child; 3) established a bonded and dependent relationship with the child and that the individual has behaved as if a parent of the child; 4) accepted full and permanent responsibilities as a parent of the child without expectation of financial compensation; and 5) demonstrated that the child will suffer physical harm or long-term emotional harm and that continuing the relationship between such individual and the child is in the best interest of the child. It also outlines factors the court is to consider in determining the existence of harm. The court may grant standing to the individual seeking to be adjudicated as an equitable caregiver on the basis of the consent of the child's parent for such individual to have a parental relationship with the child or on the basis of a written agreement between the individual seeking to be adjudicated as an equitable caregiver and the child's parent indicating an intention to share or divide caregiving responsibilities for the child. The court may enter an order appropriate to establish parental rights and responsibilities for such individual, including but not limited custody or visitation. Adjudication of an individual as an "equitable caregiver" does not disestablish the parentage of any

other parent. Governor Kemp signed this bill on May 6, 2019 as Act Number 218, and the Act takes effect on July 1, 2019.

- [HB 553](#), authored by Rep. Katie Dempsey (R-Rome), eliminates references in the Code to “Georgia Association of Homes and Services for Children.” The deletions to this former Association are in the membership of the State Victim Services Commission as found at O.C.G.A. § 35-6-2 and in the Bill of Rights for Foster Parents in O.C.G.A. § 49-5-281(e). Other portions of this legislation delete references to commissions, boards, councils and authorities which are either not appointed or funded. In part such deletions includes the repeal of the Immigration Enforcement and Review Board in O.C.G.A. § 50-36-3; the Special Advisory Commission on Mandated Health Insurance Benefits in O.C.G.A. § 33-1-19; Commission of Men’s Health in Chapter 43 of Title 31; and Renal Dialysis Advisory Council in O.C.G.A. § 31-44-3(b). Governor Kemp signed this bill on May 7, 2019 as Act Number 296, and the Act takes effect on July 1, 2019.
- [SB 9](#), authored by Sen. Harold Jones II (D-Augusta), amends the current law relating to the crime of “sexual assault” by persons with supervisory or disciplinary authority in O.C.G.A. § 16-6-5.1. It adds definitions for terms of “agent,” “child welfare and youth services,” “disability,” “employee,” “school,” “sensitive care facility,” and “sexually explicit conduct.” It clarifies in (b) that an employee or agent commits the offense of improper sexual contact by employee or agent in the first degree when such employee or agent knowingly engages in sexually explicit conduct with another person whom such employee or agent knows or reasonably should have known is contemporaneously” enrolled as a student at a school of which he or she is an employee or agent; under probation, parole, accountability court, or pretrial diversion supervision of the office or court of which he or she is an employee or agent; being detained by or is in the custody of any law enforcement agency of which he or she is an employee or agent; a patient in or at a hospital of which he or she is an employee or agent; or in the custody of a correctional facility, juvenile detention facility, facility providing services to a person with a disability, or a facility providing child welfare and youth services of which he or she is an employee or agent. In (c), it outlines that a person commits the offense of improper sexual contact by employee or agent in the second degree under certain circumstances. Penalties are also outlined in this Code section for these crimes. A new Code section is added at O.C.G.A. § 16-11-92 to address coercion orally, in writing or electronically of another individual who is more than 18 years of age to distribute any photograph, video, or other image that depicts any individual in a state of nudity or engaged in sexually explicit conduct. It also prohibits records restrictions in stances involving

cases where an individual has been convicted of improper sexual contact by employee or agent in violation of O.C.G.A. § 16-6-5.1. The legislation also amends O.C.G.A. § 42-1-12(a)(10)(B.2) regarding the State Sexual Offender Registry and convictions which are reported and adds “dangerous sexual offense” in (B.3). There is also a change relating to immunity from liability of the department, agency, or child advocacy center in O.C.G.A. § 42-5-56(a) and the records checks requirements of certain facilities in O.C.G.A. § 49-2-14.1. Governor Kemp signed this bill on May 7, 2019 as Act Number 295. The Act takes effect on July 1, 2019.

- [SB 158](#), authored by Sen. Brian Strickland (R-McDonough), enacts the “Anti-Human Trafficking Protective Response Act” by making changes to a number of Titles including 9, 15, 16, 17 and 41. This bill is a part of Governor Kemp’s legislative package and an issue which First Lady Kemp will also spearhead a commission to be known as Georgians for Refuge, Action, Compassion, and through Education or GRACE. The bill:
 - Provides additional safeguards and protections against human trafficking; authorizes the Division of Family and Children’s Services to provide care and supervision to children who are victims of human trafficking (and includes that a law enforcement officer or agency other than DFCS is required to refer any child suspected of being a victim of sexual exploitation or trafficking to an available victim assistance organization as certified by the Criminal Justice Coordinating Council which provides comprehensive trauma-informed services designed to alleviate the adverse effects of trafficking victimization and to aid in the child’s healing (this would include case management, placement, access to educational and legal services and mental health services)) (see O.C.G.A. § 15-11-130, O.C.G.A. §15-11-130.1)
 - Expands prohibitions against trafficking of persons for labor or sexual servitude (O.C.G.A. § 15-11-133)
 - Revises the definition of “prostitution” (clarifying that such person must be 18 years or older to commit such offense) (O.C.G.A. § 16-6-9)
 - Increases penalties for certain sexual offenses (O.C.G.A. § 16-6-13(b))
 - Repeals the crime of pandering by compulsion (O.C.G.A. § 16-6-14); and
 - Provides that the use of certain property in connection with sexually related offenses or drug related offenses constitutes a nuisance and

provides for proper notice of such use (when such property is used for such within a 24-month period)(O.C.G.A. § 41-3-1 and O.C.G.A. § 41-3-1.1).

Governor Kemp signed this bill on April 18, 2019 as Act Number 30. This Act takes effect on July 1, 2019 and applies to offenses which occur on or after that date.

- [SB 167](#), authored by Sen. Matt Brass (R-Newnan), enacts provisions to allow a court to make a determination on reasonable efforts to finalize an alternative permanent home for a child adjudicated dependent in O.C.G.A. § 15-11-202(f). It requires the court to consider whether the Division of Family and Children's Services has completed the diligent search as required in O.C.G.A. § 15-11-211(e) and has provided notice to persons identified in such diligent search as required in that Code section. It adds at O.C.G.A. § 15-11-211(e) that if a relative who is entitled to notice under subsection (c) of this Code section fails, within six months from the date he or she receives the required notice, to demonstrate an interest in and willingness to provide a permanent home for a child, the court may excuse the Division of Family and Children's Services from considering such relative as a placement. Further changes are made in O.C.G.A. § 15-11-215(f) and (g) so that if the court finds that the child has been living in a stable home environment with his or her current caregivers for the past 12 months and removal of that child from such caregivers would be detrimental to the child's emotional well-being, then the court may presume that continuation of the child's placement with his or her current caregivers is in the child's best interests and is required to enter a finding that a change in the child's placement is a failure by the Division to make reasonable efforts to finalize the permanency plan which is in effect at the time of the hearing. The changes also include deletion of the current language in O.C.G.A. § 15-11-321(a) that in determining a child's best interest, the court is required to attempt to place the child with an adult who is a relative or fictive kin. The Court is still required, in determining the best interests of the child, to determine that: 1) such child's need for placement that offers the greatest degree of legal permanence and security; 2) the least disruptive placement for such child; 3) such child's sense of attachment and need for continuity of relationships; 4) the value of biological and familial connections; and 5) any other factors the court deems relevant to its determination. Governor Kemp signed this bill on May 2, 2019 as Act Number 143. This Act takes effect on July 1, 2019.
- [SB 190](#), by Sen. John Kennedy (R-Macon), makes changes to "Georgia's Child Custody Intrastate Jurisdiction Act" in Chapter 9 of Title 19. It provides in

O.C.G.A. § 19-9-22 for definitions of “legal custody” and “physical custody.” Further it allows that a party may bring a counterclaim for contempt or enforcement of a child custody order or for modification of legal (which is the responsibilities for major decisions concerning the child, including but not limited to the child’s education, healthcare, extracurricular activities and religious training) or physical custody in response to a complaint seeking a change of legal or physical custody (See O.C.G.A. § 19-9-23(d)). Governor Kemp signed this bill on May 7, 2019 as Act Number 281. The Act takes effect on July 1, 2019.

- [SB 225](#), authored by Sen. Larry Walker, III (R-Perry), enacts changes brought at the request of the Division of Family and Children’s Services so as to conform Georgia’s laws with the federal Social Security Act and Family First Prevention Services Act. The revisions include:
 - New definitions for the following terms in O.C.G.A. § 15-11-2
 - Family and permanency team
 - Qualified individual
 - Qualified residential treatment program
 - New Code section at O.C.G.A. § 15-11-100.1, relating to dependency proceedings, so as conform laws to Indian Child Welfare Act, P.L. 95-608, as amended, Chapter 21 of Title 25 of the United States Code and also adds a new Code section at O.C.G.A. § 15-11-260.1 concerning termination of parental rights so that such proceeding under Article 4 of Chapter 11 of Title 15 is not subject to such to the extent it is governed by the Indian Child Welfare Act (providing for the special treatment of Native American children involved in dependency or termination of parental rights proceedings).
 - Changes to O.C.G.A. § 15-11-201(b) concerning the Division of Family and Children’s Services’ case plan and its contents, outlining the requirements of placement of a child in a qualified residential treatment program and documentation required if the child is placed in a qualified residential treatment program for more than six consecutive or nonconsecutive months
 - New requirements for each review hearing held for a child who remains placed in a qualified residential treatment program in O.C.G.A. § 15-11-216(d.1)

- A new Code section at O.C.G.A. § 15-11-219 outlining requirements for a child’s placement in a qualified residential treatment program, including an assessment of the strengths and needs of the child using appropriate, “evidence-based, validated, functional assessment tool (and to be performed no later than 30 days following the start of such placement); determination of whether the needs of the child may be met with family members or through a placement in a foster family home or which Division approved authorized setting would be the most effective and appropriate level of care for the child in the least restrictive environment and consistent with the short and long-term goals for the child outlined in the permanency plan; and development of a list of short-term and long-term mental and behavioral health goals.” If a child is not to be placed in a foster family home, a written assessment is required outlining the reasons why the child’s needs cannot be met by the family of the child or in a foster family home and why recommended placement in a qualified residential treatment program is the setting which will provide the most effective and appropriate level of care.
- Changes to O.C.G.A. § 15-11-220 regarding the court’s requirements within 60 days of the start of a child’s placement in a qualified residential treatment program (e.g. court must consider the assessment required; determine the needs of the child and whether they may be met through placement in a foster family home or not; determine if placement in a qualified residential treatment program is consistent with the short- and long-term goals for the child (as outlined in the permanency plan); etc.).
- Changes to O.C.G.A. § 15-11-231(11) relating to documentation requirements for a child who remains placed in a qualified residential treatment program and the contents in the permanency planning report.
- New requirements in O.C.G.A. § 15-11-232(a)(11) relating to a permanency planning hearing and findings for child placed in a qualified residential treatment program (e.g. the length of time the child is expected to need treatment or services and whether the Division has documented its efforts to prepare the child to return home or be placed with a willing relative, legal guardian or adoptive parent or in a foster family home).
- Changes to O.C.G.A. § 19-7-5(f) regarding reporting of child abuse so as to include individuals who otherwise provide information or assistance, including but not limited to, medical evaluations or consultations in connection with a report made to a child welfare agency providing

protective services or an appropriate police authority or any other law or participating in any judicial proceeding or any other proceeding resulting therefrom be granted immunity from any civil or criminal liability.

- New language in O.C.G.A. § 49-5-8 concerning the powers and duties of the Department of Human Services so as to address documentation requirements of a child leaving foster care by reason of having attained the age of 18 years of age and for compliance with the John H. Chafee Foster Care Program for Successful Transition to Adulthood.
- New language in O.C.G.A. § 50-3-41(d)(1) so that reviewing agency is including the Department of Human Services in a contested case where the department is the ultimate decision maker by federal law or regulations governing titles IV-B and IV-E of the federal Social Security Act.

Governor Kemp signed this bill on May 7, 2019 as Act Number 278, It became effective upon signature on May 7, 2019.

Contracts

- [SB 37](#), authored by Sen. William Ligon Jr. (R-Brunswick), amends O.C.G.A. § 13-5-30 to clarify that any agreement to modify, alter, cancel, revoke, or rescind a promise, contract, agreement, or commitment to the list of items that must be submitted in writing and signed by all parties to such agreement to make the obligation binding in a case of fraud; provided, however that if the party against whom enforcement of such agreement is sought admits in a pleading, in testimony, or otherwise in court, that the agreement was made, then such agreement is enforceable if valid in all other respects. Governor Kemp signed this bill on May 7, 2019 as Act Number 255. The Act takes effect on July 1, 2019.

Courts

- [HB 239](#), authored by Rep. Chuck Efstrotation (R-Dacula), creates in a new Chapter 5A of Title 15 the Georgia Business Court. This legislation is the enabling proposal as this new court was voted on by the public to be established through a constitutional amendment to the Georgia Constitution in November 2018. This new court will be housed in either Atlanta or Macon-Bibb County and conduct trials and proceedings. This legislation outlines proper venue for such actions to come before this court and outlines the authority of the new court. The court will have no authority to exercise jurisdiction over claims arising under federal or state law involving:

- (1) Physical injury inflicted upon the body of a person or death;
- (2) Mental or emotional injury inflicted upon a person;
- (3) Physical contact of an insulting or provoking nature with the body of a person;
- (4) A threat of physical violence toward another person;
- (5) Matters arising under Title 19;
- (6) Residential landlord and tenant disputes;
- (7) Foreclosures;
- (8) Individual consumer claims involving a retail customer of goods or services who uses or intends to use such goods or services primarily for personal, family, or household purposes; provided, however, that this shall not be construed to preclude the court from exercising jurisdiction over mass actions or class actions involving such individual consumer claims; or
- (9) Collections in matters involving family owned farm entity as defined in O.C.G.A. § 48-5-41.1 or an individual farmer.

Filing fees to bring a case in this court will be \$3,000.00. This new court is to commence operations on January 1, 2020 and will commence accepting cases on August 1, 2020. The judge for this statewide business court will be appointed by the Governor subject to approval by a majority vote of the Senate and House Judiciary Committees. Governor Kemp signed this bill on May 7, 2019 as Act Number 271. The Act took effect upon his signature.

- [HB 288](#), authored by Rep. Alan Powell (R-Hartwell), amends Titles 9, 15 and 19 addressing court filing fees and charges.
 - O.C.G.A. § 9-15-4 is amended to address the deposit required prior to filing by the clerk and when such fee is not to be collected if the party filing is unable to pay due to indigence
 - O.C.G.A. §15-6-77 is amended to impose a “flat fee” structure for court filings of \$25.00 (e.g. deeds, affidavits, tax cancellations, satisfactions, releases, notices, etc.)
 - O.C.G.A. §15-6-77.1, O.C.G.A. §15-6-77.2; and O.C.G.A. §15-6-77.3 are repealed (additional fees and costs in counties having certain population sizes) and O.C.G.A. §15-6-77.4(a) (divorce case filings) and O.C.G.A. §19-8-13(b) (petitions for adoptions) are amended to repeal the additional fees based on populations

Governor Kemp signed this bill on May 6, 2019 as Act Number 231 which becomes effective on January 1, 2020.

Criminal Justice

- [HB 282](#), authored by Rep. Scott Holcomb (D-Atlanta), amends O.C.G.A § 17-5-71 to require that law enforcement preserve sexual assault evidence until the crime is solved. Governor Kemp signed this bill on May 7, 2019 as Act Number 238. The Act becomes effective on July 1, 2019.
- [HB 417](#), authored by Rep. Stephen Sainz (R-Woodbine), clarifies the implied consent notice a law enforcement officer must give an individual suspected of DUI before administering a chemical test in O.C.G.A § 27-3-7, 40-5-67.1, and 52-7-12.5. Governor Kemp signed the bill on April 28, 2019 as Act Number 69. This Act became effective upon his signature.
- [SB 6](#), authored by Sen. Kay Kirkpatrick (R-Marietta), amends O.C.G.A § 42-5-18 to make it unlawful for any person to intentionally use an unmanned aircraft to photograph or record images of a place of incarceration for the purpose of committing a crime. The bill prescribes a felony sentence of one to ten years imprisonment for violation of this Code section. Governor Kemp signed this bill on April 28, 2019 as Act Number 67. This Act becomes effective on July 1, 2019.

Education

- [HB 12](#), authored by Rep. Rick Williams (R-Milledgeville), adds a new Code Section at O.C.G.A. § 20-2-324.4 so as to require all public schools to post a sign containing the toll-free number operated by the Division of Family and Children Services of the Department of Human Services to receive reports of child abuse and/or neglect. The State Board of Education is authorized to adopt rules and regulations on the specifics of such sign. Further, it prohibits a cause of action for any loss or damage caused by any act or omission resulting from posting, or the lack of posting of such sign created by this new Code section. Governor Kemp signed the bill on May 2, 2019 as Act Number 129, and the Act takes effect on July 1, 2019.
- [HB 59](#), authored by Rep. Dave Belton (R-Buckhead), amends O.C.G.A. § 20-2-150 and adds a new subsection (e) so as to allow a student, whose parent or guardian is on active duty in the United States armed forces and has received

official military orders to transfer into or within Georgia, is eligible for enrollment in the same manner and time as for students residing within the local school system, in the public school of the attendance zone in which he or she will be residing or in a public school authorized pursuant to O.C.G.A. § 20-2-295, prior to physically establishing residency within the local school system upon presentation of a copy of the official military orders to the local school system. The legislation also addresses provisions relating to enrollment of students who reside in the attendance zone of a start-up charter school or state chartered special school at the time of enrollment in O.C.G.A. § 20-2-2066(a) and (b). Finally, the bill amends O.C.G.A. § 20-2-2081(a) regarding state charter schools' attendance zones so as to provide that state charter schools with a statewide attendance zone are considered to have statewide jurisdiction for purposes of "open meetings" as attendance zone is outlined in Chapter 14 of Title 50. This bill was signed by Governor Kemp on April 23, 2019 as Act Number 38, and the Act becomes effective on July 1, 2019.

- [HB 68](#), authored by Rep. John Carson (R-Marietta), adds a new Code Section at O.C.G.A. § 20-2A-2.1 to prohibit certain entities from being student scholarship organizations. Specifically, the bill bars affiliates of entities that provide accreditation of elementary or secondary schools from operating as a student scholarship organization. This bill was signed by Governor Kemp on May 2, 2019 as Act Number 130, and the Act becomes effective on July 1, 2019.
- [HB 83](#), authored by Rep. Demetrius Douglas (D-Stockbridge), sought to add a new Code Section at O.C.G.A. § 20-2-323 so as to provide for recess for students in grades kindergarten through grade five daily. It would not have required recess on a school day on which a student has had physical education or structured activity time or if reasonable circumstances impeded such recess (such as inclement weather when no indoor space was available; assemblies; or field trips exceeding their scheduled duration; etc.). It further proposed that local boards of education develop written policies to ensure that recess would be a safe experience for students. Governor Kemp **vetoed** this bill on May 10, 2019 as Veto Number 2. His message stated: "[l]ocal boards of education hold broad authority to establish recess policies for students in kindergarten through eighth grade. This local control allows school boards to set these policies based on a thorough understanding of day-to-day educational operations as well as regular interaction with administrators, educators, families, and students. House Bill 83 would dramatically restrict this local control, stripping long-held authority from school boards. While I support expanded recess opportunities for Georgia's students, I am a firm believer in local control, especially in education. This

legislation would impose unreasonable burdens on educational leaders without meaningful justification.”

- [HB 130](#), authored by Rep. Randy Nix (R-LaGrange), amends O.C.G.A. § 20-2-14.1 to authorize the Georgia Foundation for Public Education to create a non-profit to aid the Foundation in its operations and performance of its goals. Governor Kemp signed this bill on May 2, 2019 as Act Number 131, and the Act becomes effective on July 1, 2019.
- [HB 218](#), authored by Rep. Rick Williams (R-Milledgeville), amends O.C.G.A. § 20-3-519.2 to make changes to HOPE scholarship eligibility. It allows students receiving a HOPE scholarship for the first time on or after July 1, 2019, ten years from a student's graduation from high school or the equivalent thereof as determined by the Georgia Student Finance Commission in its rules and regulations. If a student serves in the military during such ten-year period, any such active duty military service is not to count against the ten-year period nor constitute a failure to be enrolled. Any full-time or part-time student receiving a HOPE scholarship and enrolled in an eligible postsecondary institution after June 30, 2019, is to remain eligible for a HOPE scholarship provided that such student meets all other eligibility requirements. Governor Kemp signed this bill on May 2, 2019 as Act Number 132, and the Act becomes effective on July 1, 2019.
- [HB 459](#), by Rep. Ginny Ehrhart (R-Powder Springs), relates to school bus drivers in Chapter 2 of Title 20. It adds a new Code section at O.C.G.A. § 20-2-112 so as to require that each local board of education employing or using individuals as school bus drivers are to submit to the Department of Public Safety the full name and driver's license number of each such person prior to authorizing those individuals to operate a school bus. The local board of education is provide an updated list to the Department of Public Safety twice within the calendar year. It also requires that the Department of Public Safety operate and maintain a database of the names and license information of the persons and confirm or verify the status of each individual's driver's license and notify the local board of education if that individual's driver's license or driving privileges have expired or been canceled, suspended or revoked. If that individual's driver's license or driving privileges have expired or been canceled, suspended or revoked, the local board of education is to suspend or revoke the authorization given to the individual to drive a school bus and notify such person. It does allow the school bus driver the ability to request a new authorization upon reinstatement of his or her driver's license or driving privileges. The bill also incorporated permissions (from [HB 394](#) which remained in the House Rules Committee) in O.C.G.A. § 35-1-11 to allow an elected sheriff or police chief of a local law enforcement agency

or fire chief of a local fire department with the approval of the local governing authority to designate, equip and train non-sworn law enforcement employees and firefighters and volunteers to assist in traffic control, provided that those individuals have successfully completed at least one hour of a traffic control training program approved by the Georgia Peace Officer Standards Training Council. Governor Kemp signed this bill on April 28, 2019 as Act Number 71, and the Act becomes effective on July 1, 2019.

- [HB 527](#), authored by Rep. Robert Dickey (R-Musella), amends Title 20 to change program weights for funding purposes in the QBE funding formula. The changes are as follows:
 - Kindergarten: Increase to 1.6724 from 1.6508.
 - Kindergarten early intervention: Increase to 2.0678 from 2.0348
 - Primary grades (1-3): Increase to 1.2948 from 1.2849
 - Primary grades early intervention (1-3): Increase to 1.8180 from 1.7931
 - Upper elementary (4-5): Increase to 1.0390 from 1.0355
 - Upper elementary early intervention (4-5): Increase to 1.8125 from 1.7867
 - Middle school (6-8): Increase to 1.1380 from 1.1310
 - High School General Education (9-12): No change
 - Career, Technical, and agriculture laboratory (9-12): Decrease to 1.1830 from 1.1916
 - Persons with disabilities Category I: Increase to 2.4118 from 2.3798
 - Persons with disabilities Category II: Increase to 2.8402 from 2.7883
 - Persons with disabilities Category III: Increase to 3.6188 from 3.5493
 - Persons with disabilities Category IV: Increase to 5.8710 from 5.7509
 - Persons with disabilities Category V: Increase to 2.4737 from 2.4511
 - Intellectually gifted students Category VI: Increase to 1.6794 from 1.6589
 - Remedial education: Increase to 1.3576 from 1.3087
 - Alternative education: Increase to 1.4881 from 1.4711
 - ESOL: Increase to 2.5892 from 2.5049

Governor Kemp signed this bill on May 2, 2019 as Act Number 133, and the Act becomes effective on July 1, 2019.

- [HR 52](#), authored by Rep. John Corbett (R-Lake Park), encourages all schools, local educational agencies, and the state educational agency to recognize that dyslexia has a profound educational impact that must be addressed. This Resolution was adopted by the House on March 25, 2019.

- [SB 15](#), authored by Senator John Albers (R-Roswell), proposes amendments to Title 20 to create a comprehensive school safety plan for Georgia schools to be known as the “Keeping Georgia’s Schools Safe Act.” The legislation came as a result of Senate Study Committee which looked at this issue in 2018. The bill proposes to require all Georgia schools (both public and private) to perform a bi-yearly threat assessment. SB 15 increases the scope of school threat assessments and safety plans to include functions during non-instructional time along with the transportation of students to and from school facilities and functions. The legislation also has language that the schools are to coordinate with the sheriff or local law enforcement agency with jurisdiction over its geographical area to conduct safety drills on reacting to potential mass casualty incidents at least once each school year. SB 15 also calls for improved information sharing between schools and homeland security entities, permitting these entities to curate individualized profiles of students. The bill provides for certain benefits for individuals designated as a “school safety coach” including homestead exemptions from all ad valorem taxes for school purposes. There were also requirements of the Georgia Bureau of Investigation in Chapter 3 of Title 35. Governor Kemp **vetoed** this bill on May 10, 2019 as Veto Number 7. In his veto message, Governor Kemp noted that SB 15 was a “well-intentioned piece of legislation, but many school superintendents, non-partisan advocacy groups, and educators across Georgia have expressed concern over its provisions.” The legislation undermines local control, creating an unfunded mandate to the school districts. Further, he noted that HB 30 includes \$69 million for school security grants to every public school and that funding should be utilized before imposing additional requirements.
- [SB 25](#), authored by Senator Bill Heath (R-Bremen), amends O.C.G.A. § 40-6-163(b) to clarify the circumstances in which a driver does not need to stop for a school bus. This bill provides that drivers only need not stop for a school bus on divided highways separated by a grass median, unpaved area or other prohibitive barrier. Current Georgia law is unclear and appears to exempt drivers on multi-lane roadways separated by a turn lane median from stopping. Governor Kemp signed this bill on February 15, 2019 as Act Number 1. The Act took effect on February 15, 2019.
- [SB 48](#), authored by Sen. P.K. Martin (R-Lawrenceville), creates three new Code sections in Title 20 to address dyslexia students. Dyslexia was studied in 2018 through a Senate Study Committee led by former State Senator Fran Millar (R-Dunwoody). These include: O.C.G.A. § 20-2-159.6 which requires that the State Board of Education by no later than July 1, 2020 develop policies for referring students in kindergarten and grades one through three for screening who have

been identified through the response-to-intervention process as having characteristics of dyslexia, other disorders or both (the Department is also to make available a dyslexia informational handbook which includes guidance, technical assistance and training for local school systems in the implementation of evidence-based practices for instructing students with characteristics of dyslexia and it establishes a three-year pilot program beginning with the 2020-2021 school year to look at the effectiveness of early reading assistance programs for students with risk factors for dyslexia (the State School Superintendent is to select at least three local school systems)); O.C.G.A. § 20-2-208 which requires that the Professional Standards Commission, no later than December 30, 2019, create a dyslexia endorsement for teachers trained in appropriately recognizing and responding to students with characteristics of dyslexia and language disorders such as difficulty with expressive or receptive language; and O.C.G.A. § 20-2-208.1 which requires the Professional Standards Commission to include in its standards for teacher preparation programs for elementary and secondary education instruction on definition and characteristics of dyslexia and other disorders, evidence based interventions and accommodations for students with characteristics of dyslexia and other disorders; and core elements of a response-to-intervention framework addressing reading, writing, mathematics and behavior. Governor Kemp signed this bill on May 2, 2019 as Act Number 134. The Act takes effect on July 1, 2019.

- [SB 60](#), authored by Sen. P.K. Martin (R-Lawrenceville), creates in O.C.G.A. § 20-2-324.4 the “Jeremy Nelson and Nick Blakely Sudden Cardiac Arrest Prevention Act.” It requires that the Department of Education develop, and post on its website, guidelines and other relevant materials to inform high school students participating in interscholastic athletic activities about the nature and warning signs of sudden cardiac arrest. The legislation also requires that a school hold an informational meeting twice per year regarding the symptoms and warning signs of sudden cardiac arrest. This bill also provides a student’s removal from athletic activities under certain circumstances. It also requires that once each school year that each coach of an interscholastic athletic activity is required to review the guidelines and relevant materials and view an educational video approved by the Department of Education; failure to do so makes the coach ineligible to coach an interscholastic athletic activity. Governor Kemp signed this bill on May 2, 2019 as Act Number 136. This Act takes effect on July 1, 2019.
- [SB 67](#), authored by Sen. Dean Burke (R-Bainbridge), amends O.C.G.A. § 20-2-260(t), addressing capital outlay funds for elementary and secondary education, so that in the event of destruction or damage to an educational facility (caused by fire or natural disaster) in which the majority of the facility is destroyed or

damaged, a local school system is immediately qualified for and may receive regular state capital outlay funds and regular advance funding for the concurrent update, repair or replacement of the portion of the facility that was not destroyed or damaged as long as the facility is 20 years old or older. It also amends O.C.G.A. § 20-2-262(d), regarding low-wealth capital outlay grants, to change criteria allowing local school systems eligibility for such grants. Governor Kemp signed this bill on May 10, 2019 as Act Number 318. The Act takes effect on July 1, 2019.

- [SB 83](#), authored by Sen. Jeff Mullis (R-Chickamauga), amends O.C.G.A. § 20-2-148 to provide for the creation of elective courses in Georgia public high schools related to the study in the History and Literature of the Old and New Testament. It adds that all public schools with grade nine or above may make available to eligible students in grades nine through 12 an elective course on the Hebrew Scriptures, Old Testament of the Bible, on the New Testament of the Bible, and on the Hebrew Scriptures and the New Testament of the Bible. It outlines the purpose of the courses. Further, the legislation adds a new Part 4 in Article 7 of Chapter 3 of Title 20 to create the “Realizing Educational Achievement Can Happen (REACH) Scholarship Act.” [This was the language from [HB 562](#) authored by Rep. Robert Dickey (R-Musella).] This scholarship program will support eligible students with a needs-based mentoring and scholarship program so as to help them graduate from high school and achieve postsecondary educational success. Eligible students will be selected by participating school systems in the seventh or eighth grades. Subject to available funding, each REACH scholar is to receive \$10,000.00 for the first year of the REACH participating school system’s participation in the programs. After that year, the REACH participating school system is responsible for providing a proportionate share of the scholarship. Governor Kemp signed this bill on May 6, 2019 as Act Number 229. The Act takes effect on July 1, 2019.
- [SB 91](#), authored by Sen. Chuck Hufstetler (R-Rome), amends O.C.G.A. § 20-3-250.3(a) to exempt nonpublic orthodontic schools and residency programs accredited by the Commission on Dental Accreditation of the American Dental Association and sponsored by 1) a hospital that is accredited by a national accrediting agency recognized by the Center for Medicare and Medicaid Services; or 2) a postsecondary educational institution that is accredited by a national or regional accrediting agency recognized by the United States Department of Education; provided; however that any such school and residency program meeting the requirements after March 1, 2019 is required to maintain and provide proof of a surety bond or letter of credit annually to the Commission in the amount of \$450,000.00 for five years after the date from qualification for

the exemption. Governor Kemp signed this bill on May 6, 2019 as Act Number 226. The Act takes effect on July 1, 2019.

- [SB 108](#), authored by Sen P.K. Martin IV (R-Lawrenceville), adds at O.C.G.A. § 20-2-149.3 computer science course requirements to the State curriculum. The bill requires school districts to implement computer science courses on a provided timeline. Beginning in the 2022-2023 school year, each local district must have at least one high school with a computer science course and must have exploratory computer science courses in every middle school. This requirement also applies to state charter schools serving high school students and middle school students respectively. It further adds that each local school system may provide that all elementary schools in its school system offer instruction in exploratory computer science and each state charter school that serves elementary school students may offer instruction in exploratory computer science. Beginning in the 2023-2024 school year, local districts are required to have computer science courses in 50% of their high schools. Local districts are required to have computer science courses in every high school beginning in the 2024-2025 school year. Additionally, the bill requires that the Department of Education ensure that the Georgia Virtual School has sufficient capacity to enable schools to utilize computer science courses to meet the needs of students. Subject to appropriations, grants are to be provided to eligible entities to deliver professional development programs for teachers providing instruction in computer science courses and content. There is also a requirement that the Department of Education submit an annual report on December 1 to the Governor, Lt. Governor, Speaker and chairs of the House and Senate Education Committees on the number of teachers trained, number of schools offering training, number of students served and demographics of students and a list of eligible entities that provided the training. Governor Kemp signed this bill on May 2, 2019 as Act Number 135. The Act takes effect on July 1, 2019.

Health

- [HB 62](#), authored by Rep. Sharon Cooper (R-Marietta), is “Margie’s Law.” It requires in O.C.G.A. § 31-1-16 that, if a patient’s mammogram demonstrates “dense breast tissue, the health care facility that conducted the mammogram notify the patient. This notice is required to state:
 - “Your mammogram shows that your breast tissue is dense. Dense breast tissue is very common and is not abnormal. However, dense breast tissue can make it more difficult to detect cancer through a mammogram. Also,

dense breast tissue may increase your risk for breast cancer. This information about the result of your mammogram is given to you to increase your awareness. Use this information to talk with your health care provider about whether other supplemental tests in addition to your mammogram may be appropriate for you, based on your individual risk. A report of your results was sent to your ordering physician. If you are self-referred, a report of your results was sent to you in addition to this summary.”

Governor Kemp signed the bill on May 2, 2019 as Act Number 138. The Act takes effect on July 1, 2019.

- [HB 91](#), authored by Rep. Andy Welch (R-McDonough), allows the Department of Community Health to retain fingerprints collected as part of the Georgia Long-Term Care Background Check Program. The bill amends Chapter 7 of Title 31 to include this program in the federally-authorized Rap Back Program adopted under Georgia law last session that allows for continual background checks of an individual rather than only a single background check at the time of hire pursuant to O.C.G.A. § 35-3-33(a)(1)(F). If fingerprints are retained for this purpose, the individual must be informed of the parameters of the retention and the GBI must delete fingerprint records within ten days of notification that the individual is no longer connected to the entity requiring the background check. Governor Kemp signed the bill on April 28, 2019 as Act Number 74. The Act becomes effective October 1, 2019.
- [HB 187](#), authored by Rep. Katie Dempsey (R-Rome), establishes a three-year pilot program (a minimum of 250 individuals per year and requires the participants to complete a health risk assessment and have a body mass index of greater than or equal to 27 with comorbidities related to obesity or greater than or equal to 30 without such comorbidities) to provide coverage for the treatment and management of obesity and related conditions for the State Health Benefit Plan in O.C.G.A. § 31-2-12.1. It authorizes the Department of Community Health to enter into an agreement with a postsecondary institution in Georgia for pilot program management, data collection, patient engagement, and other activities related to the pilot program. This program is to provide coverage for FDA approved medications for chronic weight management for eligible participants in conjunction with obesity prevention, screening, and counseling benefits. All healthcare services provided pursuant to this pilot will be subject to the health insurance carrier’s plan of benefits and policy provisions and participants are responsible for all applicable copayments, coinsurance, deductibles, and out-of-pocket expenses exceeding maximum limits. The Department is to review the

results and outcomes of the pilot beginning six months after its initiation. A final report is to be submitted to the chairs of the House and Senate Health and Human Services Committees and the House and Senate Appropriations Committees. There is repealer language included so as to repeal the Act 42 months after it takes effect. This bill was **vetoed** by Governor Kemp on May 10, 2019 as Veto Number 3. In part, Governor Kemp's veto message explained "In analyzing, this legislation's fiscal impact, state officials prepared projections for cost scenarios which ranged tens of millions of dollars. Even at the lowest-projected cost, this program would result in increased premiums for employees..."

- [HB 217](#), authored by Rep. Houston Gaines (R-Athens), amends O.C.G.A. § 16-13-32 to provide that employees of syringe service programs are not subject to offenses related to the possession, distribution, or exchange of hypodermic needles or syringes. It also authorizes the Department of Public Health to establish rules and regulations for these programs. This bill was signed by Governor Kemp on April 2, 2019 as Act Number 25 and takes effect on July 1, 2019.
- [HB 290](#), authored by Rep. Sharon Cooper (R-Marietta), establishes a pilot program in O.C.G.A. § 31-17A-4 to provide preexposure prophylaxis drug assistance (medications approved by the FDA) or services to persons who are at risk of being infected with HIV. This program is to be conducted in counties identified by the federal Centers for Disease Control and Prevention as at risk of outbreaks for HIV as a result of a high rate of opioid related use or in such counties as determined by the Department of Public Health. The Department is to provide a detailed written report on the implementation and effectiveness of the pilot program, as well as other recommendations on expansion to be made available statewide, to the Governor, Speaker of the House of Representatives, the President of the Senate, and the chairs of the House and Senate Health and Human Relations Committees. The bill was signed by Governor Kemp on April 25, 2019 as Act Number 45, and it takes effect upon the effective date of a specific appropriation of funds for this purpose with specific language expressed in a line item. No funds were included in the FY 2020 Budget, HB 31, for this purpose.
- [HB 300](#), authored by Rep. Vance Smith (R-Pine Mountain), amends O.C.G.A. § 31-6-2 to redesignate "continuing care communities" as "life plan communities" for purposes of Department of Community Health regulation. The bill makes no substantial changes to current law but does replace the terms as they are

referenced in Code sections 31-6-2, 31-6-47, 33-45-1, and 33-45-3. The bill also deletes the definition of “microhospital” located at O.C.G.A. § 31-6-2(23.1). This bill was signed by Governor Kemp on May 7, 2019 as Act Number 303. The Act becomes effective July 1, 2019.

- [HB 374](#), authored by Rep. John LaHood (R-Valdosta), relates to regulation and licensing of assisted living communities to authorize certified medication aides to administer liquid morphine to residents under hospice care pursuant to a physician’s written orders in O.C.G.A. § 31-7-12.2(g). It does require that the medication aide observe and document the resident’s need for all “as needed” liquid morphine in such resident’s record and such indications of need may include verbalizations of pain, groaning, grimacing or restlessness. The initial dose of the liquid morphine administered is required to be administered and assessed by a licensed hospice health care professional to observe and address any adverse reactions to such medication. These medication aides administering liquid morphine are required to have training from the licensed hospice on the safe and proper administration of liquid morphine prior to such administration and on an annual basis thereafter. It limits the supply on-site at an assisted living community to no more than 50 ml for each hospice patient. The Department of Community Health is to promulgate rules and regulations regarding this law’s implementation. The Act further amends O.C.G.A. § 43-26-12(a) and adds an exception to licensure so that the administration of liquid morphine by a certified medication aide does not require licensure as a registered professional nurse. Governor Kemp signed this bill on May 11, 2019 as Act Number 320, and the Act took effect immediately upon his signature.
- [HB 483](#), by Rep. Ron Stephens (R-Savannah), is the annual update to Georgia’s dangerous drug list in Chapter 13 of Title 16. In part, it adds epidiolex (a drug which is FDA approved and contains cannabidiol derived from cannabis and contains no more than .1 percent tetrahydrocannabinols). Governor Kemp signed this bill on May 7, 2019 as Act Number 267, and the Act took effect upon the his signature.
- [HB 551](#), authored by Rep. Dewayne Hill (R-Ringgold), addresses a prohibition to possession of kratom for persons under 18 years of age in a new Article 6 of Chapter 13 of Title 16. Individuals who sell or transfer possession to an individual under the age of 18 would be, if convicted, guilty of a misdemeanor. This new law also outlines packaging requirements for products containing kratom. The final version of this legislation also added revisions to O.C.G.A. § 16-13-57(c) concerning the prescription drug monitoring program (“PDMP”)(this

was a House Floor Amendment made by Rep. Sharon Cooper (R-Marietta)). The amendment requires that a state regulatory board governing prescribers has the discretion to rescind any consent orders or other disciplinary actions that were entered into or imposed prior to the effective date of the Act for a violation of not enrolling a prescriber with the “PDMP” within 30 days of receipt of registration credentials from DEA. Such discretion is based upon review of such factors as subsequent compliance; compliance with the terms of the consent order or other disciplinary action; and whether the prescriber has had previous infractions of other laws/regulations relating to his or her licensure. Such authority under this provision expires on December 31, 2019. Also, it adds that on and after the effective date of this Act for purposes of this subsection (c) of O.C.G.A. § 16-13-57, the term, “administratively accountable,” means a warning or the imposition of a fine, but any such fine is not to be considered a disciplinary action against the licensee. Governor Kemp signed this bill on April 26, 2019 as Act Number 59, and the Act took effect immediately upon his signature.

- [HR 135](#), authored by Rep. Chuck Efstration, urges Congress to eliminate the five-month waiting period for disability insurance benefits for individuals living with ALS. The House adopted this resolution on March 13, 2019.

Hemp

- [HB 213](#), authored by Rep. John Corbett (R-Lake Park), enacts in Chapter 23 of Title 2 the “Georgia Hemp Farming Act” which authorizes colleges and universities in the University System of Georgia to conduct research on the cultivation and uses of hemp grown in Georgia. The bill outlines the process to receive a hemp growers license, including the license and permit fees associated with such license. It also makes it unlawful for any person to cultivate, handle, or process hemp in Georgia unless that person holds a hemp grower license or a hemp processor permit issued by the Department of Agriculture. The Department of Agriculture is also given the authority to randomly test hemp at the fields and greenhouses of all licensees and should test samples reveal a delta-0-THC concentration or more than 0.330 percent on a dry weight basis, the licensee’s entire crop with the same global positioning coordinates is to be destroyed. The Department is also given the authority to randomly test hemp products at facilities of all permittees and products found with a delta-9-THC concentration of more than 0.3 percent are required to be destroyed by the permittee under the supervision of law enforcement. Governor Kemp signed this bill on May 10, 2019 as Act Number 314. The Act took effect upon his signature.

Insurance

- [HB 99](#), authored by Rep. Richard Smith (R-Columbus), amends Title 33 to modernize and update language in the insurance code. Governor Kemp signed the bill on May 6, 2019 as Act Number 186. The Act goes into effect on July 1, 2019.
- [HB 128](#), authored by Rep. Deborah Silcox (R-Sandy Springs), addresses medical malpractice insurance in O.C.G.A. § 33-3-27 and defines a “high/low agreement,” which is a settlement in which a defendant agrees to pay the plaintiff a minimum recovery in return for the plaintiff’s agreement to accept a maximum amount regardless of the outcome of the trial. It also defines “low payment” which means the defendant pays the plaintiff the minimum recovery under a high/low agreement where the court rules in favor of the defendant. It further provides that insurers do not have to notify the Georgia Composite Medical Board of agreements to settle medical malpractice claims against physicians when the settlement resulted in the low payment under a high/low agreement. It amends O.C.G.A. § 43-34-8 providing that licensees, certificate holders, and permit holders do not have to notify the Georgia Composite Medical Board of agreements to settle medical malpractice claims against physicians when the settlement resulted in the low payment under a high/low agreement and also amends O.C.G.A. § 43-34A-3 so that such physician profiles do not have to reflect low payments under a high/low agreement in a medical malpractice settlement. Governor Kemp signed the bill on May 7, 2019 as Act Number 269. The Act takes effect on July 1, 2019.
- [HB 227](#), authored by Rep. Spencer Frye (D-Athens), amends O.C.G.A. § 33-6-4 relating to unfair methods of competition and unfair or deceptive acts or practices regarding insurance and provides that an insurer cannot refuse to insure a person based on his or her status as a victim of family violence or sexual assault. This bill was signed by Governor Kemp on May 7, 2019 as Act Number 273. It takes effect on July 1, 2019.
- [HB 277](#), authored by Rep. John Carson (R-Marietta), amends Title 33 to allow “good will” from insurance acquisitions to be used as an asset. This good will is up to 10% of the acquiring insurer’s capital and surplus. Governor Kemp signed this bill on May 7, 2019 as Act Number 274. This bill becomes effective on July 1, 2019
- [HB 310](#), authored by Rep. Greg Morris (R-Vidalia), amends O.C.G.A. § 33-24-59.10 relating to the deadline for the annual reports from the Department of

Insurance on autism coverage. Such reports will now be required to be submitted by the Department to the General Assembly on June 15 of each year rather than January 15 (which is the current requirement). This bill was signed by Governor Kemp on May 9, 2019 as Act Number 313, and the Act took effect upon the governor's approval.

- [HB 353](#), authored by Rep. Kasey Carpenter (R-Dalton), amends Chapter 1 of Title 33 to create a crime of staging a collision. The bill adds a new Code section at O.C.G.A § 33-1-9.1 to define the crime of staging a collision. The crime occurs when a person, with intent to commit insurance fraud, intentionally causes or attempts to cause a motor vehicle collision, or engages in a scheme to fabricate evidence of a motor vehicle collision that did not occur. The bill stipulates that this crime shall be a felony punishable by no less than one year nor more than five years imprisonment. The bill also creates the crime of aggravated staging of a collision for when a person commits the acts enumerated above resulting in serious personal injury to another. Aggravated staging of a collision shall be punishable by no less than two years and no more than ten years imprisonment. Lastly, the bill defines the crime of making a fraudulent claim related to a staged collision as a person making, or assisting in the making, of a claim for insurance benefits of any type or brings, or assists in bringing, a civil lawsuit against another seeking monetary damages with knowledge that the injuries for which insurance benefits or monetary damages are sought resulted from a staged collision. This crime shall be a felony and punishable by no less than one year and no more than five years imprisonment. Governor Kemp signed this bill on April 25, 2019 as Act Number 40. The Act took effect upon his signature.
- [SB 18](#), authored by Sen. Kay Kirkpatrick, MD (R-Marietta), is the “Direct Primary Care Act” created in O.C.G.A. § 33-7-2.1. This language clarifies that direct primary care agreements are not forms of insurance and do not require a certificate of authority or license from the Department of Insurance. It defines “direct primary care agreement” as a “contract between a physician and an individual patient or his or her legal representative in which the physician or the physician’s medical practice agrees to provide health care services to the individual patient for an agreed-upon fee and for a specified period of time.” These agreements are to: be in writing, signed by the parties; allow parties to terminate with 30 days' notice; describe the scope of healthcare services to be covered; specify the periodic fee and any additional fees outside the periodic fee for ongoing care; specify the duration of the agreement; require that no more than 12 months of the periodic fee is to be paid in advance; and prominently state that such agreement is not health insurance. There is language permitting a physician to decline acceptance of a patient and provide services under a direct

primary care agreement for certain reasons. It also requires that if either party terminates the agreement, any unearned portion of any fees paid are to be refunded by the physician to the patient within 30 days of termination of the agreement. The bill was signed by Governor Kemp on April 25, 2019 as Act Number 47. The Act takes effect on July 1, 2019.

- [SB 118](#), authored by Sen. Renee Unterman (R-Buford), modernizes the “Georgia Telemedicine Act” by renaming it the “Telehealth Act” in O.C.G.A. § 33-24-56.4, and includes language addressing insurers and their responsibilities and limitations in coverage for telemedicine services. It defines what is a “distant site” and “originating site.” It also defines that telemedicine is a form of telehealth which is the delivery of clinical health care services by means of real time two-way audio, visual, or other telecommunications or electronic communications (which includes secure video conferencing or store and forward transfer technology to provide or support health care delivery, which facilitate the assessment, diagnosis, consultation, treatment, education, care management, and self-management of a patient’s health care by a health care provider practicing within his/her scope of practice as would be practiced in person with a patient, and legally allowed to practice in Georgia while such patient is at an originating site and the health care provider is at a distant site). Notably, the bill prevents insurers from refusing to cover a telehealth service when the in-person service is not available for a patient, nor can insurers require its insureds to use telemedicine services in lieu of in-person services or impose any annual or lifetime dollar maximum on coverage for telemedicine services (other than what would otherwise apply in the aggregate under the policy’s covered services). As an aside, SB 133, authored by Sen. Marty Harbin (R-Tyrone), is a modernization of the latter chapters of Title 33. SB 133 makes a small change to O.C.G.A. § 33-24-56.4 but does not reflect the changes represented in SB 118. In order for SB 118 to be effective, it was to be signed after SB 133 as it opens up two code sections that would be in conflict with each other. Governor Kemp signed this bill on May 6, 2019 as Act Number 155 (SB 133 was signed on May 2, 2019 as Act Number 140 and it takes effect on July 1, 2019). Act Number 155. It takes effect July 1, 2019.
- [SB 132](#), authored by Sen. Marty Harbin (R-Tyrone), amends Title 33 to provide modernization updates to the insurance code. In part, it changes “Insurance Department” to “Department of Insurance” throughout. It also repeals Article 2 of Chapter 29A, relating to the Commission on the Georgia Health Insurance Risk Pool. Governor Kemp signed this bill on May 2, 2019 as Act Number 139. The Act takes effect on July 1, 2019.

- [SB 133](#), authored by Sen Marty Harbin (R-Tyrone), amends Title 33 to provide modernization updates to the insurance code, focusing on Chapters 21-39. One of the changes incorporated is in O.C.G.A. § 33-24-59.23(3), defining “health benefit plan” so that it will mean “any hospital or medical insurance policy or certificate, health care plan contract or certificate, qualified higher deductible health plan, or health maintenance organization subscriber contract. Health benefit plan does not include policies issued in accordance with Chapter 31 of this title; disability income policies, policies issued in accordance with Code section 34-9-14 or 34-0-122.1; limited accident and sickness insurance policies such as credit, dental, vision, Medicare supplement, long-term care, hospital indemnity, or specified disease insurance coverage issued as a supplement to liability insurance; workers’ compensation or similar insurance; or automobile medical payment insurance.” Governor Kemp signed this bill on May 2, 2019 as Act Number 140. The Act takes effect on July 1, 2019.
- [SB 142](#), authored by Sen. Larry Walker (R-Perry), requires in O.C.G.A. § 33-24-57.1 that a statement indicating that a subscriber’s health insurance policy is fully insured is included on a subscriber’s health insurance identification card and such would apply to a policy issued by a dental insurer as well as a health care corporation, accident and sickness insurer, fraternal benefit society, hospital service corporation, medical service corporation, health care corporation, health maintenance corporation, provider sponsored health care corporation and any similar entity authorized to issue contracts under Title 33 or the plan administrator of any health benefit plan established under Chapter 18 of Title 45. This card requirement does not apply to any licensed group model health maintenance organization with an exclusive medical group contract. Otherwise, this Act applies to all insurance identification cards issued by an insurer on and after January 1, 2020. Governor Kemp signed this bill on May 7, 2019 as Act Number 282. The Act becomes effective on July 1, 2020.
- [SB 202](#), by Sen. William Ligon, Jr. (R-Brunswick), amends O.C.G.A. § 33-7-8, addressing title insurance, to allow title insurance to be procured on a lender’s security interest in personal property taken by the lender as collateral for a commercial loan. Governor Kemp signed this bill on May 7, 2019 as Act Number 279. The Act takes effect on July 1, 2019.

Low THC – Medical Cannabis

- [HB 324](#), authored by Rep. Micah Gravley (R-Douglasville), enacts “Georgia’s Hope Act.” First and foremost, in O.C.G.A. § 16-12-191, the bill decriminalizes the purchase of 20 ounces or less of low THC oil by individuals on Georgia’s Low

THC Oil Patient Registry or participating in a USG clinical trial and allows for the possession, purchase, control, sale, manufacturing, distribution, and dispensing of low THC oil by designated universities, pharmacies, and licensees as provided by the bill. The bill further creates the Georgia Access to Medical Cannabis Commission (a seven member commission) in Part 1 of a new Article 9 of Chapter 12 of Title 16 that will purchase or obtain low THC oil, cannabis, cannabinoids, or any other derivative, compound, or substantially similar products; develop, establish, maintain, and administer a low THC oil distribution network and obtain and distribute low THC oil to registered patients in this state and coordinate the best use of facilities and resources to operate such distribution network; establish procedures for inspecting production facilities operated by designated universities; and establish requirements and procedures to ensure quality control, security, and oversight of low THC oil production. The Commission will issue non-transferrable licenses to designated universities for the production of low THC oil (the universities do have the ability to contract with private entities to fulfill the terms of the license but those contracts must be approved by the Commission). The bill also requires the University System of Georgia to apply to contract with the National Institute on Drug Abuse for receipt of cannabis and obtain cannabis, cannabinoids, or any other derivative, compound, or substantially similar products from any available legal source.

Under Part 2 the new Article 9 of Chapter 12 of Title 16, the Commission is required to also issue licenses related to the production, growing, and manufacturing of low THC oil; coordinate with the GBI to implement security plans and enforcement of the law; establish procedures for granting licenses, testing products and inspecting facilities, establishing requirements and procedures to ensure quality control, security and oversight of all low THC oil production Georgia; and establish procedures for ensuring sufficient resources are available to receive and resolve complaints from registered patients; establish criteria for applicants and licensees; and etc. This Commission may issue up to two Class 1 production licenses which permits the licensee to 1) grow cannabis only in indoor facilities for use in producing low THC oil, limited to 100,000 square feet of cultivation space; and manufacture low THC oil. Applicants for this Class 1 production license are required to submit a non-refundable application fee of \$25,000.00 concurrent with submission of the application; upon award of the Class 1 production license, the applicant is required to submit an initial licensee fee of \$200,000.00 and upon annual renewal, a licensee renewal fee of \$100,000.00. The Commission may also issue up to four Class 2 production licenses for the licensee to grow cannabis only in indoor facilities for use in producing low THC oil, limited to 50,000 square feet of cultivation space and manufacture low THC oil. Their application must be

accompanied by a fee of \$5,000.00 and upon award of a Class 2 production license the applicant is required to submit an initial license fee of \$100,000.00 and upon annual renewal are required to pay \$50,000.00. Each of these licensees is required to utilize a tracking system (which is specified in the new law and which must be in real time). There are prohibitions in the law outlining where these licensees are to operate (such as within 3,000 feet of a private or public school, an early care and education program, a church, synagogue or other place of public religious worship in existence prior to the date of licensure by the licensee). It also prohibits the licensee from being eligible for a number of identified tax credits otherwise available to businesses.

At new Code section § 16-12-206, the Board of Pharmacy is required to develop an annual, nontransferable specialty dispensing license for a pharmacy to dispense low THC oil to registered patients under the bill and, with the Commission, will jointly adopt rules relating to the dispensing of low THC oil by pharmacies and retail dispensing licensees, including standards, procedures, and protocols for the effective use of low THC oil as authorized by state law; standards, procedures, and protocols for the dispensing of low THC oil by a pharmacy with a dispensing license and by retail dispensing licensees and for the utilization of a tracking system; and several other topics. The bill also establishes a Medical Cannabis Commission Oversight Committee in the legislature.

The bill was signed into law on April 17, 2019 as Act Number 27, and the provisions of this Act take effect on July 1, 2019.

Medicaid and Medicaid Financing and Insurance Waivers

- [SB 106](#), authored by Sen. Blake Tillery (R-Vidalia), enacts the “Patients First Act.” This legislation authorizes:
 - The Department of Community Health to submit a waiver request to CMS on or before June 30, 2020 for a Section 1115 waiver of the Social Security Act which may include an increase in the income threshold up to a maximum of 100 percent of the federal poverty level, and it authorizes the Department to implement such if the waiver is approved (at O.C.G.A. § 49-4-142.3).
 - The Governor to submit one or more applications to the United States Secretaries of Health and Human Services and Treasury for waiver of applicable provisions of the federal Patient Protection and Affordable Care

Act under Section 1332 relating to health insurance coverage or health insurance products (at O.C.G.A. § 33-1-26). It further authorizes, on or after January 1, 2020 upon approval of one or more such waivers, that the state is authorized to implement the waiver(s). This authority granted to the Governor expires on December 31, 2021.

Governor Kemp signed this legislation on March 27, 2019 as Act Number 4. It became effective upon signature.

- [HB 321](#), authored by Rep. Jodi Lott (R-Evans), is the bill addressing Georgia’s Medicaid financing program, also known as the hospital provider fee, enacted in O.C.G.A. § 31-8-179.1 et seq. The bill extends this program through June 30, 2025 (it was to be repealed June 30, 2020). The bill also addresses conflict of interest transactions for members of hospital authorities; provides transparency provisions for nonprofit hospitals, a hospital owned or operated by a hospital authority or a nonprofit corporation formed, created or operated by or on behalf of a hospital authority; and addresses tax credits for contributions to rural health organizations so as to provide for undesignated contributions, reporting and an annual credit. In the “transparency requirements,” it requires (in O.C.G.A. § 31-7-22) nonprofit hospitals (including private nonprofits, hospital authorities and restructured hospital authorities), effective October 1, 2019, to post on their website main pages links to:
 - Audited financial statements (general purpose financial statements) which include a PDF file; a note which identifies individual amounts for hospital’s gross patient revenue, allowances, charity care, and net patient revenue); audited consolidated financial statements for hospitals with subsidiaries and consolidating statements (that at minimum contain: balance sheet and statement of operations; breakout of the hospital’s and each affiliate’s numbers; and a report from independent accountants on other financial information); audited consolidated financial statements for a hospital’s parent corporation and consolidating financial statements (that at minimum contain: a balance sheet and statement of operations; breakout of the hospital’s and each affiliates numbers; and a report from independent accountants on other financial information).
 - Audited Internal Revenue Service Form 990 (including Schedule H and other attachments) (if the hospital is not required to file an IRS Form 990, then it must complete a form created by DCH (this applies to traditional hospital authorities that are not also tax exempt under Section 501(c)(3) of the Internal Revenue Code)).

- Completed annual hospital questionnaire.
- Community benefit report required to be prepared by hospital authorities each year and filed with the Clerk of the Superior Court (which includes cost of indigent and charity care provided for the preceding year; statement of the cost and type of indigent and charity care provided by the authority (including number of indigent persons served); categorization of those persons by county of residence and cost of indigent and charity care provided in dollars).
- Disproportionate Share Hospital Survey.
- Listing of real property holdings (location, size, parcel ID number, purchase price, current use and improvements made).
- Listing of any ownership or interest the hospital has in any joint venture, partnership, subsidiary holding company or captive insurance company (where each is domiciled and value of ownership or interest).
- Listing of bonded indebtedness, outstanding loans, bond defaults and bond disclosure sites.
- Report which identifies by purpose, the ending fund balances of the net assets of the hospital and each affiliate as of the close of the most recently completed fiscal year (distinguishing between funds balances that are: donor permanently restricted; donor temporarily restricted; board restricted; unrestricted).
- All going concerns' statements regarding the hospital.
- Most recent legal chart of corporate structure, including the hospital, each of the affiliates and subsidiaries, and its parent corporation.
- Listing of salaries and fringe benefits for ten highest paid administrative positions including (complete unabbreviated title; forms of compensation (actual or deferred) made on behalf of the employee; and whether employment is full or part-time).
- Evidence of accreditation by accrediting bodies (e.g. Joint Commission and DNV).

- Policies regarding the provision of charity care and reduced cost services to the indigent (excluding medical assistance recipients and debt collection practices).

All information is to be updated by July 1 of each year and prepared in accordance with generally accepted accounting principles. Failure of a hospital to post the required information within 30 days of the date required will result in suspension from receiving state funds (including Medicaid payments) or from participation in the Rural Hospital Tax Credit program. Hospitals are required to be given notice of any deficiency and an opportunity to correct the deficiency prior to suspension of funds. Any person who knowingly and willfully includes false, fictitious, or fraudulent information in any documents which are required to be posted may be fined up to \$1,000.00 or imprisoned for one to five years or both.

The legislation also adds at O.C.G.A. § 31-7-74.4, addressing hospital authority boards' membership, that members of a hospital authority board at the time of a sale or lease of a hospital owned by a hospital authority are subject to the conflict of interest requirements under Georgia's nonprofit laws with respect to proceeds of such sale or lease. It also revises the Rural Hospital Tax Credit program at O.C.G.A. § 31-8-9.1 to: extend the credit to 2024 in O.C.G.A. § 48-7-29.20(k); prohibit hospitals with a three-year average patient margin of greater than one standard deviation above the statewide three-year average to be eligible for donations under the rural hospital tax credit program (patient margin means gross patient revenues less contractual adjustments, bad debt, indigent and charity care, other uncompensated care and total expenses) (this eligibility piece is not contained in HB 186); require DCH to provide information on the process for the ranking of hospitals by financial need; require DCH to post information on its website: listing of eligible hospitals; ranking information; annual report; total amount received by Georgia HEART; require a link to Department of Revenue website; require that undesignated donations made via Georgia HEART or DOR go to the highest ranked hospital until its individual cap is met (this is not addressed in HB 186); require Georgia HEART provide donors with complete listing of eligible hospitals and ranking (not just the Georgia HEART hospitals); require DOR to post this information on its website: all applicable timelines/deadlines for the tax credit; listing and ranking of eligible hospitals; require monthly progress reports by hospitals; post a listing of undesignated donations and hospitals which received such; and require the Department of Audits and Accounts to conduct annual audit of the program.

The bill was signed by Governor Kemp on April 25, 2019 as Act Number 42, and the Act took effect upon signature.

Mental Health

- [HB 514](#), authored by Rep. Kevin Tanner (R-Dawsonville), creates the “Georgia Behavioral Health Reform and Innovation Commission” in O.C.G.A. § 37-1-110 et seq. to conduct a comprehensive review of the behavioral health system in the State (including services and facilities, identification of issues for children adolescents and adults, role of the educational system has in identification and treatment of behavioral health issues, impact of behavioral health issues on the courts and correctional system, legal and systemic barriers to treatment, workforce shortages impacting the delivery of care, access to services (including role of payers), impact on untreated behavioral illnesses may impact children into adulthood, need for aftercare for individuals exiting the criminal justice system and impact of behavioral illness on the state’s homeless population). This 23 member Commission includes such individuals as licensed psychiatrists, a forensic psychologist, a health care provider with expertise in traumatic brain injuries, a professional who specializes in substance abuse and addiction, an educator, a sheriff, judges, and others. This Commission is attached for administrative purposes to the Office of Planning and Budget. It does require that the Commission meet not less than twice every year. As the State is still under the settlement agreement with the Department of Justice, it requires that an agenda for any Commission meeting be submitted to the Governor’s Executive Counsel for prior approval. This Commission is also to form these subcommittees: 1) children and adolescent behavioral Health; 2) involuntary commitment; 3) hospital and short-term care facilities; 4) mental health courts and corrections; and 5) workforce and system development. The Commission Chair may add other members to the subcommittees as he or she sees fit. Governor Kemp signed this bill on May 9, 2019 as Act Number 216, and this Commission becomes effective on July 1, 2019 and is to be abolished on June 30, 2023.

Motor Vehicles

- [HB 339](#), authored by Rep. Dewey McClain (D-Lawrenceville), creates in O.C.G.A § 40-2-86 special license plates supporting the Georgia Aquarium, Alabama A&M University, Alpha Kappa Alpha Sorority, Inc, and autism awareness. Governor Kemp signed this bill on May 7, 2019 as Act Number 276 which became effective immediately.

- [HB 454](#), authored by Rep. Kevin Tanner (R-Dawsonville), amends Title 40 to allow motorized mobility devices to be used in bicycle lanes. It establishes in O.C.G.A. § 40-6-00 three classes of electric assisted bicycles – class I (allowing a rider when pedaling and that such motor device ceases to operate when the device reaches a speed of 20 mph); class II (allowing a rider so that the motor may be used exclusively to propel the vehicle of not more than a speed of 20 mph); and class III (a bicycle equipped with a motor to provide assistance to the rider its pedaling and that ceases to provide assistance when the device reaches a speed of 28 mph). It also amends O.C.G.A. § 1 2-3-114(1) so as to address the Georgia Department of Natural Resources’ policies in creating and administering the Georgia Scenic Trails System and allowing electric assisted bicycles on bikeways. Governor Kemp signed this bill on April 26, 2019 as Act Number 56. The Act takes effect on July 1, 2019.
- [SB 8](#), authored by Sen. P.K. Martin (R-Lawrenceville), establishes in O.C.G.A § 40-2-86 a special license plate supporting the Atlanta United Foundation. Governor Kemp signed this bill on May 6, 2019 as Act Number 220. The Act became effective upon his signature.
- [SB 137](#), authored by Sen. David Lucas (D-Macon), establishes in O.C.G.A § 40-2-86 a special license plate honoring Tuskegee University. Governor Kemp signed this bill on May 7, 2019 as Act Number 284. The Act became effective upon his signature.
- [SB 138](#), authored by Sen. P.K. Martin (R-Lawrenceville), creates a special license plate to support the Sickle Cell Foundation of Georgia in O.C.G.A § 40-2-86. The bill also removes the fee for special license plates for disabled first responders in O.C.G.A. § 40-2-63.1. Further, the bill redefines “disabled first responder” in O.C.G.A. § 48-5C-1 for the purpose of eligibility for the special license plate and other benefits. The bill also provides an exemption from state and local title ad valorem tax fees on a maximum of \$50,000 on all motor vehicles registered by a disabled first responder in any three-year period. Governor Kemp signed this bill on May 7, 2019 as Act Number 283. This Act becomes effective on July 1, 2019.
- [SB 227](#), authored by Sen. P.K. Martin (R-Lawrenceville), creates a special license plate benefiting the Boys & Girls Club in O.C.G.A § 40-2-86. The bill also sets new parameters for the issuance of special license plates for alternative fuel vehicles in O.C.G.A. § 40-2-38 which requires a distinctive logo for any manufacture’s, distributor’s, or manufacturer headquarters’ license plate attached

to alternative fuel vehicles. Governor Kemp signed this bill on May 2, 2019 as Act Number 148. The Act became effective upon his signature.

Prescription Drugs

- [HB 63](#), authored by Rep. Sharon Cooper (R-Marietta), requires in O.C.G.A. § 33-24-59.25 that health benefit plans establish step therapy protocols that establish the specific sequence in which prescription drugs for a specified medical condition are deemed medically appropriate for a particular patient. The bill also requires plans to establish an exception procedure by which a specific drug prescribed by a practitioner is immediately covered by a plan. A step therapy exception is to be granted by the health benefit plan if the prescribing provider's submitted justification and clinical documentation, if needed, is completed and determined to support the provider's statement that: 1) required drug is contraindicated or will cause an adverse reaction or physical or mental harm to the patient; 2) required drug is expected to be ineffective based on the known clinical condition of the patient and known characteristics of the prescription drug regimen; 3) patient has tried the drug or another drug in the same class and drug was discontinued due to lack of efficacy; or 4) patient is currently receiving a positive therapeutic outcome on a drug for the medical condition under consideration if, while on their current or immediately preceding health plan, the patient received coverage for the prescription drug and the practitioner gives documentation that the change in prescription drug required by the step therapy protocol is expected to be ineffective or cause harm to the patient based on the known characteristics of the patient and the known characteristics of the drug. A health plan granting or denying a step therapy exception or appeal of a step therapy exception is to do so within 24 hours in an "urgent health care situation" and within two business days from the date of request or appeal submitted in a "nonurgent healthcare situation." This Code section is not construed to impact a health benefit plan's ability to substitute a generic drug for a brand name drug. This step therapy process does not apply to contracts entered into by an insurer and the Department of Community Health for recipients of Medicaid or PeachCare for Kids; however, it does apply to the State Health Benefit Plan. Otherwise, this law applies to health benefit plans delivered, issued for delivery or renewed on or after January 1, 2020. The bill was signed by Governor Kemp on April 25, 2019 as Act Number 43, and it takes effect on July 1, 2019.
- [HB 323](#), authored by Rep. David Knight (R-Griffin), addresses licensure and regulation of pharmacy benefit managers in Chapter 64 of Title 33. It defines "dispenser" so that it has the same meaning as found in O.C.G.A. § 16-13-

21(10). Further, it addresses administration of claims by pharmacy benefit managers and requires the “PBMs” to annually report to each client, including but not limited to, insurers and payors, the aggregate amount of all rebates that the pharmacy benefit manager received from pharmaceutical manufacturers in connection with claims if administered on behalf of the client and the aggregate amount of such rebates the pharmacy benefit manager received from the pharmaceutical manufacturers that it did not pass through to the client. It also amends the prohibited activities of a PBM – including ordering the filling of prescriptions or provision of pharmacy care services for an insured at an affiliated pharmacy; offering or implementing plan designs that require patients to utilize an affiliated pharmacy; or advertising, marketing or promoting a pharmacy by an affiliate to patients or prospective patients. It also prohibits transferring or sharing records relative to prescription information containing patient-identifiable and prescriber-identifiable data to an affiliated pharmacy for any commercial purpose – but it does allow for exchange of information between a PBM and an affiliated pharmacy for the limited purposes of pharmacy reimbursement, formulary compliance, pharmacy care or utilization review. This bill was signed by Governor Kemp on May 7, 2019 as Act Number 301. The Act takes effect on January 1, 2020 and applies to all contracts issued, delivered, or issued for delivery on and after that date.

- [SB 121](#), authored by Sen. Larry Walker, III (R-Perry), relates to the prescription drug monitoring program (a/k/a “PDMP”) data base and increases the length of time that prescription information is to be retained in the data base from two years to five years in O.C.G.A. § 16-13-59(e). It also authorizes the Attorney General’s Medicaid Fraud Control Unit to access the data base for enforcement purposes (using the issuance of an administrative subpoena) in O.C.G.A. § 16-13-60(c). Governor Kemp signed this bill on May 7, 2019 as Act Number 299. The Act takes effect on July 1, 2019.
- [HB 233](#), authored by Rep. David Knight (R-Griffin), enacts the “Pharmacy Anti-Steering and Transparency Act” in O.C.G.A. § 26-4-119. It adds definitions for “affiliate” and “referral” into Code and outlines that a pharmacy licensed in or holding a non-resident pharmacy permit is proscribed from 1) transferring or sharing records relative to prescription information containing patient-identifiable and prescriber-identifiable data to or from an affiliate for any commercial purpose (it does permit a pharmacy and an affiliate to communicate for the limited purpose of exchanging information for reimbursement, formulary compliance, pharmacy care, public health activities, and utilization review by a healthcare provider or 2) presenting a claim for payment to any individual third-party payor, affiliate, or other entity for a service furnished pursuant to a referral from an

affiliate for limited distribution prescription drugs requiring special handling and not commonly carried at retail pharmacies or oncology clinics or practices. The law also requires that a licensed pharmacy or a pharmacy holding a non-resident pharmacy permit which has an affiliate to annually file information with the board of pharmacy identifying all of its affiliates. Hospitals, a licensed group model health maintenance organization with an exclusive medical group contract, care management organizations and referrals by an affiliate for pharmacy services and prescriptions to patients in skilled nursing facilities, intermediate care facilities, continuing care retirement communities, home health agencies and hospices do not have to comply with this Code section. It is intended to impact large pharmacy benefit managers such as those operated like CareMark and CVS, ExpressScripts, and UnitedHealth's Optum. Governor Kemp signed this bill on May 7, 2019 as Act Number 302, and the Act takes effect on January 1, 2020.

Professions/Licensure – Scope of Practice

- [HB 26](#), authored by Rep. Dave Belton (R-Buckhead), implements the “Psychology Interjurisdictional Compact” (“PSYPACT”) in Chapter 39 of Title 43. PSYPACT allows for psychologists in states in which it is adopted to practice telepsychology across state lines and also provides limited in-person practice authority. In O.C.G.A. § 43-39-6 it provides that the Board of Psychology has the authority to administer and participate in PSYPACT and to recognize and permit the authority to practice interjurisdictional telepsychology and temporary practice in Georgia. It also adds, in O.C.G.A. § 43-39-8(b)(6), a requirement that the applicant for licensure has “satisfactory results from a fingerprint record check report conducted by the Georgia Crime Information Center and the Federal Bureau of Investigation, as determined by the board.” The compact requires adoption by a minimum of seven states to begin operation. HB 26 was signed by Governor Kemp on April 23, 2019 as Act Number 36, and Georgia becomes the seventh state initiating the terms of the compact. The Act took effect on April 23, 2019.
- [HB 39](#), authored by Rep. Dave Belton (R-Buckhead), is the “Physical Therapy Licensure Compact Act” which is enacted in Chapter 33 of Title 43. It authorizes the Board of Physical Therapy to administer this compact and also requires the Board to conduct criminal history records checks as determined by the Board through the Georgia Crime Information Center and Federal Bureau of Investigation for purposes of issuing licenses (these reports from such records checks are not to be shared with entities outside of Georgia). The bill would enter Georgia into the interstate compact, which will allow eligible physical therapists

(for instance pass satisfactorily the criminal records check; hold a valid license in their home state; have no encumbrance on their license; etc.) to practice across state lines. This Act was signed by Governor Kemp on April 23, 2019 as Act Number 37. The Act takes effect on July 1, 2019.

- [HB 166](#), authored by Rep. Deborah Silcox (R-Sandy Springs), is the “Genetic Counselors Act” which adds in Article 11 of Chapter 34 of Title 43 the licensure of these counselors. The bill authorizes the licensure of genetic counselors who will be overseen by the Composite Medical Board. Genetic counselors are required to:
 - Be at least 21 years of age
 - Have not engaged in conduct or activities which would constitute grounds for discipline
 - Have successfully completed
 - A master’s degree in genetic counseling from an American Board of Genetic Counseling (“ABGC”) or American Board of Medical Genetics and Genomics (“ABMG”) accredited training program or an equivalent program approved by the ABGC or ABMG; or
 - A doctoral degree and an ABMG accredited medical genetics training program or an equivalent program approved by the ABMG
 - Have successfully completed examination for licensure, approved by the board
 - Have paid fees required by rule
 - Have met requirements for certification set forth by the ABGC or the ABMG, if required by the board and
 - Have met other requirements established by rule.

The Act does have exclusions where it will not apply (a physician when acting within the scope of the person’s profession and doing work of a nature consistent with his/her training and that individual is not holding himself/herself out to the public as a genetic counselor; a person employed as a genetic counselor by the federal government or an agency thereof; a student or intern of an ABGC accredited genetic counseling educational program under certain conditions; a company providing services available directly to consumers without such consumers seeing a physician or genetic counselor that are approved by the FDA to assess risks for genetic diseases or conditions; or a person using genetic data for purposes of nutritional counseling and is licensed as a dietician under Chapter 11A of Title 43). Governor Kemp signed the bill on May 6, 2019 as Act Number 232. The Act takes effect on July 1, 2019.

- [HB 192](#), authored by Rep. Alan Powell (R-Hartwell), amends Chapter 39A of Title 43 to provide requirements for the establishment and maintenance of a real estate appraisal management company. It also authorizes the Georgia Real Estate Appraisers Board to establish certain rules and regulations for appraisal management companies. Governor Kemp signed this bill on May 7, 2019 as Act Number 241, and the Act takes effect on July 1, 2019.
- [HB 242](#), authored by Rep. Lee Hawkins (R-Gainesville), provides in Chapter 24A of Title 43 for the regulation of massage therapy education programs, applying to programs both inside and outside of the state. It also defines what is a “massage therapy business.” There are also requirements for the state Board overseeing this profession such as: requiring the Board to periodically evaluate board recognized educational programs and develop and enforce standards for continuing education courses required of licensed massage therapists. It further requires licensed massage therapists to maintain liability insurance. It also clarifies that these changes do not prohibit a county, municipality, or other local jurisdiction from 1) licensing or regulating other businesses that are not massage therapy businesses; 2) enacting advertising restrictions on massage therapy businesses to protect the public (but not to exceed restrictions on the content of advertising what is outlined in O.C.G.A. § 43-24A-15); 3) inspecting massage therapy businesses (but it does not authorize the review of clients records which are protected by the federal Health Insurance Portability and Accountability Act of 1996); or 4) prohibiting and prosecuting illicit, immoral, prurient, or illegal activities or sexual activity in the operation or on the premises of a massage therapy business. This Act takes effect upon signature of the Governor. Governor Kemp signed this bill on May 6, 2019 as Act Number 213. The Act took effect upon May 6, 2019.
- [HB 253](#), authored by Rep Lee Hawkins (R-Gainesville), updates and revises provisions in Chapter 28 of Title 43 in the “Occupational Therapy Licensing Act.” In part, it renames this Act to be known as the “Georgia Occupational Therapy Practice Act.” It further redefines “occupational therapy” and requires an applicant for licensure to pass a “nationally recognized examination for occupational therapists or an examination for occupational therapy assistants which has been approved by the state Board. In addition to the bill modernizing the Act, it provides for the use of telehealth in occupational therapy. This bill was signed by Governor Kemp on May 7, 2019 as Act Number 246, and the Act takes effect on July 1, 2019.
- [SB 16](#), authored by Sen. Kay Kirkpatrick, MD (R-Marietta), is the “Interstate Medical Licensure Compact Act” which is inserted in a new Article 11 of Chapter

34 of Title 34. The Composite Medical Board is permitted to grant an expedited license to licensees of boards of other states pursuant to this Compact. The Compact outlines requirements of the physician asking for this license and what is required to be met in order to satisfy eligibility requirements. This Act requires any applicant as a healthcare professional to have a satisfactory result from a fingerprint records check report conducted by the Georgia Crime Information Center and the Federal Bureau of Investigation in O.C.G.A. § 43-34-13. The Composite Medical Board is granted authority to promulgate rules and regulations to implement the Compact and also is required to designate two voting representatives from Georgia who are to serve as Commissioners on the Interstate Medical Licensure Compact Commission. Physicians issued an expedited license under this Compact by another member state are to be subject to all requirements and duties applicable to physicians who are licensed under Article 2 of Chapter 34 of Title 43. The bill was signed by Governor Kemp on April 25, 2019 as Act Number 46. The Act takes effect on July 1, 2019.

- [SB 75](#), authored by Sen. Ellis Black (R-Valdosta), proposes Title 43 changes regarding veterinarians. Specifically, the legislation proposes to increase the membership of the State Board of Veterinary Medicine from six to seven members in O.C.G.A. § 43-50-20(a) and authorizes the Board to create a professional health program for monitoring and rehabilitation of impaired veterinarians by reason of illness, a mental or physical condition, or the use of alcohol, drugs and narcotics, chemicals or related substances in O.C.G.A. § 43-50-21.1. Governor Kemp **vetoed** this bill on May 10, 2019 as Veto Number 9. In his veto message, Governor Kemp stated that “this legislation does not strike the appropriate balance between protecting the rights of consumers with the concerns surrounding the impairment of a veterinarian resulting in his or her inability to practice with reasonable skill and safety. This legislation shields any information related to a veterinarian’s impairment and participation in the Board’s professional health program from the Georgia Open Records Act, O.C.G.A. § 50-18-70, et seq., court subpoena, and discovery proceedings. Although this measure is well-intentioned to ensure that an impaired veterinarian seeks necessary treatment, a consumer cannot make an informed decision when he or she is deciding whether to hire a licensed veterinarian if state law shields the mere existence of adverse board action from disclosure.” Further, the Governor noted that the legislation did not follow a statutorily mandated review and approval by the Georgia Occupational Regulation Review Council. See O.C.G.A. § 43-1A-1 et seq.
- [SB 115](#), authored by Sen. Renee Unterman (R-Buford), authorizes the Composite Medical Board to issue telemedicine licenses to physicians who are

licensed in other states but not Georgia in O.C.G.A. § 43-34-31.1. The bill provides for a list of eligibility requirements for qualifying physicians (hold a full and unrestricted license to practice medicine in another state; not have had any disciplinary or other action taken against him/her by any other state or jurisdiction; and meet other requirements established by the Composite Medical Board deemed necessary to ensure patient safety) along with reporting requirements and grounds for license revocation. It also adds language from Rep. Ron Stephens' (R-Savannah) bill, [HB 214](#) (which was recommitted by the House Rules Committee to the House Health and Human Services Committee). HB 214's language relates to vaccine protocol agreements in O.C.G.A. § 43-34-26.1, removing the geographic limitation on pharmacists so that the pharmacist does not have to be located within the county of the physician's place of registration with the vaccination registry (overseen by the Department of Public Health) or a county which is contiguous. Governor Kemp signed this bill on May 6, 2019 as Act Number 156. The Act takes effect on July 1, 2019.

- [SB 153](#), authored by Sen. Tyler Harper (R-Ocilla) provides regulations for trauma scene waste management practitioners. The bill provides for new definitions in O.C.G.A § 35-11-1 including terms such as “trauma scene”, “trauma scene waste,” and “trauma scene waste management practitioner.” The bill adds for a registration process in O.C.G.A § 35-11-2 to be administered by the Georgia Bureau of Investigation. According to the bill, trauma scene waste management practitioners must submit to fingerprint and background checks and may not be currently serving a sentence or probation for a felony. All approved practitioners must submit a bond of \$25,000 with a surety company to the GBI and must also submit proof of liability insurance in the amount of at least \$100,000 for each occurrence. The bill also contains provisions in O.C.G.A § 35-11-5 which outlaw unauthorized persons from engaging in the cleanup of a trauma scene at the risk of a maximum \$5,000 civil fine. Governor Kemp **vetoed** this bill on May 10, 2019 as Veto Number 13. In his veto statement, the Governor said this bill “would impose unfunded and extensive regulation on the crime- and trauma-scene cleaning services industry through the Georgia Bureau of Investigation.” Further, the Governor stated, “This legislation did not receive statutorily mandated review and approval through GORRC. See O.C.G.A. § 43-1A-1, et seq. This legislation also received no fiscal analysis to determine the costs associated with this proposed regulatory scheme.”
- [SB 214](#), by Sen. P. K. Martin, IV (R-Lawrenceville), amends Title 43. Specifically, this bill:

- Amends O.C.G.A. § 2-7-102(d) so that the Commissioner of Agriculture cannot suspend any pesticide contractor’s license or certified commercial pesticide applicator’s license or refuse to grant or renew either license because an applicant for or holder of either such license is a borrower in default who is not in satisfactory repayment status under the “Georgia Higher Education Loan Program as determined by the Georgia Higher Education Assistance Corporation or who has been certified by any entity of the federal government for nonpayment or default or breach of a repayment or service obligation under any federal educational loan, loan repayment, or service conditional scholarship program.” This, or similar, language is also added for additional types of licensees in O.C.G.A. § 7-1-693(a); O.C.G.A. § 7-1-708.1(a); O.C.G.A. § 7-1-1017(3); O.C.G.A. § 12-6-49.2; O.C.G.A. § 20-3-295; O.C.G.A. § 26-4-60; O.C.G.A. § 33-23-21; O.C.G.A. § 33-23-21.1; O.C.G.A. § 33-23-22; O.C.G.A. § 43-1-29; O.C.G.A. § 43-3-27; O.C.G.A. § 43-20A-16(a); O.C.G.A. § 43-20A-17; O.C.G.A. § 43-34-8; O.C.G.A. § 43-39A-14(k); and O.C.G.A. § 43-40-15.
- Revises Chapter 40 of Title 31 regarding tattoo studios, noting an industry change from the term “tattoo” to “body art” and regulation of body art studios and body artist permits which will be done under supervision and direction of the Department of Public Health. The Department of Public Health is empowered to adopt and promulgate rules and regulations to ensure the protection of the public health and prescribe health and safety standards for body art studios. The changes also require that each body art studio display in a prominent place a printed sign that “warns that any body art on the face, neck, forearm, hand, or lower leg of an individual may automatically disqualify such individual from military service in the armed forces of the United States.” It also decriminalizes “microblading” around the eye.
- Revises laws relating to certificates of registration for cosmetologists, hair-designers, estheticians, nail technicians, master barbers, and barbers II and requires that any barber apprentice and other individual serving as an apprentice in a beauty shop, beauty salon, or barber shop is required to take the theory portion of the examination within the first 12 months of his or her apprenticeship.
- Amends O.C.G.A. § 43-14-6(e) regarding the division of Electrical Contractors, clarifying the renewal requirements of Electrical Contractor Class I and Class II licenses to complete board approved continuing

education courses of not more than four hours annually and how such courses are to be approved.

Governor Kemp signed this bill on May 2, 2019 on as Act Number 146. The Act takes effect on July 1, 2019.

- [SB 168](#), authored by Sen. Greg Kirk (R-Americus), clarifies Georgia law in Chapter 26 of Title 43 that individuals holding a multistate license under the Nurse Licensure Compact can practice in Georgia without further licensing requirement. The bill also repeals a portion of the Compact as previously passed in Georgia (Code Section 43-26-65) that is in conflict with the Compact nationwide. It also establishes in O.C.G.A. § 43-26-5(26) that a notice is to be provided to nurses holding a multistate license about changes to their primary state of residence – if the nurse moves to Georgia, he or she is required to apply for licensure in Georgia pursuant to the Compact. Language from [HB 370](#), authored by Rep. Sharon Cooper (R-Marietta), was added after HB 370 was sent back to the House Health and Human Services Committee. That language addresses the delegation of certain medical acts to advanced practice registered nurses in O.C.G.A. § 43-34-25(g)(10) so that in any emergency medical services system operated by, or on behalf of, any county, municipality, or hospital authority with a full-time physician medical director and who does not order drugs, except that he or she may order up to a 14-day supply of drugs as necessary in an emergency situation (excluding Schedule II controlled substances and benzodiazepines). It prohibits a nurse from ordering radiographic imaging, diagnostic studies, or medical devices provided that a patient is referred to a physician, a dentist or a federally qualified health center. [Note that [HB 409](#), authored by Rep. Alan Powell (R-Hartwell), sought to broaden a nurse’s ability to order radiographic imaging tests so that the nurse was not limited to such ordering in only instances where there was a life-threatening situation. HB 409 remained in the House Special Committee on Quality Access to Healthcare. Likewise, there was a Senate counterpart, [SB 109](#), authored by Sen. Larry Walker, III (R-Perry), and it remained in the Senate after being **tabled** on the Floor.] SB 168 also adds at O.C.G.A. § 31-1-16 that the Board of the Department of Community Health is required to have healthcare providers and entities which employ one or more nurses with a multistate license for 30 days or more in a calendar year to report those names, addresses and duration of employment of each such nurse in a form and pursuant to a schedule established by the board. The Board of the Department of Community Health is then to report such information to the Georgia Board of Nursing. The bill was signed by Governor Kemp on April 25, 2019 as Act Number 48. The Act took effect on April 25, 2019.

Property

- [HB 346](#), authored by Rep. Sharon Cooper (R-Marietta), creates O.C.G.A. § 44-7-24 to outline a list of actions conducted by a tenant of a property for which the landlord cannot retaliate. Governor Kemp signed this bill on May 8, 2019 as Act Number 311. This Act goes into effect on July 1, 2019.
- [HB 492](#), by Rep. Bonnie Rich (R-Suwanee), amends O.C.G.A. § 44-7-49 so as to define an “application for execution of a writ of possession” and “writ of possession.” It further amends O.C.G.A. § 44-7-55 and adds at subsection (d) applications for execution of a writ of possession are required to be made within 30 days of the issuance of the writ of possession unless good cause is shown for the delay in applying for such writ. Governor Kemp signed this bill on May 6, 2019 as Act Number 230. The Act takes effect on July 1, 2019.

Sovereign Immunity

- [HB 311](#), authored by Rep. Andrew Welch (R-McDonough), seeks to amend Chapter 21 of Title 50 so as to waive sovereign immunity in certain situations. Governor Kemp **vetoed** this bill on May 10, 2019 as Veto Number 5. His veto message is as follows:

This legislation seeks to “create a waiver of sovereign immunity for claims brought against state government. As Governor Deal correctly stated in his May 3, 2016 veto statement for House Bill 59, “[w]hile the concept of sovereign immunity is relatively simple on its face, it is complex in application . . .” In considering the possible ramifications of a waiver, it is essential that the provisions be appropriately tailored in conjunction with the executive branch to provide pathways for judicial intervention without unduly interfering with the daily operations of the state. For example, this bill bars claims against the state by individuals in a state mental health facility. Until a workable waiver can be crafted, it is important to note that not all suits against the state are barred. The Supreme Court in *Lathrop v. Deal*, 301 Ga. 408 (2017), *Olvera v. Univ. Sys. of Ga.’s Bd. of Regents*, 298 Ga. 425 (2016), and *Ga. Dep’t of Nat. Res. v. Ctr. for a Sustainable Coast, Inc.*, 294 Ga. 593 (2014) has provided a path for suits to be brought against the state. Further, the defense of sovereign immunity is also waived for certain actions, including breach of contract and tort claims against state officers and employees while such individuals are acting within the scope of their official duties of employment.”

State Government

- [HB 197](#), authored by Rep. Katie Dempsey (R-Rome), adds new code sections at Article 4 of Chapter 12 of Title 45 to provide for the establishment of the Georgia Data Analytic Center (“GDAC”) to serve as a central repository that securely receives, maintains, and transmits publicly supported program, fiscal, and health data from state agencies and departments. The bill charges the Office of Planning and Budget with responsibility to develop and operate GDAC by September 1, 2019, which will include procuring appropriate hardware and software to establish the system, establishing policies and procedures for handling data, coordinating with state agencies and departments to obtain data, and organizing and distributing de-identified data to requesting entities. No later than July 1, 2020, the GDAC is charged to publish a report that is to be made available to the General Assembly which is to consist of a description of the implementation of the GDAC project (including identification of the sources and types of data received and maintained over the prior 12 months); a list of all aggregated data maintained by the GDAC project; a description of each IRB (institutional review board) approved disclosure of data or data sets by the GDAC project; a list of publications and other reports based on the GDAC project data; a strategic plan for achieving the purposes during the successive 12 month period; and other information deemed appropriate. Governor Kemp signed this bill on May 6, 2019 as Act Number 154. The Act becomes effective on July 1, 2019.
- [HB 502](#), authored by Rep. Andy Welch (R-McDonough), amends O.C.G.A § 9-10-150 to stipulate that for any non-session related continuance filing by a member of the General Assembly, they must provide a certification which includes nature of the General Assembly duty which requires a continuance or stay. Further, opposing counsel shall have ten days from the receipt of the request for continuance to object to request on grounds that the continuance or stay would be detrimental to the interest of justice or cause significant harm to the rights of a party. Governor Kemp signed this bill on May 7, 2019 as Act Number 253. The Act took effect upon his signature.
- [HR 1](#), authored by Rep. David Ralston (R-Blue Ridge), names the new state appellate judicial complex the “Nathan Deal Judicial Complex”. Governor Kemp signed this resolution on May 7, 2019 as Act Number 304. The Act took effect upon his signature.
- [SB 77](#), authored by Sen. Jeff Mullis (R-Chickamauga), revises subsection (b) of O.C.G.A. § 50-3-1 to extend protections of monuments to any monument

“located, erected, constructed, created, or maintained on real property owned by an agency or the State of Georgia. The bill also outlines that any person or entity that damages, destroys, or loses a monument or that takes or removes a monument without replacing it shall be liable for treble the amount of the full cost of repair or replacement. The bill also stipulates that “a public entity owning a monument or any person, group, or legal entity shall have a right to bring a cause of action for any conduct prohibited in this Code section for damages.” The bill extends the same protections for any privately owned or located monument. Governor Kemp signed this bill on April 26, 2019 as Act Number 57. The Act took effect upon his signature.

- [SB 171](#), authored by Sen. John Wilkinson (R-Toccoa), amends Titles 1, 15, 21, and 48 to give a five (5) percent pay raise to sheriffs, tax commissioners, superior court clerks, and probate court judges. Governor Kemp signed this bill on May 8, 2019 as Act Number 310. The Act took effect upon his signature.
- [SB 184](#), authored by Sen. Greg Kirk (R-Americus), provides in O.C.G.A. § 45-18-6.1 that covered services under the State Health Benefit Plan and which are furnished by a federally qualified health center are to be reimbursed at no less than the then applicable Medicare maximum allowable reimbursement rate paid to federally qualified health centers. Governor Kemp signed this bill on April 25, 2019 as Act Number 49. The Act becomes effective on July 1, 2019.

Taxation

- [HB 168](#), authored by Rep. Darlene Taylor (R-Thomasville), amends O.C.G.A. § 48-8-3 to extend the sunset of an existing exemption from sales and use tax for tangible personal property sold to nonprofit health centers and nonprofit volunteer health clinics for an additional five years. The exemption, set to expire on June 30, 2019, would now expire on June 30, 2024. Governor Kemp signed the bill on May 10, 2019 as Act Number 316. The Act becomes effective on July 1, 2019.
- [HB 182](#), authored by Rep. Brett Harrell (R-Snellville), amends O.C.G.A § 48-8-2 to require that internet retailers to collect state taxes if they have at least \$100,000 in annual Georgia sales. Previously, the threshold was \$250,000. Governor Kemp signed this bill on April 28, 2019 as Act Number 63. This Act took effect upon his signature.
- [HB 183](#), authored by Rep. Brett Harrell (R-Snellville), amends O.C.G.A. § 48-5-20 to address the right to appeal of a taxpayer in the case of said taxpayer’s

failure to file a property tax return or whose property return was deemed returned. Governor Kemp signed this bill on May 6, 2019 as Act Number 225, and the Act takes effect on July 1, 2019.

- [HB 224](#), authored by Rep. Bruce Williamson (R-Monroe), alters language in Article 2 of Chapter 7 of Title 48 to amend the Investment Tax Credit (“ITC”), Quality Jobs Tax Credit (“QJTC”), and Historic Rehabilitation Tax Credit (“HRTC”). The bill alters subsection (b) of O.C.G.A § 48-7-29.8 to add that the HRTC shall be applied in the year that the certified rehabilitation is placed in service rather than completed. This credit may be applied up to two years after the end of the taxable year for which the credit was originally reserved. The bill also adds a definition of ‘rural county’ in O.C.G.A § 48-7-40.17 to mean a county with a population of less than 50,000 and 10 percent or more living in poverty. The bill amends the QJTC to change the threshold of the credit to employers that create at least 10 new quality jobs within a single rural tier 1 county within the first year in which the business begins operation; at least 25 new jobs in a single rural tier 2 county; and, at least 50 new jobs in a single rural tier 3 county. The bill also amends the ITC to allow a portion of the ITC to be used against payroll withholding liability. Governor Kemp signed this bill on May 6, 2019 as Act Number 228. The Act became effective on June 1, 2019.
- [HB 287](#), authored by Rep. Matt Dubnik (R-Gainesville), enacts the “Preceptor Tax Incentive Program” and deletes in current law the tax deduction for physicians who serve as community-based faculty physicians. It adds a new Code section at O.C.G.A. § 48-7-29.22 so as to permit a tax credit for these physicians, advanced practice registered nurses and physician’s assistants who serve as a community-based faculty preceptor. These tax credits are accrued on a per preceptorship rotation basis in the amount of \$500.00 for the first, second or third preceptorship rotation and \$1,000.00 for the fourth, fifth, sixth, seventh, eighth, ninth or tenth preceptorship rotation completed in one calendar year by a community-based faculty preceptor who is a physician. Advanced practice registered nurses and physician’s assistants who serve as preceptors receive \$375.00 for the first, second or third preceptorship rotation and \$750.00 for the fourth, fifth, sixth, seventh, eighth, ninth, or tenth preceptorship rotation completed in one calendar year. It does require that for eligibility for the credit that a community-based faculty preceptor be required to register with the statewide Area Health Education Centers Program Office at Augusta University (this “AHEC” Office is to make an annual report to the Governor and Chairs of the Senate Finance Committee and House Ways and Means Committee on the numbers of individuals who utilized the credit). This new credit is to be repealed on December 31, 2023. This bill was signed by Governor Kemp on April 25, 2019

as Act Number 44. The Act takes effect on July 1, 2019 and applies to taxable years beginning on and after July 1, 2019 and ending on or before December 31, 2023.

- [HB 344](#), authored by Rep. Matthew Gambill (R-Cartersville), amends O.C.G.A. § 48-5-41 so as to add a new paragraph (16) to exempt all real property owned by certain purely public charities if such charity is exempt from taxation under Section 501(c)(3) of the federal Internal Revenue Code and such real property is held exclusively for the purpose of building or repairing single-family homes to be financed to individuals using no-interest loans. This proposal is to be approved by the voters in a ballot initiative in the November 2020 election. Governor Kemp signed this bill on May 2, 2019 as Act Number 149. The Act took effect upon his signature and will become in full force and effect if more than one-half the vote cast on the approval question is received and then it takes effect on January 1, 2021.
- [SB 120](#), authored by Sen. John Albers (R-Roswell), seeks to provide in O.C.G.A. § 28-5-41.1 for economic analyses to be conducted by the state auditor for certain tax benefits. These analyses would be required to be made by the chairs of the House Committee on Ways and Means and the Senate Finance Committee. It would allow these chairs to request as many as three economic analyses on an annual basis and would be limited to a single, existing provision of law or proposed law for a preferential tax rate or tax abatement, exemption, exclusion, deduction, deferral, credit or rebate. Governor Kemp **vetoed** this bill on May 10, 2019 as Veto Number 12. In his veto message, Governor Kemp noted that fiscal notes” must be jointly prepared by the Director of the Governor’s Office of Planning and Budget and State Auditor with the cooperation of administrative and fiscal officers of the applicable departments, boards, councils, committees, commissions, and other entities of state government. This legislation would omit this cooperation and place the burden of the fiscal analysis solely upon the State Auditor. Given the State Auditor’s intimate involvement in preparing a tax proposal’s fiscal note, I believe that an independent auditor should conduct any subsequent analysis of the effectuated tax measure, allowing for more objective analysis and comparison between the terms of the fiscal note and the tax measure’s real impact.”
- [SB 183](#), by Sen. Chuck Hufstetler (R-Rome), amends O.C.G.A. § 48-2-32 (f) by adding a new paragraph to provide that each person who files or is required to file a Form 1099-K with the Internal Revenue Services shall also file electronically a copy of such form with the state’s Revenue Commissioner on or before the federal deadline. Such forms are required to be filed by settlement

payment entities. The bill also revises O.C.G.A. § 48-7-105 to require employers to provide statements of wages and taxes withheld during the previous calendar year. It also adds provisions to impose fines on employers that fail to provide this information. Governor Kemp signed this bill on May 7, 2019 as Act Number 280. The Act became effective upon his signature.

- [SB 216](#), authored by Sen. Jeff Mullis (R-Chickamauga), amends Title 48, adding O.C.G.A. § 48-5-31.1 to allow local governments to accept prepayments of ad valorem taxes hinging on the adoption of resolution by the local government with concurrence of the tax commissioner. Governor Kemp signed this bill on April 26, 2019 as Act Number 58. The Act becomes effective on July 1, 2019.

Voting/Ethics/Elections

- [HB 316](#), authored by Rep. Barry Fleming (R-Harlem), provides for the acquisition process for new voting machines to be used in all elections in Georgia. The bill adds new definitions in O.C.G.A § 21-2-2 for ‘ballot marking device’, ‘ballot scanner’, ‘electronic ballot marker’, ‘optical scanning voting system’, and ‘scanning ballot’. These definitions principally allow for the state to purchase machines which make use of paper ballots that are capable of being scanned by ballot scanners to record an individual’s vote. The bill also amends the qualification process for independent candidates for President or Vice President of the United States in O.C.G.A § 21-2-132.1 to certify a slate of candidates for the office of presidential electors for said candidate. The bill also amends the definition of ‘no contact’ in O.C.G.A § 21-2-235 to include a person that has not submitted an absentee ballot application or voted an absentee ballot, and raises the threshold of this no contact period from three to five years. The bill prescribes a review process for ballot marking devices by the Secretary of State, under request from at least 10 electors in O.C.G.A § 21-2-379.24. The bill also outlaws “exact match” practices for the verification of absentee ballot signatures in O.C.G.A § 21-2-381 and instead prescribes a process by which the election locality must send a new, provisional, absentee ballot for which the elector will vote. The bill also outlines a new process for a ‘risk-limiting’ audit in O.C.G.A § 21-2-498. Governor Kemp signed this bill on April 2, 2019 as Act Number 24. The Act became effective upon his signature. [Note: the Secretary of State has already initiated a bid to purchase these new machines.]

Study Committees and Councils

- [HR 37](#), authored by Rep. Kevin Tanner (R-Dawsonville), creates the Georgia Commission of Freight and Logistics. This Commission will be composed of the following individuals:
 - (A) Three members of the Senate appointed by the President of the Senate, including the chairperson of the Senate Transportation Committee;
 - (B) Three members of the House of Representatives appointed by the Speaker of the House of Representatives, including the chairperson of the House Committee on Transportation;
 - (C) Three members appointed by the President of the Senate who represent entities which provide freight and logistics services; possess expertise in the operations of a major airport hub; or lead a major commodity shipper, major air shipping provider, or major manufacturing operation based in this state;
 - (D) Three members appointed by the Speaker of the House of Representatives who represent entities which provide freight and logistics services; possess expertise in the operations of a major airport hub; or lead a major commodity shipper, major air shipping provider, or major manufacturing operation based in this state;
 - (E) Four members who each serve as a local government official, with two appointed by the President of the Senate and two appointed by the Speaker of the House of Representatives;
 - (F) The executive director of the Georgia Municipal Association or his or her designee;
 - (G) The executive director of the Association County Commissioners of Georgia or his or her designee;
 - (H) The president or chairperson of the Georgia Chamber of Commerce;
 - (I) The president or chairperson of the Metro Atlanta Chamber of Commerce;
 - (J) The commissioner of transportation, ex officio; and
 - (K) The executive director of the Georgia Ports Authority, ex officio.

The Commission stands in place until December 31, 2019. Governor Kemp signed this Resolution on May 7, 2019 as Act Number 305. The Resolution became effective upon his signature.
- [HR 214](#), authored by Rep. Sam Watson (R-Moultrie), reauthorizes the House Rural Development Council. This resolution was adopted by the House on

February 27, 2019. Speaker Ralston has named two new co-chairs to this Council, Reps. Rick Jasperse (R-Jasper) and Sam Watson (R-Moultrie). Reps. Terry England (R-Auburn) and Jay Powell (R-Camilla) served as the co-chairs for this Council for the prior two years and will serve as co-chairs emeritus moving forward. The first meeting in 2019 of this Council will be August 20-21, 2019 in Jasper, Georgia.

- [HR 259](#), authored by Rep. William Boddie (D-East Point), creates the Johnny Tolbert III House Study Committee on Heat-Related Injuries, Cardiac Injuries, and Other Sports-Related Injuries. The House adopted this Resolution on March 18, 2019 and a first meeting of this Study Committee, chaired by Rep. Kasey Carpenter (R-Dalton), was held on June 10, 2019.
- [HR 261](#), authored by Rep. Mark Newton (R-Augusta), creates the House Study Committee Evaluating and Simplifying Physician Oversight of Physician Assistants and Advanced Practice Registered Nurses. This Study will be conducted by three members of the House of Representatives. Originally, this Resolution sought to create a Joint Study Committee on Evaluating and Simplifying Physician Oversight of Midlevel Providers. The House adopted this Resolution on March 22, 2019.
- [HR 584](#), authored by Rep. Todd Jones (R-South Forsyth), creates the House Study Committee on Exploring a Floor and Trade Charity Care System. This proposes researching a tradeable credit program for uncompensated care which could provide a market oriented approach for the innovative provision of indigent and charity care. This Study will be conducted by ten individuals: (A) Five members of the House of Representatives; (B) One member representing safety net hospitals; (C) One member representing hospitals that provide inpatient psychiatric and substance abuse services; (D) One member representing hospitals in rural counties; (E) One member representing freestanding ambulatory surgery centers or other freestanding outpatient specialty care providers; and (F) One representative from the Department of Community Health knowledgeable in health care financing and Medicaid reimbursement. This resolution was adopted by the House on March 29, 2019.
- [HR 585](#), authored by Rep. Carl Gilliard (D-Garden City), creates the House Study Committee on Gang and Youth Violence Prevention. The Study Committee will conduct a review of resources available for the prevention of gang and youth violence to determine the sufficiency of available resources and to provide for a

greater synergy of resources. The Resolution was adopted by the House on March 29, 2019.

- [HR 589](#), authored by Rep. Mark Newton (R-Augusta), creates the House Study Committee on Maternal Mortality. The Study Committee, which is to be composed of seven members of the House of Representatives, a minimum of two of whom are to be African American female legislators, and two members of the Georgia Maternal Mortality Review Committee to be appointed by the Speaker of the House of Representatives, will identify, investigate, and disseminate findings regarding maternal deaths and to develop strategies and institute systemic changes to decrease and prevent maternal deaths in Georgia. The Resolution was adopted by the House on March 29, 2019.
- [HR 590](#), authored by Rep. Karen Bennett (D-Stone Mountain), creates the House Study Committee on Pediatric Acute-Onset Neuropsychiatric Syndrome ("PANS") and Pediatric Autoimmune Neuropsychiatric Disorder Associated with Streptococcal infection ("PANDAS"). The Study Committee was originally proposed as the House Study Committee on Georgia's Barriers to Access to Adequate Health Care and was changed in the House Rules Committee. This Study Committee will study the benefit of improved awareness and early diagnosis of Pediatric Acute-Onset Neuropsychiatric Syndrome and Pediatric Autoimmune Neuropsychiatric Disorder Associated with Streptococcal among medical providers; examine comprehensive medical and behavioral health services for those suffering from this serious autoimmune disorder which have been demonstrated to have a positive impact on medical outcomes and reduced burdens on patients, families, providers, and society; and identify barriers to insurance-based care for children with PANS and PANDAS and their families. The House adopted this Resolution on March 29, 2019.
- [SR 153](#), authored by Sen. Harold Jones II (D-Augusta), creates the Senate Study Committee on Revising Voting Rights for Nonviolent Felony Offenders. Georgia forbids felons from voting because all felonies are considered to be crimes of moral turpitude. Georgia law, however, does not define a crime of moral turpitude. This study will look at integrating these felons back into society which is a goal of Georgia's criminal justice reform efforts. Additionally, other states have laws defining what is considered moral turpitude for the purpose of restricting the right to vote. This study will be conducted by five senators and stands to be abolished on December 1, 2019. This Resolution was adopted by the Senate on April 2, 2019.

- [SR 202](#), authored by Sen. Chuck Hufstetler (R-Rome), creates the Senate Study Committee on Evaluating and Simplifying Physician Oversight of Physician Assistants and Advanced Practice Registered Nurses (originally, this Resolution proposed to create the Senate Study Committee on Evaluating and Simplifying Physician Oversight of Midlevel Providers but it was changed in the Senate Committee on Rules). The Senate adopted this Resolution on April 2, 2019. The study will be conducted by five members of the Senate and stands to be abolished on December 1, 2019.
- [SR 318](#), by Sen. Brandon Beach (R-Alpharetta), creates a Senate Commission on Freight, Innovation and Logistics. This Study will be conducted by three members of the Senate; two members who are in the freight and logistics services or have expertise in such; two Georgia residents; the executive director of the Georgia Municipal Association; the executive director of the Association County Commissioners of Georgia; the chairperson of the Georgia Association of Metropolitan Planning Organizations; the commissioner of transportation, ex officio; and the executive director of the Georgia Ports Authority, ex officio. This Study Committee will be abolished no later than December 31, 2019. The Senate adopted this Resolution on April 2, 2019.
- [SR 433](#), authored by Sen. Steve Gooch (R-Dahlonega), creates the Senate Reducing Georgia's Cost of Doing Business Study Committee. The Study Committee will review and study the issue of Georgia's legal climate and its impact on the cost of doing business and performing healthcare services in Georgia. This resolution was adopted by the Senate.
- [SR 452](#), authored by Sen. Emanuel Jones (D-Decatur), creates the Senate Study Committee on the Financial Efficiency Star Rating (FESR). The Office of Student Achievement annually publishes a “star rating.” The financial efficiency looks at an analysis of how federal and state funds spent by local school systems impact student achievement and school improvement, and components of such analysis include actual achievement, resource efficiency, and student participation in standardized testing. This Study will be conducted by five members of the Senate and they will look specifically at whether the ratings have disparities and are impacted based on the school system’s size. The Resolution was adopted by the Senate on April 2, 2019.

Amended FY 2019 Budget Highlights

Notable changes to the FY 2019 Budget adopted during the legislative session include the following:

Department of Behavioral Health and Developmental Disabilities

- Adult Developmental Disabilities Services
 - \$1,387,583 increase to meet additional requirements of the Administrative Services Organization (ASO).
- Adult Mental Health Services
 - \$7,125,448 increase to meet additional requirements of the Administrative Services Organization (ASO).
- Child and Adolescent Mental Health Services
 - \$8,400,000 increase for the Georgia Apex Program (GAP) to provide support counselors for mental health services in high schools.
 - \$1,184,657 decrease to recognize one-time savings due to delayed implementation dates.

Department of Community Health

- Departmental Administration
 - \$5,696,419 increase to replace the Medicaid Management Information System (MMIS).
 - \$1,600,000 increase for an external consultant to study, review, and analyze Medicaid and Section 1332 waiver options for the purpose of drafting and preparing waiver policy recommendations for approval from the Governor's office.
 - \$495,264 increase for background checks for owners and employees of long-term care facilities pursuant to SB 406 (2018 Session).
 - \$152,500 increase for process improvement initiatives to support healthcare facility regulation operations.
 - Permission to use \$591,351 in existing funds to expand the Medicaid asset verification system to include all categories of assistance.
 - Permission to use \$25,000 in existing funds for the design, development, and implementation of a caregiver registry pursuant to the passage of SB 406 (2018 Session).

- Health Care Access and Improvement
 - \$2,000,000 increase for one-time funding to compensate hospitals impacted by Hurricane Michael located in rural counties with population less than 35,000 among the federally designated counties for Individual Assistance under the Georgia Disaster Declaration.
 - \$128,250 increase to serve medically fragile children through the Champions for Children program for the remainder of FY 2019 and provide continued funding in FY 2020.

- Indigent Care Trust Fund
 - \$18,766,884 increase to provide the state match for Disproportionate Share Hospital (DSH) payments for private deemed and non-deemed hospitals.

- Medicaid- Aged Blind and Disabled
 - \$8,967,609 increase for growth in Medicaid based on projected need.
 - \$1,998,764 increase for Medicare Part B premiums.
 - \$5,203,303 increase for gene therapy drug coverage.
 - \$2,504,548 increase to include seven additional long term acute care hospitals (LTACs) and three additional intermediate rehabilitation facilities (IRFs) as Medicaid providers.
 - \$588,264 increase in the Medicare Part D Clawback payment.
 - \$1,182,870 reduction for the revision of the hospital Inpatient Prospective Payment System (IPPS) reimbursement model.

- Medicaid: Low-Income Medicaid
 - \$22,031,818 increase for growth in Medicaid based on projected need.
 - \$5,820,486 increase for the revision of the hospital Inpatient Prospective Payment System (IPPS) reimbursement model.
 - \$639,140 increase to provide coverage for gene therapy drugs.
 - \$14,535,914 reduction to reflect additional revenue from hospital provider payments.

- Georgia Board of Physician Workforce
 - \$9,332,055 increase to Mercer University School of Medicine to establish a four year medical school campus in Columbus.
 - \$500,000 increase for Augusta University for recruitment to advance basic science and clinical translational research in women's and childhood cancer.
 - \$180,049 reduction for residency contracts based on actual slots started.

- \$100,000 reduction for unused fellowships.

Department of Public Health

- Adolescent and Adult Health Promotion
 - \$350,000 increase for an Alzheimer's disease public awareness campaign.
 - \$72,000 increase for an online genetic screening tool for hereditary breast and ovarian cancers.

Department of Education

- The Department is appropriated more than \$10.1 billion in State funds. With federal funds attached, the expenditures permitted total in excess of \$12.2 billion.
- \$69,420,000 increase for School Security Grants to provide one-time funds for school security grants.
- Agricultural Education
 - \$38,860 increase for local law enforcement security at youth camps when students are present.
 - \$52,090 increase to replace a boiler at the canning plant in Brooks County.
- Chief Turnaround Officer
 - \$132,617 decrease for personal services based on actual start dates for new positions.
- Information Technology Services
 - \$286,000 increase to replace a data storage device.
- Quality Basic Education
 - \$18,063,705 decrease in QBE Local Five Mill Share for a midterm adjustment to the Local Five Mill Share for state commission charter schools per HB 787 (2018 Session).
 - \$86,395,803 increase for a midterm adjustment.
 - \$42,116,564 increase for the State Commission Charter School supplement.
 - \$566,559 increase for a midterm adjustment to the charter system grant.

- \$1,073,373 increase for Bibb County (\$771,120) and DeKalb County (\$302,253) to reflect corrected data.
- \$822,191 increase for a midterm adjustment for the Special Needs Scholarship.
- State Schools
 - \$1,000,000 increase for generators at the Georgia School for the Blind and the Georgia School for the Deaf to help ensure the safety and well-being of residential students during inclement weather
 - \$138,667 decrease for personnel based on actual start dates for new positions
- Technology/Career Education
 - \$500,000 increase in Technology/Career Education for middle school coding labs in rural or high-poverty school districts

Georgia Student Finance Commission

- The Commission is appropriated more than \$980.4 million in State funds. With federal funds attached, the total expenditures permitted total in excess of \$990.3 million.
- \$1,669,901 increase in Dual Enrollment to meet the projected need.
- \$26,250 increase in the Engineer Scholarship to meet the projected need.
- \$1,929,229 decrease in the HOPE Grant to meet the project need for HOPE Grants.
- \$2,734,734 increase to HOPE Scholarship – Private Schools to meet the projected need.
- \$168,527 increase to HOPE Scholarship – Private Schools to meet the projected need for Zell Miller Scholarship students attending private postsecondary institutions.
- \$727,927 decrease in Tuition Equalization Grants to utilize deferred revenue to meet projected expenditures.

Governor Kemp signed the Amended FY 2019 Budget on March 12, 2019 as Act Number 3.

FY 2020 Budget Highlights

Department of Behavioral Health and Developmental Disabilities

- **Adult Addictive Diseases Services**
 - \$4,939,920 increase for residential treatment of addictive diseases.
 - \$50,000 increase to expand comprehensive treatment, prevention, and recovery support services to pregnant and postpartum women living with substance use disorder.

- **Adult Developmental Disabilities Services**
 - \$4,249,798 increase for 125 additional slots for the New Options Waiver (NOW) and the Comprehensive Supports Waiver Program (COMP) for the intellectually and developmentally disabled
 - \$3,666,672 increase to annualize the cost of 125 New Options Waiver (NOW) and Comprehensive Supports Waiver Program (COMP) slots for the intellectually and developmentally disabled.
 - \$1,556,142 increase to meet additional requirements of the Administrative Services Organization (ASO).
 - \$120,417 increase to raise provider rates by 10% for Supported Employment for the developmentally disabled.

- **Adult Mental Health Services**
 - \$10,550,421 increase for the state's behavioral health services.
 - \$8,263,770 increase to annualize the cost of behavioral health crisis centers in areas with the greatest need.
 - \$7,991,022 increase to meet additional requirements of the Administrative Services Organization (ASO).
 - \$7,659,262 increase for behavioral health crisis bed capacity.
 - \$2,468,254 increase for mental health consumers in community settings to comply with the Department of Justice (DOJ) settlement agreement.
 - \$500,000 increase to provide state matching funds for the HomeFirst public-private partnership to provide behavioral health services in permanent homeless supported housing.
 - \$250,000 increase for Mercy Care Health Systems to provide mental and primary health care to indigent Georgians.

- Child and Adolescent Mental Health Services
 - \$1,530,000 increase to annualize the cost of supported employment and education services for 500 young adults at a rate of \$6,120 per year as recommended by the Commission on Children's Mental Health.
 - \$30,000 reduction for start-up for the mental health crisis services and suicide prevention mobile application in coordination with the Georgia Crisis and Access Hotline.
 - Instruction to support the funding for operations of crisis stabilization units throughout the state as additional beds come open.
 - Permission to use \$234,000 in existing funds to increase telemedicine capacity in rural areas.

Department of Community Health

- Departmental Administration
 - \$737,639 increase for four additional positions, training, and associated operations for increased background checks for owners and employees of long-term care facilities pursuant to SB406 (2018 Session).
 - Elimination of \$250,000 in one-time funds for the analysis of the Medicaid delivery system.
 - Instruction for the Department to evaluate the cost of Medicaid inpatient payment parity for hospitals with specialized units, as well as develop qualification criteria in order for those units to receive any such payments.
 - Instruction for the Department to include language in all managed care contracts and State Health Benefit Plan contracts requiring the plan sponsor to annually report all external pharmacy claims.
 - Permission to use \$609,091 in existing funds to expand the Medicaid asset verification system to include all categories of assistance.

- Health Care Access and Improvement
 - \$513,000 increase to serve medically fragile children through the Champions for Children program.
 - \$500,000 increase for Federally Qualified Health Center start-up grants for a primary care center in Screven County and for behavioral health services in Chatham County.
 - \$300,000 increase to support additional student housing for community-based rotations managed by the Georgia Statewide Area Health Education Centers (AHEC).

- \$250,000 increase for a grant program for hospitals in counties with populations less than 35,000 for CMS required upgrades to emergency rooms for behavioral health patients (5 grants with a \$25,000 match requirement).
 - \$41,875 increase for the Georgia Statewide Area Health Education Centers (AHEC) Network program office to expand statewide certification training for health professions students as Mental Health First Aid trainees.
 - Elimination of \$750,000 in one-time start-up funding for Federally Qualified Health Centers.
 - Instruction to use existing funds for the Rural Health Systems Innovation Center.
 - Permission to use existing funds for the Side by Side Brain Injury Clubhouse to provide specialized brain injury day program services.
- Medicaid: Aged, Blind, and Disabled
 - \$20,794,472 increase for growth in Medicaid based on projected need.
 - \$13,733,020 increase for a 3% inflationary cost increase and utilize the most current fiscal year audited cost for the general liability and professional liability (GL/PL) calculation.
 - \$6,839,224 increase for Medicare Part B premiums.
 - \$5,047,995 increase for gene therapy drug coverage.
 - \$3,168,093 increase to include seven additional long term acute care hospitals (LTACs) and three additional intermediate rehabilitation facilities (IRFs) as Medicaid providers.
 - \$716,614 increase to provide an increase in the maximum adjustment factor to the Allowed Per Diem for Routine and Special Services from 4.5% to 5.5% for nursing homes that qualify for the maximum adjustment rate based upon approved assessments for resident cognitive impairment.
 - \$575,455 increase for a \$150 per diem add-on payment for hospital-based swing bed units in Prospective Payment System (PPS) hospitals located in counties with populations less than 35,000.
 - \$401,524 increase for the second installment of a two-year plan to increase the personal needs allowance for nursing home residents by \$5 to meet the \$20 per month requirement pursuant to the passage of HB206 (2017 Session).
 - \$330,000 increase for nursing homes to support enhanced background checks.

- \$172,321 increase for supplemental payments to general acute care hospitals with inpatient child and adolescent behavioral health units to achieve a \$750 per diem.
 - \$109,342 increase for a 3% increase in the nursing home ventilator reimbursement rate.
 - \$53,381 increase for a 3% increase in dental reimbursement rates for select dental codes.
 - \$2,365,739 reduction for the revision of the hospital Inpatient Prospective Payment System (IPPS) reimbursement model
- Medicaid: Low-Income Medicaid
 - \$34,968,382 increase for growth in Medicaid based on projected need.
 - \$21,503,982 increase to reflect additional revenue from hospital provider payments
 - \$11,640,973 increase for the revision of the hospital Inpatient Prospective Payment System (IPPS) reimbursement model.
 - \$878,015 increase to provide coverage for gene therapy drugs.
 - \$148,332 increase for a 3% increase in dental reimbursement rates for select dental codes.
 - \$34,439,780 reduction for one year Health Insurer Provider Fee (HIF) moratorium.
- PeachCare
 - \$200,762 reduction to reflect projected expenditures.
 - \$3,442 increase for a 3% increase in dental reimbursement rates for select dental codes.
- Georgia Board of Physician Workforce
 - \$1,900,665 increase for 139 new residency slots in primary care medicine.
 - \$828,042 increase for 54 slots in OB/GYN residency programs to reach a total of 36 slots at Emory University School of Medicine, 20 slots at Medical College of Georgia, 16 slots at Memorial University Medical Center, 16 slots at Morehouse School of Medicine, and 16 slots at Navicent Health Care Macon.
 - \$572,670 increase s for a medical student capitation rate of \$6,363 for 50 students at the Philadelphia College of Osteopathic Medicine (PCOM) Georgia and 40 students at PCOM South Georgia.
 - \$500,000 increase for Augusta University for a three year primary care residency track for physicians.

- \$500,000 increase for a Center of Excellence on Maternal Mortality at Morehouse School of Medicine in order to advance maternal health in Georgia.
- \$500,000 increase for loan repayment awards for rural advanced practice registered nurses, dentists, physician assistants, and physicians.
- \$381,470 increase for Augusta University for child and adolescent psychiatry slots.
- \$352,968 increase for Augusta University for the Rural Surgery Initiative.
- \$318,150 increase for one-time funding for marketing and outreach for students in rural areas to encourage enrollment in PCOM South Georgia campus.
- \$180,000 increase for a start-up grant for the South Georgia Medical Center residency program.
- \$125,000 increase for the second year of the gynecological oncology fellowship at Augusta University.
- \$115,500 increase for seven slots in Pediatrics residency programs at Medical College of Georgia
- Permission to use existing funds for malpractice insurance premium assistance for physicians and dentists with a practice in underserved counties.

Department of Public Health

- Adolescent and Adult Health Promotion
 - \$1,047,540 increase for maternal health to screen, refer, and treat maternal depression and related behavioral disorders in rural and underserved areas of the state.
 - \$275,000 increase for five Coverdell-Murphy Act remote stroke readiness grants.
 - \$500,000 increase for feminine hygiene products to be provided to low-income clients at county health departments.
 - \$300,000 increase for regional cancer coalitions to enhance screening, awareness, prevention education, care coordination, and navigation.
 - \$200,000 increase for the Maternal Mortality Review Committee.
 - \$150,000 increase for a nurse peer assistance program to support nurses recovering from substance abuse.
 - \$150,000 increase for the Sickle Cell Foundation of Georgia for sickle cell outreach offices to improve access to care, reduce unnecessary emergency room costs, and expand physician training and community education in underserved areas.

- Infant and Child Essential Health Treatment Services
 - \$600,000 increase for three satellite perinatal support sites in Jenkins, Randolph, and Wilcox counties, and encourage co-location with other providers.
 - \$152,826 increase for perinatal facility designation pursuant to the passage of HB909 (2018 Session).

- Infant and Child Health Promotion
 - \$2,349,649 increase for newborn screening to include four additional disorders that have been approved by the Georgia Newborn Screening Advisory Committee.

Department of Education

- The Department is appropriated more than \$10.6 billion in State funds. With federal funds attached, the expenditures permitted total in excess of \$12.7 billion.
 - Fund a \$3000 pay raise for every certified teacher and certified employees.
 - Fund 2% salary increases for school nutrition workers and bus drivers.
 - \$265,875,000 in bond funds for regular, advance, low-wealth, and specific low-wealth local school construction statewide.
 - \$20,000,000 in bond funds for statewide school bus purchases.
 - \$12,165,000 in bond funds for statewide vocational equipment purchases.
 - \$2,020,000 in bond funds for statewide agricultural education equipment purchases.
 - \$1,815,000 in bond funds to purchase alternative fuel school buses.
 - \$500,000 in bond funds to purchase construction industry certification program equipment statewide.

- Agricultural Education
 - \$299,216 increase for camp personnel and operations
 - \$205,000 increase to fully fund Extended Day and Extended Year current and projected need
 - \$83,462 increase for local law enforcement security at youth camps when students are present.

- Grants for Career, Technical and Agricultural Education, and Technology
 - \$500,000 reduction and change of the name of the Audio-Video Technology and Film Grants program to the Grants for Career, Technical and Agricultural Education, and Technology program with the purpose to provide funds for grants for Career, Technical and Agricultural Education (CTAE) equipment, and film and audio-visual equipment to local school systems.

- Charter Schools
 - \$2,000,000 increase for facilities grants for charter schools per HB430 (2017 Session).

- Communities in Schools
 - \$200,000 increase to expand the comprehensive Communities in Schools model of wraparound supports to new schools.

- Curriculum Development
 - \$750,000 increase for grants for professional development programs for teachers providing instruction in computer science courses and content per SB108 (2019 Session).
 - \$100,000 increase for a two-year pilot program to demonstrate and evaluate the effectiveness of early reading assistance programs for students with risk factors for dyslexia per SB48 (2019 Session).

- Georgia Network for Educational and Therapeutic Support (GNETS)
 - \$3,500,426 decrease (\$4,786,001) for enrollment and training and experience decline and redirect funds (\$1,285,575) for existing behavioral and therapeutic services contracts.

- Non Quality Basic Education Formula Grants
 - \$1,000,000 increase for grants to schools for feminine hygiene products for low-income students.
 - \$968,634 increase for Sparsity Grants based on enrollment decline and study over the summer to produce a plan for updating Sparsity Grant Formula for FY2021.
 - \$131,101 increase for a 2% salary increase for Sparsity Grants.
 - \$114,004 increase for Residential Treatment Facilities based on attendance.

- **Preschool Disabilities Services**
 - \$3,818,325 increase funds for enrollment growth and training and experience.
- **Quality Basic Education Program**
 - \$133,652,437 increase for enrollment growth and training and experience.
 - \$979,919 increase for the charter system grant.
- **Regional Education Service Agencies (RESAs)**
 - \$413,000 increase for RESAs by reducing austerity to the base formula.
- **School Improvement**
 - \$1,000,000 increase for additional high school counselors and enriching counseling programs for Title I schools.
- **Technology/Career Education**
 - \$323,000 increase for life science industry certification to rural school districts in collaboration with Georgia Youth Science and Technology Centers.
 - \$220,000 increase for systems and schools to reach and maintain industry certification in the field of construction in collaboration with the Construction Education Foundation of Georgia.
 - \$250,000 increase funds for cyber security initiatives for high schools across the state.

Georgia Student Finance Commission

- The Commission is appropriated more than \$1 billion in State funds.
- **Dual Enrollment**
 - \$4,191,647 decrease to meet the projected need of Dual Enrollment based on implementation of a 30-credit hour total limit before additional hours accrue towards lottery-funded scholarship programs; limit program participation to 11th and 12th grade students at University System of Georgia and private postsecondary institutions; limit program participation to 10th, 11th, and 12th grade students at Technical College System of Georgia institutions; and restrict participation to exclude course taken during summer term.

- \$1,000,000 increase to Dual Enrollment to establish funding for early HOPE program (**vetoed**).
- HOPE Scholarships – Private Schools
 - \$7,462,435 to increase the award amount by 3% and meet the projected need.
 - \$3,076,416 to increase the award amount for the Zell Miller Scholarship from \$2,308 to \$2,808.
 - \$302,105 increase to meet the projected need for Zell Miller Scholarship students attending private postsecondary institutions.
- HOPE Scholarships – Public Schools
 - \$15,151,119 to increase the award amount by 3% and meet the projected need.
 - \$9,107,848 increase to meet the projected need for Zell Miller Scholarship students attending public postsecondary institutions.

Governor Kemp signed the FY 2020 budget on May 10, 2019 as Act Number 319. The Act became effective upon his signature.

Bills That Did Not Pass

Abortion

- [HB 546](#), authored by Rep. Jodi Lott (R-Evans), amends Chapter 12 of Title 16 to provide for the offense of criminal abortions. This bill remains in the House Health and Human Services Committee.
- [SB 169](#), authored by Sen. Bruce Thompson (R-White), amends O.C.G.A. § 31-9A-3 to require that in all cases of chemical abortions the female be informed by telephone or in person at least 24 hours before the abortion procedure that it may be possible to reverse the effects of the chemical abortion if the woman changes her mind. The bill further requires that this same information be available on the state website. This bill remains in the Senate Health and Human Services Committee.
- [SB 218](#), by Sen. Bruce Thompson (R-White), seeks to make changes to Georgia's "Woman's Right to Know Act" and create the Living Infants Fairness and Equality Act "LIFE." It intends to allow any unborn child at any stage of development in the womb be counted in the state population based determinations. The bill would also prohibit abortions if the unborn child is determined to have a heartbeat. It does permit two exceptions - to avert death of the pregnant woman or avert serious risk of substantial and irreversible physical impairment of a major bodily function of a pregnant woman or preserve life of the unborn child. It also outlines where procedures may be performed and by whom. This bill remains in the Senate Judiciary Committee. See: [HB 481](#) which passed and was signed as Act Number 234 on May 7, 2019

Agriculture and Natural Resources

- [HB 545](#), authored by Rep. Tom McCall (R-Elberton), amends O.C.G.A. § 41-1-7 to protect agricultural operations from certain nuisance lawsuits. The bill removes a definition for 'changed conditions' within the Code section. The bill also changes exemptions for nuisance actions so as to prevent these lawsuits "unless the plaintiff legally possesses the real property affected by the conditions alleged to be a nuisance, such real property is located within five miles of the source of the activity alleged to cause the nuisance, and the action is filed within one year of the established date of operation of such facility or operation." Lastly, the bill

stipulates certain changes that do not divest an operation or facility of a previously established date of operation:

- The addition or expansion of physical facilities
- The adoption of new technology
- A change in size of an operation or facility
- A change in the type of agricultural operation
- An interruption in operations for a period of five years or less
- The rebuilding or replacement of a physical facility which has been razed or destroyed as a result of routine maintenance, facility upgrades, or a natural disaster

However, any of these changes that require permitting or other approval by the Georgia Department of Agriculture or the Georgia Department of Natural Resources, or a zoning decision by a local government, creates a newly established date of operation. This bill remains in the Senate Rules Committee.

- [SB 182](#), by Sen. William Ligon, Jr. (R-Brunswick), seeks to provide for mariculture development in Chapter 4 of Title 27. This would regulate shellfish production on the Georgia coast. This bill remains in the House Game, Fish, & Parks Committee. See: [HB 501](#), which was signed by Governor Kemp as Act Number 217 on May 6, 2019.

Broadband

- [HB 22](#), authored by Rep. Penny Houston (R-Nashville), amends O.C.G.A. § 46-5-63 to encourage public utilities entities to increase access to broadband internet in areas of rural Georgia. (This bill is identical to SB 17.) This bill was recommitted to the House Economic Development and Tourism Committee where it remains.
- [HB 23](#), authored by Rep. Penny Houston (R-Nashville), amends O.C.G.A. § 46-3-200 to add the operation of broadband to the list of permitted activities of electric membership corporations (EMCs) and their affiliates. This bill was tabled on the Senate Floor.

- [HB 184](#), authored by Rep. Brett Harrell (R-Snellville), creates a new Chapter 66C within Title 36 to enact the “Streamlining Wireless Facilities and Antennas Act” to streamline deployment of broadband in public right of ways. This bill remains in the Senate Rules Committee.

Certificate of Need

- [HB 198](#), authored by Rep. Matt Hatchett (R-Dublin), proposes changes in Chapters 6 and 7 of Title 31 to amend the Certificate of Need Program. Among the changes in this legislation are:
 - Includes a definition for “freestanding emergency department” (operated 35 miles from a licensed hospital; subject to EMTALA; operates 24/7 and 365 days per year; and is a Medicaid provider and treats Medicaid recipients)
 - Includes cardiologists in the “single specialty ambulatory surgical center” definition
 - Eliminates the Health Strategies Council
 - Increases exemption threshold for CON for new institutional health services for projects (currently, projects under \$2.5 million are exempt and this seeks to increase that to \$10 million)
 - Seeks to require that each CON holder and each exemption holder subject to indigent and charity care requirements report to the Department of Community Health uncompensated indigent and charity care based on the base Medicare allowable rate without adjustments for unpaid service provided multiplied by a factor of 1.5 and not based on the hospital’s charge for such services; provided that such calculation not count against such CON holder or exemption holder subject to indigent and charity care requirements prior to June 30, 2021
 - Seeks to add a new calculation requirements and calculations for uncompensated indigent and charity care, including such care provided by a physician with an ownership interest in an ambulatory surgical center
 - Permits a destination cancer hospital the ability to convert to a hospital
 - Amends objection and appeal processes for CON applications such that no party may oppose an application for a CON project unless the party is an existing health care facility that is the same type of facility proposed or which offers substantially similar services proposed that is located within a 35 mile radius of the proposed project or such party has submitted a competing application in the same batching cycle and is proposing to

establish the same type of facility proposed or offer substantially similar services to that proposed

- Adds exemptions from CON for: public or private psychiatric hospitals, mental health or substance abuse facilities or programs or mental health or substance abuse services and freestanding ambulatory surgical centers with no more than six operating rooms developed on the same site as a sports and educational facility (HB 89)
- Adds transparency requirements for nonprofit hospitals, a hospital owned or operated by a hospital authority or a nonprofit corporation formed, created or operated by or on behalf of a hospital authority which will be posted on the hospital's website (HB 321)
- Prohibits any hospital from purchasing, renewing, extending, leasing, maintaining or holding medical use rights
- Clarifies boards of hospital authority at the time of a sale or lease of a hospital owned by such hospital authority
- Provides for investment of 30 percent of funds of a hospital authority when that authority has ceased to own or operate medical facilities for a minimum of seven years and have paid off all bonded indebtedness and outstanding short-term and long-term debt obligations (when holding more than \$30 million for charitable care purposes)
- Amends O.C.G.A. § 31-8-9.1 regarding eligibility to receive tax credits and obligations of rural hospitals and requires the Department of Community Health to create an operations manual for identifying rural hospital organizations and ranking such rural hospital organizations in order of financial need as well as posting requirements on the Department's website
- Amends O.C.G.A. § 48-7-29.20 relating to the tax credits for rural hospital organizations (addressing individual or corporate contributions to an unspecified or undesignated rural hospital organization and third-parties which solicit, advertise or manage donations; and adding publication requirements for the Department of Revenue on its website pertaining to the credits)

This legislation was defeated on the House Floor on March 7, 2019 after several versions of the proposal with a vote of 72-94. A motion was made to reconsider the action which passed but the legislation was not reconsidered. See HB 186 and HB 321.

- [HB 89](#), authored by Rep Chuck Martin (R-Alpharetta), proposes changes to Georgia's Certificate of Need laws in Chapter 6 of Title 31. It seeks to define an

“integrated ambulatory surgery center” and provide an exemption from Certificate of Need requirements for integrated ambulatory surgery centers (with provision of uncompensated indigent and charity care in the amount of or greater than five (5) percent of its adjusted gross revenues and provides reports in accordance with requirements in O.C.G.A. § 31-6-70). The bill defines such a surgery center narrowly as “a freestanding ambulatory surgical center with no more than six operating rooms developed on the same site as a sports training and educational facility that includes sports training facilities and fields; a medical education facility and program for physicians and other health care professionals training in sports medicine; a medical research program; ancillary services, including physical therapy and diagnostic imaging; a community education program for student athletic programs on injury prevention and treatment and related topics, and that provides care to Medicaid patients, and, if the facility provides medical care and treatment to children, participates as a provider for PeachCare for Kids beneficiaries; and demonstrates a positive economic impact of no less than \$25 million, taking into consideration the full-time and part-time jobs generated by the initial construction and ongoing operation of the center, new state and local tax revenue generated by the initial construction and ongoing operation of the center, and other factors deemed relevant as determined by the department based on a report prepared by an independent consultant or expert retained by the center.” This legislation would benefit Legacy Sports Institute. This bill was favorably reported out of the House Special Committee on Access to Quality Health Care and was placed on the House Rules Calendar on March 5, 2019 but action was postponed. The legislation was recommitted to the House Special Committee on Access to Quality Health Care on April 2, 2019. See: [HB 186](#) which Governor Kemp signed on April 25, 2019 as Act Number 41.

- [SB 61](#), authored by Sen. John Albers (R-Roswell), amends O.C.G.A. § 31-6-2 and O.C.G.A. § 31-6-47 to exempt integrated surgery centers from certificate of need requirements. More specifically this bill applies to ambulatory surgery centers built and operated in connection with an integrated athletic training and educational facility for youth, amateur, and professional athletes, medical research activities, and physician training and education for sports medicine. This bill remains in the Senate Regulated Industries Committee. See: [HB 186](#) which Governor Kemp signed on April 25, 2019 as Act Number 41.
- [SB 71](#), authored by Sen. Ben Watson (R-Savannah), amends O.C.G.A. § 31-7-75.1 and O.C.G.A. § 31-7-83 to change how the proceeds from the sale of a public hospital may be invested. The bill also requires that members of a hospital authority board be treated as directors with regard to a hospital sale for purposes

of conflicts of interest. This bill was recommitted to the House Governmental Affairs Committee where it remains. See: [HB 186](#) which Governor Kemp signed on April 25, 2019 as Act Number 41.

- [SB 74](#), authored by Sen. Matt Brass (R-Newnan), amends Title 31 to essentially repeal and replace the Certificate of Need Program. Specifically, the bill retains Certificate of Need (“CON”) for skilled nursing facilities, home health agencies, personal care homes, intermediate care facilities, and Continuing Care Retirement Communities, but eliminates CON for all other health services and replaces it with a “special health care services license” program for most services currently under CON. The licensure program maintains the current exemptions under CON, but also creates new exemptions for mental health facilities and certain ambulatory surgery centers (such as Legacy Sports, cardiology procedures in an ambulatory surgery centers, and multispecialty ambulatory surgery centers with separate single specialty ambulatory surgery centers). It also bars objections to applications for licensure unless the new proposed service is outside of Metro Atlanta and is within ten miles of an existing facility providing those services. The bill also increases indigent care requirements to the 2-year rolling average of indigent care provided in the state for non-profit hospitals (and 3% less of the same average for for-profit institutions). There are added transparency requirements for hospitals (including posting on their websites). The bill provides for annual reports from facilities and certain disclosures by non-profit entities. It also addresses sales/leases by hospital authorities and their investments. Finally, the legislation amends the Rural Hospital Tax Credit program, raising the cap from \$60M to \$100M per year. This bill was referred to the Senate Regulated Industries Committee, and it was also introduced in the House as [HB 198](#). This bill remains in the Senate Regulated Industries Committee. See: [HB 186](#) which Governor Kemp signed on April 25, 2019 as Act Number 41.

- [SB 114](#), authored by Sen. Dean Burke (R-Bainbridge), amends Title 31 and proposes the following:
 - Reinstating the Health Strategies Council (“HSC”) and its 15 members effective July, 1, 2019 and establishing its duties which include proposing a state health plan, drafting component plans and studying long-term approaches to provide health insurance coverage to this state in its entirety
 - Creating the HSC within the Office of Health Strategy and Coordination
 - Moving capital expenditure threshold from \$2.5 million to \$4 million
 - Adding definition of freestanding EDs to “health care facility” definition

- Adding a definition for “primary campus” of a healthcare facility and those buildings within 1000 yards of the building
- Adding a new definition for “specialty cancer hospital” for CTCA and changes the out-of-state patient requirements in its conversion to a “specialty cancer hospital” over five years and permits a destination cancer hospital to file for a CON to convert to a specialty cancer hospital on and after July 1, 2019 and requires such hospital to notify the Department on or before September 30, 2019 of that intent and establishes the process for the Department and applicant to follow
- Including the indigent and Medicaid requirements for a specialty cancer hospital (8.5 percent of AGR and care to GA Medicaid beneficiaries at 20 percent or more of net patient revenue) and sets fines for noncompliance (\$ 2million for first year, etc.)
- Exempting CONs filed by rural hospitals in rural counties from paying the application fees
- Exempting from CON the replacement of previously approved equipment (includes MRI, PET and PET/computed tomography)
- Expanding exemption from CON for non-clinical services to now also exclude administrative office space, conference rooms, education facilities, staff lounges, cafeteria, hallways, roofs, mechanical systems or other things which do not add a new or expand a clinical health service
- Amending current law on tax credits for rural hospital organizations and extending the repeal date to 2024

The bill remains in the Senate Regulated Industries and Committee. See: [HB 186](#) which Governor Kemp signed on April 25, 2019 as Act Number 41.

Child Welfare

- [HB 17](#), authored by Rep. Sandra Scott (D-Rex), creates O.C.G.A. § 16-12-2.1 to prohibit smoking of any tobacco product in any vehicle in which a child under the age of 13 is present. It classifies this act as a misdemeanor, punishable by a fine up to \$100.00. The bill remains in the House Judiciary Non-Civil Committee.
- [HB 80](#), authored by Rep. Bill Werkheiser (R-Glenntown), is the “Child Support Cooperation Act of 2019.” The bill requires in O.C.G.A. § 49-4-23 parents to cooperate with the child support enforcement program as a condition of eligibility for federal Supplemental Nutrition Assistance Program. This bill was remains in House Judiciary Committee.

- [HB 112](#), authored by Rep. John LaHood (R-Valdosta), prohibits in O.C.G.A. § 16-13-30.7 the sale of any drug containing dextromethorphan to a minor. This bill remains in the House Juvenile Justice Committee.
- [HB 234](#), authored by Rep. Chuck Efstration (R-Dacula), amends Titles 9, 15,16,17, and 41 to authorize the Department of Family and Children Services “DFCS” to provide care and supervision to children who are victims of human trafficking. This bill remains in the Senate Judiciary Committee.
- [HB 258](#), authored by Rep. William Boddie (D-East Point), amends O.C.G.A. § 17-3-2.1 to add crimes of sexual battery in which the victim is under 16 to the list of crimes for which there is no statute of limitations. This bill was recommitted to the House Judiciary Non-Civil Committee where it remains.
- [HB 261](#), authored by Rep. Mandi Ballinger (R-Canton), amends O.C.G.A. § 42-1-13 to rename the Sex Offender Registration Review Board the “Sex Offender Risk Review Board”. Additionally, the bill transfers the investigators for the board back from the Georgia Bureau of Investigation on July 1, 2019. The bill also sets new requirements for the review process of Level II sexual offenders along with revisions to the limit of individuals registered as sex offenders to work within 100 feet of certain childcare locations in O.C.G.A. § 42-1-15. This bill remains in the House Judiciary Non-Civil Committee.
- [HB 318](#), authored by Rep. Roger Bruce (D-Atlanta), amends O.C.G.A. § 15-11-2 and creates O.C.G.A. § 15-11-42 to establish a substance abuse program within the juvenile court. This bill remains in the House Juvenile Justice Committee.
- [HB 418](#), authored by Rep. Teri Anulewicz (D-Smyrna), amends O.C.G.A. § 16-6-4 to extend the statute of limitations for childhood sexual abuse from two to four years. This bill remains in the House Judiciary Committee.
- [HB 438](#), authored by Rep. Mandi Ballinger (R-Canton), creates O.C.G.A. § 15-11-17 (e) to prevent a child from being placed in restraints for any court hearing unless the court has issued a ruling finding that restraints are necessary for a specific child. This bill remains in the House Juvenile Justice Committee.
- [HB 439](#), authored by Rep. Mandi Ballinger (R-Canton), amends Chapter 11 of Title 15 to require that judges of juvenile courts be elected by electors in the circuit for which they will serve. It seeks to repeal the current law relating to

appointments of juvenile judges and revise compensation methodology for these judges. This bill remains in the House Juvenile Justice Committee.

- [HB 440](#), authored by Rep. Mandi Ballinger (R-Canton), amends Chapter 11 of Title 15 to change the jurisdiction of the juvenile court to include children under age 18. This bill remains in the House Juvenile Justice Committee.
- [HB 441](#), authored by Rep. Roger Bruce (D-Atlanta), creates in O.C.G.A. § 15-11-42 a program of safe care within the juvenile court, a treatment program relating to substance abuse. This bill remains in the House Juvenile Justice Committee.
- [HB 479](#), by Rep. Heath Clark (R-Warner Robbins), amends O.C.G.A § 9-3-33.1 to provide greater protections for individuals who have suffered from childhood sexual abuse which if enacted would be known as the “Hidden Predator Act of 2019.” It extends the statute of limitations for the bringing of such actions so as to allow a plaintiff who is between 23 and 38 years of age to bring a civil action for recovery of damages suffered as a result of childhood sexual abuse committed on or after July 1, 2019. This bill remains in the House Judiciary Committee.
- [SB 40](#), authored by Sen. Lester Jackson (D-Savannah), proposes in O.C.G.A. § 16-6-5.1 to clarify that any person above the age of 18 that engages in sexual conduct with a person enrolled in the school commits sexual assault regardless of whether that person has a supervisory or disciplinary authority over the student. This bill remains in the Senate Judiciary Committee.
- [SB 35](#), authored by Sen. Lester Jackson (D-Savannah), amends O.C.G.A. § 42-1-15 to prohibit sex offenders from residing within 2,000 feet of their former victim or their former victim’s immediate family. This bill remains in the Senate Judiciary Committee.
- [SB 38](#), authored by Sen. William Ligon Jr. (R-Brunswick), amends Titles 9 and 15 to exclude pleadings or documents related to the enforcement of child support orders or recovery and documents made physically at a courthouse by an attorney or their designee from electronic filing requirements. This bill also exempts pleadings or filings made by the Attorney General, district attorney, or public defender from electronic filing fee requirements. The bill was amended to add language regarding legislative continuances in O.C.G.A § 17-8-26; adding more specific requirements for requesting continuances and outlining instances in which they would not be permitted. This bill was recommitted to the House

Judiciary Committee where it remains. See: [HB 502](#), authored by Rep. Andy Welch (R-McDonough), which addresses legislative continuances. HB 502 was passed and signed as Act Number 253 on May 7, 2019.

Civil Practice

- [HB 177](#), authored by Rep. Michael Caldwell (R-Woodstock), amends O.C.G.A. § 9-3-51 to alter the statute of limitations for certain actions arising from burial of construction waste or materials. This bill was recommitted to the House Judiciary Committee where it remains.
- [HB 660](#), authored by Rep. David Clark (R-Buford), amends O.C.G.A. § 9-10-150 and § 17-8-26 to eliminate stays and continuances for members and staff of the General Assembly, who is a party to or the attorney for a party to a case, at times when the General Assembly is not in session. The bill remains in the House Judiciary Committee. See: [HB 502](#), authored by Rep. Andy Welch (R-McDonough), which addresses legislative continuances. HB 502 was passed and signed as Act Number 253 on May 7, 2019.
- [HB 692](#), authored by Rep. David Stover (R-Newnan), amends O.C.G.A. § 9-10-150 and 17-8-26 to eliminate stays and continuances for members and staff of the General Assembly, who is a party to or the attorney for a party to a case, at times when the General Assembly is not in session. The bill remains in the House Judiciary Committee. See: [HB 502](#), authored by Rep. Andy Welch (R-McDonough), which addresses legislative continuances. HB 502 was passed and signed as Act Number 253 on May 7, 2019.
- [HR 256](#), authored by Rep. Kasey Carpenter (R-Dalton), proposes an amendment to the Constitution to authorize the General Assembly to provide by law limitations on jury awards in civil cases. This resolution remains in the House Judiciary Committee.
- [SB 203](#), by Sen. John Kennedy (R-Macon), addresses “Georgia’s Civil Practice Act” in Title 9 and addresses specific periods of limitation so as to prohibit retroactive application of certain limitations of actions. It further makes changes pertaining to written jury charges, exceptions, and filing of written jury charges; requiring the judge to respond to the jury in writing. This bill remains in the Senate Judiciary Committee.

- [SB 228](#), authored by Sen. Burt Jones (R-Jackson), is the "Child Victim Act of 2019". The bill amends Title 9 to provide that, for a period of two years following July 1, 2019, plaintiffs of any age who were time barred from filing a civil action against any person or entity for injuries resulting from childhood sexual abuse due to the expiration of the statute of limitations in effect on June 30, 2019, shall be allowed to file such actions. Thus, the bill revives prior claims for which the statute of limitations has lapsed for two years. The bill bars revival of claims litigated to finality on the merits or settled. The bill remains in the Senate Judiciary Committee.

Civil Rights

- [HB 19](#), authored by Rep. Sandra Scott (D-Rex), amends multiple Code Sections within Title 8 to create a comprehensive civil rights law protecting individuals from discrimination in housing, public accommodation, and employment. This bill remains in the House Judiciary Committee.

Corporations

- [HB 230](#), authored by Rep. Scott Holcomb (D-Atlanta), amends Title 14 by adding at O.C.G.A. § 14-2-1801 provisions relating to the establishment of "Benefit Corporations". "Benefit Corporation" is defined as a "corporation whose articles of incorporation contain a public benefit provision and a statement that the corporation is a benefit corporation." This bill remains in the Senate Judiciary Committee.

Corrections

- [HB 202](#), authored by Rep. Jesse Petrea (R-Savannah), creates O.C.G.A. § 42-1-11.3 to require the Commissioner of Corrections to, on the official website used by the department, publish a report of aggregate data on the immigration status, offenses, and home countries of inmates who are not United States citizens and who are confined under the authority of the department. Additionally, the commissioner must report, in a similar manner, the percentage of inmates, in relation to the total population in confinement, that are not citizens of the United States. This bill was recommitted to the House Public Safety and Homeland Security Committee where it remains.

- [HB 403](#), authored by Rep. Scott Holcomb (D-Atlanta), creates O.C.G.A. § 42-1-11.3 to prevent any private entity from operating a detention facility in Georgia. This bill remains in the House Public Safety and Homeland Security Committee.

Courts

- [SB 110](#), authored by Sen. Jesse Stone (R-Waynesboro), amends Title 15 to establish the State-wide Business Court pursuant to the Constitution. This bill was sent to Conference Committee. See: [HB 239](#) which was passed and signed by Governor Kemp on May 7, 2019 as Act Number 271.
- [SB 229](#), authored by Sen. Randy Robertson (R-Cataula), proposes to create in O.C.G.A. § 15-1-17.1 parental accountability court divisions to provide alternative adjudication to the traditional judicial system. Such courts “shall combine judicial supervision, employment assistance, treatment of PAC participants, and risk of drug use and mental health assessments” and work with state, local, and not-for-profit mental health providers, educational entities, and other service providers. The bill remains in the Senate Rules Committee.

Criminal Justice

- [HB 38](#), authored by Rep. Rhonda Burnough (D-Riverdale), amends O.C.G.A. § 16-8-14 to define the term “conviction” for purposes of the theft crimes provided for in statute. The bill was recommitted to the House Judiciary Non-Civil Committee where it remains.
- [HB 55](#), authored by Rep. Roger Bruce (D-Atlanta), amends O.C.G.A. § 16-11-4 and O.C.G.A. § 16-11-151 to prohibit firearms created by 3-D printing. This bill remains in the House Public Safety and Homeland Security Committee.
- [HB 77](#), authored by Rep. David Clark (R-Buford), amends O.C.G.A. § 16-9-4 and § 49-4-1 to revise offenses and punishments relating to fraud in obtaining public assistance, food stamps, or Medicaid. This bill remains in the House Judiciary Non-Civil Committee.
- [HB 122](#), authored by Rep. Bob Trammell (D-Luthersville), amends O.C.G.A. § 16-11-127.1 to roll back the campus carry rules passed by the General Assembly in the previous session. Those rules allow for concealed carry of firearms in most spaces on public postsecondary campuses where such campuses were previously off-limits for firearms. This bill remains in the House Public Safety and Homeland Security Committee.

- [HB 165](#), authored by Rep. Bob Trammell (D-Luthersville), amends O.C.G.A. § 16-11-129 to require the GBI to retain fingerprints from weapons carry license and license renewal applications. The bill also amends O.C.G.A. § 35-3-33 to remove an exemption and to allow for the filing and retention of fingerprints within the Georgia Crime Information Center This bill remains in the House Public Safety and Homeland Security Committee.
- [HB 103](#), authored by Rep. Scot Turner (R-Holly Springs), amends O.C.G.A. § 16-1-12 to eliminate a workaround related to compensation of special assistant district attorneys and attorneys general who are retained to prosecute civil asset forfeiture proceedings. The legislation bars de facto contingency fee arrangements and requires that contracts with attorneys retained to handle forfeiture proceedings be in writing and filed with the Clerk of Court. This bill remains in the House Judiciary Committee.
- [HB 172](#), authored by Rep. Carolyn Hugley (D-Columbus), creates a Claims Advisory Board in O.C.G.A § 28-5-111 to consider and make recommendations to the General Assembly concerning payment of compensation to any individual who has been convicted of and imprisoned for one or more crimes which he or she did not commit. This bill remains in the House Judiciary Non-Civil Committee.
- [HB 267](#), authored by Rep. Billy Mitchell (D-Stone Mountain), amends O.C.G.A. § 17-10-30 to stipulate that the death penalty cannot be imposed if the only evidence of the defendant's guilt is the testimony of a single eyewitness. This bill remains in the House Judiciary Non-Civil Committee.
- [HB 268](#), authored by Rep. Billy Mitchell (D-Stone Mountain), amends O.C.G.A. § 17-17-12 and O.C.G.A. § 35-3-37 to allow for individuals to petition for their criminal record to be restricted five years after they completed the terms of their sentence. The bill further outlines the types of crimes that are exempted from this petition, including serious violent felonies and sexual offenses. This bill remains in the House Judiciary Non-Civil Committee.
- [HB 309](#), authored by Rep. Gregg Kennard (D-Lawrenceville), amends O.C.G.A. § 35-3-37 to provide for the restriction of criminal history records for convictions of certain misdemeanors and felonies after the completion of the sentence and payment of any restitution. The remains in the House Judiciary Committee.

- [HB 289](#), authored by Rep. Mary Margaret Oliver (D-Decatur), adds a new definition to O.C.G.A. § 16-11-121 and prohibitions in O.C.G.A. § 16-11-122, 16-11-123 and 16-11-124 to outlaw the possession and use of bump stocks in Georgia. This bill remains in the House Public Safety and Homeland Security Committee.
- [HB 340](#), authored by Rep. Micah Gravley (R-Douglasville), amends O.C.G.A. § 17-6-1, 17-6-2, and 17-6-12 to revise provisions regarding when and under what circumstances persons accused of crimes may be released on their own recognizance. This bill remains in the House Judiciary Non-Civil Committee.
- [HB 364](#), authored by Rep. William Boddie (D-East Point), amends O.C.G.A. § 16-13-2 and § 42-8-60 to authorize second chances for those convicted of controlled substance violations so long as they were between the ages of 17 and 25 when convicted and have not been convicted of a crime for five years after the completion of their sentence. This bill remains in the House Judiciary Non-Civil Committee.
- [HB 384](#), authored by Rep. Mike Wilensky (D-Dunwoody), O.C.G.A. § 16-11-126 to make it illegal to store or keep a firearm in a home without securing it in a locked container. This bill remains in the House Public Safety and Homeland Security Committee.
- [HB 426](#), authored by Rep. Chuck Efstration (R-Dacula), creates O.C.G.A. § 17-10-17 to provide a more specific definition of “bias or prejudice” for sentencing of crimes as referenced in the code section. The bill also revises the penalties to include a sentence of not less than three months and not more than 12 months and a fine no greater than \$5,000. This bill remains in the Senate Judiciary Committee.
- [HB 549](#), authored by Rep. Sandra Scott (D-Rex), amends O.C.G.A. § 35-3-37 to reduce the fees associated with filing for record restrictions or the inspection and correction of criminal records. This bill remains in the House Judiciary Non-Civil Committee.
- [HB 624](#), authored by Rep. Viola Davis (D-Stone Mountain), adds in O.C.G.A. § 35-3-37 to provide for the automatic restriction of criminal history records for convictions of certain misdemeanors and felonies ten years after the completion of the sentence. The bill remains in the House Judiciary Non-Civil Committee.

- [HB 714](#), authored by Rep. Bee Nguyen (D-Atlanta), amends O.C.G.A. § 42-5-58 to revise disciplinary procedures used within the state penal system. Specifically the bill creates two types of infractions: “administrative infractions”, defined as “an action that does not otherwise constitute a violation of Georgia criminal law but is an infraction of promulgated correctional rules and regulations committed inside a detention facility;” and “substantive infractions”, defined as “any act committed inside a detention facility that constitutes a violation of Georgia criminal law.” The bill provides for a limit on the amount of consecutive days of restrictive housing for inmates along with the total amount allowed per year. This bill remains in the House Public Safety and Homeland Security Committee.
- [HB 724](#), authored by Rep. Matthew Wilson (D-Brookhaven), seeks to amend O.C.G.A. § 16-13-2 concerning conditional discharge for possession of controlled substances as first offenses and certain non-violent property crimes, dismissal of charges, and restitution to victims. It authorizes counties to adopt ordinances governing and punishing the possession of one ounce or less of marijuana in the unincorporated areas of a county. The maximum fine for punishment for violations would be \$1,000.00. This bill remains in the House Judiciary Non-Civil Committee
- [SB 10](#), authored by Sen. Harold Jones II (D-Augusta), proposes in O.C.G.A. § 16-13-2 to provide that possession of up to two ounces of marijuana shall constitute a misdemeanor and addresses penalties associated with such offenses. The bill provides clean-up language in various other Titles to ensure their citations of the underlying Code section are correct. The bill remains in the Senate Judiciary Committee.
- [SB 50](#), authored by Sen. Sally Harrell (D-Dunwoody), amends Title 16 to roll back the campus carry rules passed by the general assembly in the previous session by removing O.C.G.A. § 16-11-127.1(20). Those rules allow for concealed carry of firearms in most spaces on public postsecondary campuses where such campuses were previously off-limits for firearms. This bill remains in the Senate Public Safety Committee.
- [SB 272](#), authored by Sen. Randy Robertson (R-Columbus), amends Title 16 to prohibit the retail sale of dextromethorphan to minors. The bill also provides for the proper identification of such products. This bill was referred to the Senate Health and Human Services Committee.
- [SB 51](#), authored by Sen. Elena Parent (D-Atlanta), amends Title 16 to allow local governments to relocate, remove, conceal, obscure, or otherwise alter certain

monuments by inserting new language in O.C.G.A. § 50-3-1. This bill remains in the Senate Government Oversight Committee. See [SB 77](#), authored by Sen. Jeff Mullins (R-Chickamauga), which was passed and signed by Governor Kemp on April 26, 2019 as Act Number 57.

- [SB 59](#), authored by Sen. Jeff Mullins (R-Chickamauga), amends Title 16 relating to wiretapping, eavesdropping, and surveillance in O.C.G.A. § 16-11-66. Under current Georgia law, only one person involved in the communication must give prior consent to allow for said communication to be intercepted. This bill would require all parties to give consent. This bill remains in the Senate Judiciary Committee.
- [SB 164](#), authored by Sen. Bill Cowser (R-Athens), amends Title 17 to limit the types of violations of local ordinances that a local court can allow the accused to be released on their own recognizance. The bill also redefines “bail” in O.C.G.A. § 17-6-1 (i) to only include release of a person using cash, professional bondsman, or property as approved by the sheriff in the county where the offense was committed. The bill further amends O.C.G.A. § 17-6-12 to prevent any person charged with a felony from being released in any capacity, including entering a pretrial release, diversion, or intervention program. This bill remains in the Senate Judiciary Committee.
- [SB 166](#), authored by Sen. Lester Jackson (D-Savannah), amends Title 16 to enact the “Georgia Enhanced Penalties for Hate Crimes Act” to provide for higher penalties, within O.C.G.A. § 16-5-20 for individuals that commit a variety of crimes against a person that is “individually selected because of such individual’s race, color, religion, gender, disability, sexual orientation, gender identity or expression, nation of origin, or ethnicity.” This bill remains in the Senate Judiciary Committee.
- [SB 187](#), by Sen. Elena Parent (D-Atlanta), proposes to address disclosure and dissemination of criminal records to private persons and businesses resulting in responsibility and liability of the Georgia Crime Information Center and provision of certain information to the FBI in conjunction with the National Instant Criminal Background Check System in O.C.G.A § 35-3-34. It provides for a judicial procedure by allowing an individual to petition the court in which such hospital proceedings occurred for relief and for the purging of a person’s involuntary hospitalization information received by the center for the purpose of the National Instant Criminal Background Check System. It outlines the evidence which the court is to consider. This bill remains in the Senate Judiciary Committee.

Domestic Relations/Family Violence

- [HB 260](#), authored by Rep. Mandi Ballinger (R-Canton), amends O.C.G.A. § 16-7-1(c) to revise the definition of home invasion in the first degree to include domestic family violence battery. This bill was recommitted to the House Judiciary Non-Civil Committee where it remains.
- [HB 359](#), authored by Rep. Scott Holcomb (D-Atlanta), amends Title 17 to revise procedures for investigations and arrests related to family violence. The bill adds language in O.C.G.A. § 17-4-20.1 (b) and (c)(11) to prevent officers from threatening to arrest all involved parties. This bill remains in the House Juvenile Justice Committee.
- [HB 395](#), authored by Rep. Sandra Scott (D-Rex), amends O.C.G.A. § 35-1-8 to provide that when a law enforcement agency receives a report that a veteran or active duty member of the military, who is believed to have a physical or mental health condition related to their service, is missing shall immediately open an investigation to find their whereabouts. The bill also amends O.C.G.A. § 35-3-172 to create a statewide alert system for these individuals. This bill remains in the House Defense and Veterans Affairs Committee.
- [HB 452](#), by Rep. Steven Sainz (R-Woodbine), addresses Chapter 11 of Title 19 relating to the enforcement of duty of support. It allows the Department of Revenue to access the Bank Match Registry housed by the Department of Human Services so that it can assist in identifying information for delinquent taxpayers and information on individuals under child support orders. This bill was recommitted to the House Judiciary Committee where it remains.
- [SB 150](#), authored by Sen. Jen Jordan (D-Atlanta), amends O.C.G.A § 16-11-131 to provide that any person convicted of a crime of family violence is prohibited from receiving, possessing, transporting, purchasing, or transferring firearms. This bill remains in the Senate Rules Committee.

Economic Development

- [SB 45](#), authored by Sen. Brandon Beach (R-Alpharetta), seeks to legalize and regulate horse racing in Georgia. The bill creates the Georgia Horse Racing Commission in O.C.G.A. § 50-41-3 which has the power and duty to promulgate rules and regulations to govern pari-mutuel wagering and horse racing. The bill provides guidelines for three equestrian facilities and the licensing of these facilities. This bill remains in the Senate Rules Committee.

Education

- [HB 1](#), authored by Rep. Jesse Petrea (R-Savannah), renames the “Georgia Special Needs Scholarship Act” as the “Senator Eric Johnson Scholarship Act”, in O.C.G.A. § 20-2-2110, after the former state senator from Savannah who championed the cause. In its current form, the bill makes no substantive changes to the scholarship program. This bill was recommitted to the House Education Committee where it remains.
- [HB 10](#), authored by Rep. Debra Bazemore (D-Riverdale), amends O.C.G.A. § 20-2-143 relating to the core curriculum to provide for the instruction of the best practices and risks associated with the use of tampons and AIDS prevention instruction. HB 10 also creates O.C.G.A. § 31-1-16 to encourage physicians and nurses, providing a tampon for use, to recite and provide in written form, information regarding the best practices of tampons. This bill was recommitted to the House Health and Human Services Committee where it remains.
- [HB 32](#), authored by Rep. Kevin Tanner (R-Dawsonville), amends Title 20 to clarify duties of the Chief Turnaround Officer and establish the Georgia Turnaround Collaborative to increase the alignment and coherence of efforts to address the academic and nonacademic needs of students attending turnaround schools and their families. The bill also provides for a new Code Section: O.C.G.A. § 20-14-49.3 to create a pilot program to provide stipends for turnaround instructional innovation specialists and will allow conversion of the stipend to a permanent salary step increase after three years of receipt. The bill moves the state’s monitoring of flexibility contracts from the Office of Student Achievement to the Department of Education. The bill was recommitted to the House Education Committee where it remains.
- [HB 36](#), authored by Rep. Robert Trammell (D-Luthersville), amends O.C.G.A. § 20-3-519.7 to establish a HOPE Tuition-Free Grant for students seeking a

certificate or diploma in the Technical College System of Georgia. The bill remains in the House Higher Education Committee.

- [HB 40](#), authored by Rep. Sandra Scott (D-Rex), adds O.C.G.A. § 20-2-159.6 to require local school systems to conduct screenings for all students in grades K-2 for dyslexia and for students in grades 3-12 if, in the opinion of the teacher, a such student has difficulty in certain areas, including phonological and phonemic awareness, sound symbol recognition, decoding skills, rapid naming skills, and encoding skills. The bill requires that State School Superintendent employ a professional in the position of dyslexia consultant so as to assist DOE and school systems to comply. The bill remains in the House Education Committee. See [SB 48](#), authored by Sen. P.K. Martin (R-Lawrenceville), which was passed and signed by Governor Kemp on May 2, 2019 as Act Number 134.
- [HB 42](#), authored by Rep. Scot Turner (R-Holly Springs), amends multiple titles to prohibit professional licensing boards from refusing to issue a license or suspending or revoking a license of a person who is in default of an educational loan issued through the Georgia Higher Education Assistance Corporation or through a federal agency. The bill was recommitted to the House Higher Education Committee where it remains. See [SB 214](#), authored by Sen. P.K. Martin (R-Lawrenceville), which was passed and signed by Governor Kemp on May 2, 2019 as Act Number 146.
- [HB 43](#), authored by Rep. Ed Setzler (R-Acworth), amends Chapter 6 of Title 16 and amends Code Sections 17-10-6.2, 35-3-37, 42-1-12, 42-5-56, and 49-2-14.1 relating to sexual assault by persons with supervisory or disciplinary authority over persons, including elementary or secondary students, correctional inmates, and probationers, and certain persons who provide healthcare or psychotherapy services. Specifically, the bill creates two degrees of such sexual assault committed by such persons (Georgia law currently only provides for one degree). Under the bill, a person would commit second degree sexual assault when he or she engages in "sexual contact" with a subordinate, while the person would commit the offense in the first degree when he or she engages in "sexually explicit conduct" with a subordinate, as defined in the bill. The legislation also provides for sentencing guidelines for first degree sexual assault which are escalated from that currently provided in law for such sexual assault(which the bill converts to second degree). The bill was assigned to the House Judiciary Non-Civil Committee where it remains. See [SB 9](#) which passed and became effective on May 7, 2019 as Act 295).

- [HB 16](#), authored by Rep. Sandra Scott (D-Rex), amends O.C.G.A. § 20-3-66 to classify children from foster homes and children experiencing homelessness as "in-state" for the purpose of qualifying for in-state college tuition scholarships. Also creates O.C.G.A. § 20-3-330 to provide that state funded foster care assistance shall not be considered as income in calculating financial aid or need based awards. This bill remains in the House Higher Education Committee.
- [HB 53](#), authored by Rep. Kasey Carpenter (R-Dalton), creates O.C.G.A. § 20-2-1031 to provide for freedom of religious speech for students and faculty members in public schools. Specifically, the bill bars schools from discriminating against students or parents on the basis of religious viewpoint or expression, allows students to freely express religious beliefs in assignments, and protects students who pray or engage in religious activities before, during, and after school. The bill also requires local school districts to adopt nondiscrimination policies relating to religion. This bill remains in the House Education Committee.
- [HB 60](#), authored by Rep. Dave Belton (R-Buckhead), amends O.C.G.A. § 20-3-66 and O.C.G.A. § 20-4-21 to provide that dependent children of active duty military members shall be classified (by the University System of Georgia and the Technical College System of Georgia) as in-state for purposes of tuition and fees. This bill remains in the House Higher Education Committee.
- [HB 69](#), authored by Rep. Scot Turner (R-Holly Springs), amends O.C.G.A. § 20-2-2114 to revise the prior school year requirement for the Special Needs Scholarship Program. Specifically, the bill removes the prior year attendance requirement if the applicant has previously qualified for the scholarship. This bill was recommitted to the House Education Committee where it remains.
- [HB 75](#), authored by Rep. Ginny Ehrhart (R-Powder Springs), amends O.C.G.A. § 40-6-163 to clarify when the driver of a vehicle need not stop upon meeting or passing a school bus. This bill provides that drivers only need not stop for a school bus on divided highways. Current Georgia law is unclear and appears to exempt drivers on multi-lane roadways separated by a turn lane median from stopping. This bill remains in the House Public Safety and Homeland Security Committee. See [SB 25](#) which passed and was signed by Governor Kemp on February 15, 2019 as Act Number 1. It took effect February 15, 2019.
- [HB 78](#), authored by Rep. David Clark (R-Buford), is the "Jeremy Nelson and Nick Blakely Sudden Cardiac Arrest Prevention Act." The bill creates O.C.G.A. § 20-2-324.4 to require that the Department of Education develop and post on its

website guidelines and other relevant materials to inform and educate students participating in or desiring to participate in interscholastic athletics, their parents, or guardians, and coaches about the nature and warning signs of sudden cardiac arrest, including risks associated with continuing to play/practice after experiencing certain symptoms. The student participating or desiring to participate in interscholastic athletics and the student's parent or guardian are required each year and to prior to participation in such activity to sign and return to the student's school an acknowledgement of receipt and review of the sudden cardiac arrest symptoms and warning signs. The school would also be required to hold an informational meeting prior to the start of each athletic season for all ages of competitors regarding the symptoms and warning signs of sudden cardiac arrest. The bill further requires the student to be removed from play should the student pass out or faint. Students removed from participation in such athletics are not permitted to return to participation until the student is evaluated and cleared for return to participation in writing by an appropriate healthcare provider. The legislation also addresses coaches and requires them to review the guidelines and relevant materials. This bill remains in the House Education Committee. See [SB 60](#) which was passed and signed on May 2, 2019 as Act Number 136 and takes effect on July 1, 2019.

- [HB 86](#), authored by Rep. Tommy Benton (R-Jefferson), provides that performance ratings for certain teachers, procedural deficiencies on the part of the local school system or charter school in conducting an evaluation under O.C.G.A. § 20-2-210, and job performance shall be subject to complaint under the statutory complaints policy. The bill also adds that complaints can be investigated by independent third parties at the discretion of the school district. This bill remains in the House Education Committee.
- [HB 87](#), authored by Rep. David Clark (R-Buford), creates O.C.G.A. § 20-2-319.5 to allow home study students to participate in extracurricular and interscholastic activities in their residential school district. This bill remains in the House Education Committee.
- [HB 109](#), authored by Rep. Tommy Benton (R-Jefferson), amends multiple Code sections within Title 47 to amend the Teachers Retirement System of Georgia. This bill modifies conditions for individuals who become members on or after July 1, 2019 in O.C.G.A. § 47-3-1. Included in the bill are provisions regarding calculations for average earnable compensation, adjustments to the contribution deductions, new definitions for normal retirement age, and new guidelines for

retirement allowances for those that became members on or after July 1, 2019. This bill was recommitted to the House Retirement Committee where it remains.

- [HB 133](#), authored by Rep. Jasmine Clark (D-Tucker), amends O.C.G.A. § 20-2-143 and O.C.G.A. § 20-2-201 to require that any course of study in sex education contain medically accurate information about HIV/AIDS prevention. This bill remains in the House Health and Human Services Committee.
- [HB 169](#), authored by Rep. Carolyn Hugley (D-Columbus), adds in O.C.G.A. § 20-2-149.3 to require the Board of Education to create a course of study in financial education for grades K-12. This bill remains in the House Education Committee.
- [HB 179](#), authored by Rep. Colton Moore (R-Trenton), amends O.C.G.A. § 20-14-33 to provide that school climate ratings not include discipline data. This bill remains in the House Education Committee.
- [HB 181](#), authored by Rep. Billy Mitchell (D-Stone Mountain), amends O.C.G.A. § 20-2-2063.3 to provide that the initial term or any renewal term of a charter school shall be no more than three years. This bill remains in the House Education Committee.
- [HB 206](#), authored by Rep. Billy Mitchell (D-Stone Mountain), creates O.C.G.A. § 20-2-2064.2 to require that charter schools adhere to similar testing requirements as public schools; preventing them from exempting testing requirements in their charter application. This bill remains in the House Education Committee.
- [HB 207](#), authored by Rep. Billy Mitchell (D-Stone Mountain), creates O.C.G.A. § 40-6-18 to require motor vehicles to maintain flashing yellow hazard lights within a school zone provided that within 500 feet prior to the school zone there is an official sign announcing the approach of such school zone and such official sign has yellow signals that are activated and flashing at the time such driver passes the sign. This bill remains in the House Motor Vehicles Committee
- [HB 232](#), authored by Rep. Heath Clark (R-Warner Robins), amends O.C.G.A. § 20-3-66 and O.C.G.A. § 20-4-21 to provide that dependent children of active duty military members shall be classified as in-state for tuition and fees purposes by the University System of Georgia and the Technical College System of Georgia. This bill remains in the House Judiciary Committee.

- [HB 263](#), authored by Rep. Valencia Stovall (D-Forest Park), creates O.C.G.A. § 20-2-297 to allow a student to be enrolled in a school using an address other than their parent or guardian's if their parent or guardian can provide proof that an individual living in the school's attendance zone has authorized the parent or guardian to use their address to establish residency. This bill remains in the House Education Committee.
- [HB 292](#), authored by Rep. Tommy Benton (R-Jefferson), removes O.C.G.A. § 47-21-5. to eliminate remittances required to be made by the University System of Georgia to the Teachers Retirement System of Georgia. This bill remains in the House Retirement Committee.
- [HB 301](#), authored by Rep. Wes Cantrell (R-Woodstock), amends Title 20 to establish, within O.C.G.A. § 20-2B-3, educational scholarship accounts for children whose family income is less than 200% of the federal poverty level, who have been adopted from foster care, who have an active duty military parent, who have individualized education programs, who have documented cases of having been bullied, or have simply been enrolled in a Georgia public school for the past year. The bill would allow parents of such children to take the public funds allocated for their children's public education and place those funds in an account that could be used to pay for tuition, fees, and textbooks at private schools, as well as tutoring services, online education programs, and therapy services. The bill remains in the Ways & Means Committee.
- [HB 320](#), authored by Rep. Dave Belton (R-Buckhead), creates O.C.G.A. § 47-3-127.1 to allow for a beneficiary of the Teacher Retirement System ("TRS") of Georgia to be employed by a public school as an instructor in pre-k through grade 12 under certain conditions. The beneficiary can only act as an instructor in a classroom in the areas of science, technology, engineering, arts, or math, and must inform the school system that they are a beneficiary of the TRS. The bill also outlines reporting requirements for the employer to the board of trustees along with requirements of the employer to contribute to the TRS. This bill remains in the House Retirement Committee.
- [HB 336](#), authored by Rep. Shaw Blackmon (R-Bonaire), amends O.C.G.A. § 47-3-127 to alter the Teacher Retirement System to permit a retired member to be "restored to service." He or she may elect to cease their retirement benefits and become a member of the system, contributing to it and allowing them to gain more credible service; or continue to receive retirement benefits and their allowance but without any additional creditable service. If a retired member is

“restored to service,” then the employer must notify TRS in writing within 30 days. The bill also addresses employers’ requirements on making payments to the system. This bill remains in the House Retirement Committee.

- [HB 369](#), authored by Rep. David Wilkerson (D-Powder Springs), creates O.C.G.A. § 20-2-779.2 to require the development of an educational fact sheet concerning the use and misuse of opioid drugs in the event that a student-athlete or cheerleader is prescribed a opioid for a sports-related injury. This bill remains in the House Education Committee.
- [HB 389](#), authored by Rep. Mike Wilensky (D-Dunwoody), creates O.C.G.A. § 20-2-692.3 to allow a student that votes in an election in which a candidate for a statewide office appears on the ballot to receive an excused absence from school. This bill remains in the House Education Committee.
- [HB 390](#), authored by Rep. Tommy Benton (R-Jefferson), creates O.C.G.A. § 47-3-89.1 to allow members of the Teachers Retirement System of Georgia to receive creditable hours for teaching internationally provided that they pay the full actuarial cost of obtaining the creditable service. This bill remains in the House Retirement Committee.
- [HB 414](#), authored by Rep. Gregg Kennard (D-Lawrenceville), amends O.C.G.A. § 20-2-151 to require that all children must attend a year of kindergarten before entering first grade. The bill also lowers the age of compulsory school attendance to five in O.C.G.A. § 20-2-150. This bill remains in the House Education Committee.
- [HB 421](#), authored by Rep. Ron Stephens (R-Savannah), amends O.C.G.A. § 20-2-168 to prevent any local board of education from beginning their school calendar prior to the second week of August. This bill remains in the House Education Committee.
- [HB 434](#), authored by Rep. Bill Hitchens (R-Rincon), amends O.C.G.A. § 20-8-2 to provide for immunity from liability for a campus policeman at a private, accredited institution of higher learning when he or she commits a tort while acting in their scope of duties. No action could be brought against the officer; rather against the school and it caps recovery (\$1million single occurrence; \$3 million aggregate). This bill remains in the House Judiciary Committee.
- [HB 444](#), authored by Rep. Bert Reeves (R-Marietta), amends O.C.G.A. § 20-2-161.3 to rename the “Move on When Ready Act” to the “Dual Enrollment Act.” It

establishes new definitions and permits a ‘covered eligible high school student’ the ability to take a maximum of 32 hours of covered dual credit courses (delivered on-site or on-line) from any eligible University System of Georgia institution. A student can earn up to 63 hours of coursework in technical education from the Technical College System of Georgia. It also permits a student to take noncovered dual credit courses (those after 30 at their own expense or using lottery funds (but counting towards the 190 quarter hour or 127 semester hour caps). The bill changes dual enrollment eligibility to allow students entering ninth or tenth grade to take only online dual credit courses, students entering tenth grade to take courses within the Technical College System of Georgia, and students entering eleventh and twelfth grade at any eligible postsecondary institution. Students have no limit on non-covered dual enrollment courses provided they pay out of pocket. Eligible institutions are required to provide textbooks only to covered eligible students. The bill also requires the Georgia Student Finance Commission to publish the rates to be paid to eligible postsecondary institutions for covered dual credit courses. This bill was tabled on the Senate Floor on March 29, 2019.

- [HB 464](#), by Rep. Martin Momtahan (R-Dallas), seeks to require in O.C.G.A. § 20-2-589(b) that local boards of education have a public comment period during every meeting which would be included on the agenda. Further, it does not require that the local board of education require notice by an individual prior to the date of a meeting as a condition of addressing the local board during that comment period. This bill was recommitted to the House Education Committee where it remains.
- [HB 476](#), by Rep. Valencia Stovall (D-Forest Park), seeks to address compulsory attendance for students in elementary and secondary education adding a new Code Section at O.C.G.A. § 20-2-692.3, providing that child entertainer students (a child under 18 years of age who is employed as an actor or performer in motion pictures or theatrical productions, in radio or television productions, or in any other performance, concert, or entertainment in the making of phonographic records or as an advertising or photographic model) is to be counted as present by the school and not counted as absent, either excused or unexcused for any day, portion of a day or days missed from school as long as the child’s parent or guardian provides a receipt of paperwork form provided by the Department of Labor from the entertainment employer. This bill remains in the House Education Committee.

- [HB 496](#), by Rep. CaMia Hopson (D-Albany), seeks to add a new Code section at O.C.G.A. § 20-2-14.3 to require a course of study in personal financial literacy and money management in middle school and high school. It would require that students be provided instruction on such things as types of bank accounts; balancing a checking account; principles of money management (credit scores, managing debt, etc.); completing a loan application and etc. This bill remains in the House Education Committee.
- [HB 513](#), authored by Rep. Sandra Scott (D-Rex), creates O.C.G.A. § 20-2-590 to prohibit a local school system from leasing or selling a public school in such system to a private entity unless the public school has been in existence for at least 15 years. This bill remains in the House Education Committee.
- [HB 515](#), authored by Rep. Rick Jasperse (R-Jasper), amends Title 20 to require certain departments and agencies to provide recommended school construction designs and measures that advance school safety. Specifically, O.C.G.A. § 20-2-520 is amended to require the Department of Education to issue a report of recommended school construction designs and measures. O.C.G.A. § 20-2-1185 is amended to require that school safety plans be based upon the operational guide for preventing targeted school violence. O.C.G.A. § 20-2-1186 is created to require the GBI to issue signs to be displayed in schools to report observations of suspicious, unsafe, or unlawful activity. Lastly, O.C.G.A. § 20-2-1187 is created to stipulate that the Board of Homeland Security is required to act as an oversight board for school safety in Georgia. This bill remains in the House Education Committee.
- [HB 519](#), authored by Rep. Donna McLeod (D-Lawrenceville), amends O.C.G.A. § 20-2-161(1) to require the State Board of Education retain an independent third party to evaluate the Quality Basic Education Formula and make recommendations to the Board and General Assembly. The bill also requires the review process to occur every five years. This bill remains in the House Education Committee.
- [HB 562](#), authored by Rep. Robert Dickey (R-Musella), creates a new Part 4 of Article 7 of Chapter 3 of Title 20 to create the Realizing Educational Achievement Can Happen (REACH) Scholarship. While this bill did not pass, it was added onto [SB 83](#), which did pass and became Act Number 229 on May 6, 2019.
- [HB 662](#), authored by Rep. Tommy Benton (R-Jefferson), amends O.C.G.A. § 47-3-23 to require actuarial investigations for the Teachers Retirement System at

least once in every three-year period. The bill also provides that the maximum annual assumed rate of return shall not exceed six (6) percent. The bill remains in the House Retirement Committee.

- [HB 667](#), authored by Rep. Chuck Martin (R-Alpharetta), amends O.C.G.A. § 47-3-23 to require actuarial investigations for the Teachers Retirement System at least once in every three-year period and provides that the maximum annual assumed rate of return shall not exceed six (6) percent (like HB 662). The bill also requires the retirement system to use direct rate smoothing for actuarially determined employer contributions; that certain legacy debt of the retirement system be paid by a certain date; and that the future unfunded actuarial accrued liability shall be paid using 15 year amortization periods. The bill remains in the House Retirement Committee.
- [HB 701](#), authored by Rep. Matt Hatchett (R-Dublin), amends O.C.G.A. § 20-2-164(6) to exclude freeport property from the equalized adjusted school property tax digest for the purposes of calculating local five mill share. This bill remains in the House Ways and Means Committee.
- [HR 367](#), by Rep. Ken Pullin (R-Zebulon), is an urging resolution that encourages Georgia's school districts to have an emergency medical technician present during all full-contact sporting events. This resolution remains in the House Education Committee.
- [HR 531](#), authored by Rep. Valencia Stovall (D-Atlanta), proposes a constitutional amendment to provide for local legislation to authorize the election of school superintendents for local school systems. This resolution remains in the House Education Committee.
- [SB 21](#), authored by Senator Donzella James (D-Atlanta), adds at O.C.G.A. § 20-2-149.3 to require each local board of education to institute mandatory cybersecurity education for students every year from K-12. The bill also provides for required elements of such cybersecurity education and calls for implementation by July 1, 2020. This bill remains in the Senate Education and Youth Committee.
- [SB 44](#), authored by Sen. Donzella James (D-Atlanta), proposes to require in O.C.G.A. § 20-2-324.4 that youth receive pre-participation physical examinations for when participating in youth sports leagues. This bill remains in the Senate Education and Youth Committee.

- [SB 57](#), authored by Sen. Sheikh Rahman (D-Lawrenceville), amends Title 20 by adding a new subpart in Part 3 of Article 7 of Chapter 3 to create the “Pay Forward, Pay Back Student Grant Act.” This bill authorizes the creation of grant assistance to any eligible student upon the execution of a contractual agreement that the student agrees to pay a percentage of their future annual adjusted gross income to the Georgia Student Finance Authority. This bill remains in the Senate Higher Education Committee.
- [SB 64](#), authored by Sen. William Ligon Jr. (R-Brunswick), amends O.C.G.A. § 15-11-2 to include acts of terroristic threats directed towards individuals at, or generally against, an educational facility or school as a Class B designated felony act. This bill remains in the Senate Judiciary Committee.
- [SB 68](#), authored by Sen. Freddie Powell Sims (D-Dawson), amends O.C.G.A. § 20-2-49 to strengthen provisions for the training of local boards of education members and local school superintendents in financial management of school districts. The bill also adds in O.C.G.A. § 20-2-67 that the Department of Audits and Accounts must designate local school systems that have had reported irregularities or budget deficits for three or more consecutive years as high-risk local school systems and those that have reported the same for one or two years as moderate-risk local school systems. It also adds in O.C.G.A. § 20-2-82 that for school systems designated as high-risk, the Department of Audits and Accounts must, in any flexibility contracts, require that the system has a corrective action plan in place and local officials must undergo required training. The contract must also have specific requirements relating to maintaining or achieving financial stability. The bill adjusts the oath of local superintendents to affirm their commitment to manage the finances of the local school system. The bill also transfers the responsibility, in O.C.G.A. § 20-14-41, to prepare an annual report detailing the schools that have received an unacceptable rating for one or more consecutive years and the interventions applied to each school from the State Board of Education to the Chief Turnaround Officer. The bill also provides for an appeals process for teachers who have received unsatisfactory job performance schools provided they appeal procedural deficiencies on the part of the local school system. This bill passed the House by Substitute and was amended by the Senate. The House failed to agree to the Senate changes.
- [SB 70](#), authored by Sen. Lester Jackson (R-Savannah), amends O.C.G.A. § 20-2-690.1 to raise the age of mandatory education from 16 to 17. This bill remains in the Senate Education and Youth Committee.

- [SB 85](#), authored by Sen. Steve Henson (D-Stone Mountain), proposes to establish an early child care scholarship program in O.C.G.A. § 20-1A-19. The bill outlines that the scholarship should be in the amount of monthly payments that exceed seven (7) percent of the family's income. The bill gives authority to the Department of Early Care and Learning to establish the maximum amount for eligible monthly payments. This bill remains in the Senate Education and Youth Committee.
- [SB 86](#), authored by Sen. Jeff Mullis (R-Chickamauga), prohibits in O.C.G.A. § 20-2-316.4 high schools that receive public funds from participating in interscholastic sports conducted under any athletic association that do not have separate regions and playoffs for public and private schools. This bill remains in the Senate Education and Youth Committee.
- [SB 92](#), authored by Sen. Brandon Beach (R-Alpharetta), amends multiple code sections to prohibit professional licensing boards from refusing to issue a license or suspending or revoking a license of a person that is a borrower in default of an educational loan issued through the Georgia Higher Education Assistance Corporation or through a federal agency. This bill remains in the House Appropriations Committee. See [SB 214](#) which was passed and signed by Governor Kemp on May 2, 2019 as Act Number 146.
- [SB 102](#), authored by Sen. Emmanuel Jones (D-Decatur), amends Title 20 by revising Article 14 to provide for a pilot program to plan, implement, and improve sustainable community schools. This bill remains in the Senate Education and Youth Committee
- [SB 129](#), authored by Sen. Chuck Hufstetler (R-Rome), amends O.C.G.A. § 47-3-68 to allow a person that made an irrevocable decision to decline membership in the Teacher Retirement System ("TRS") and participate in the Regents Retirement System to nevertheless revoke that decision and participate in TRS. This bill remains in the Senate Retirement Committee.
- [SB 161](#), authored by Sen. Lindsey Tippins (R-Marietta), amends O.C.G.A. § 20-2-157 to require that HOPE and Zell Miller Scholarship GPA's are calculated by adding an additional 0.5 point to the grade of each advanced placement, dual enrollment, and international baccalaureate courses in which the grade is A,B,C, or D. This bill was recommitted to the House Higher Education Committee where it remains

- [SB 163](#), authored by Sen. Bruce Thompson (R-White), is known as the “Tim Tebow Act” and amends Title 20 by adding O.C.G.A. § 20-2-319.5 to allow homeschooled students to participate in extracurricular and interscholastic activities sponsored by his/her resident school system. This bill remains in the House Education Committee.
- [SB 165](#), authored by Sen. Bruce Thompson (R-White), amends Article 13 of Title 20 to create a designation for a non-profit organization to govern high school athletics for public schools. A private school that wishes to compete with public schools may join the organization. This bill remains in the Senate Rules Committee.
- [SB 173](#), authored by Sen. Greg Dolezal (R-Cumming), amends Title 20 by creating a new Chapter 2B to establish educational scholarship accounts for children whose family income is less than 200% of the federal poverty level, who have been adopted from foster care, who have an active duty military parent, who have individualized education programs, who have documented cases of having been bullied, or have simply been enrolled in a Georgia public school for the past year. The bill would allow parents of such children to take the public funds allocated for their children’s public education and place those funds in an account that could be used to pay for tuition, fees, and textbooks at private schools, as well as tutoring services, online education programs, and therapy services. This bill failed on the Senate Floor by a vote of 25-28 on March 5, 2019.
- [SB 175](#), authored by Sen. Ellis Black (R-Valdosta), relates to the Teachers Retirement System (“TRS”) to allow for a beneficiary to return to service as a substitute teacher or an hourly classroom aide without becoming a contributing member again in O.C.G.A. § 47-3-127.1. The bill remains in the House Retirement Committee.
- [SB 199](#), by Sen. Nikema Williams (D-Atlanta), seeks to require the testing of drinking water in child care learning centers in Chapter 1 of Title 20. The purpose is to look for lead contamination and provide for notice and reporting of test results and any remediation plans necessary. This bill remains in the Senate Health and Human Services Committee.
- [SB 209](#), authored by Sen. Emanuel Jones (D-Decatur), amends O.C.G.A. § 20-14-33 to eliminate the star rating for financial efficiency in the state’s indicators of quality of learning in individual schools and school systems. The bill was tabled

on the Senate Floor. [See SR 452](#) which creates the Senate Study Committee on Financial Efficiency Star Rating.

- [SB 219](#), authored by Sen. Jen Jordan (D-Atlanta), amends Title 20 by creating O.C.G.A. § 20-1-11 to require high school students and students seeking a GED diploma to correctly answer 60 percent of the questions on the United States Citizenship Civics Test for purposes of being eligible to receive a high school diploma or a GED diploma. This bill remains in the House Education Committee.
- [SB 260](#), authored by Sen. Ellis Black (R-Valdosta), amends O.C.G.A. § 47-3-23 to require actuarial investigations of the Teachers Retirement System at least once every three years and provide that the maximum annual assumed rate of return shall not exceed six (6) percent. This bill remains in the Senate Retirement Committee.
- [SB 273](#), authored by Sen. Lester Jackson (D-Savannah), amends Title 20 by creating a new Article 3 in Chapter 3 to create the Georgia Agriculture and Mechanical University System. The bill outlines the powers, composition, and duties of the new Board of Trustees of the Georgia Agriculture and Mechanical University System. The bill also creates the Georgia Historically Black Colleges and Universities Scholars Endowment Trust Fund. This bill was recommitted to the Senate Higher Education Committee where it remains.
- [SR 12](#), authored by Senator John Albers (R-Roswell), proposes an amendment to the Georgia Constitution to allow sales tax for educational purposes be used for school safety projects. This resolution remains in the Senate Finance Committee.
- [SR 195](#), authored by Sen. Marty Harbin (R-Tyrone), urges Georgia's school districts to have an EMT present during all full-contact sporting events. This resolution remains in the Senate Education and Youth Committee.
- [SR 481](#), authored by Sen. Butch Miller (R-Gainesville), encourages local educational agencies to support Georgia's talented and gifted students by complying all State Board of Education and Georgia Professional Standards Commission guidelines for gifted education. The resolution also calls on agencies that waive gifted education provisions to notify parents of students identified as gifted which provisions it has waived and how it will meet the needs of their gifted students. This resolution remains in the Senate Education and Youth Committee.

Employment

- [HB 81](#), authored by Rep. Todd Jones (R-South Forsyth), amends O.C.G.A. § 13-8-51 and § 13-8-53 to make any restrictive covenant between an employer and information technology employee, as defined in the bill, void, unlawful, and unenforceable. This bill remains in the House Judiciary Committee.
- [HB 110](#), authored by Rep. Tom Kirby (R-Loganville), amends O.C.G.A. § 34-7-2 to provide that wages may be paid by check at the discretion of the person, firm, or corporation. This bill was recommitted to the House Industry and Labor Committee where it remains.
- [HB 116](#), authored by Rep. Dewey McClain (D-Lawrenceville), amends O.C.G.A. § 34-4-3 to provide for an increase in the state minimum wage to \$15 an hour. This bill remains in the House Industry and Labor Committee.
- [HB 126](#), authored by Rep. Randy Nix (R-LaGrange), creates O.C.G.A. § 34-2-15 to authorize the Department of Labor to create the “GeorgiaBest” program, a workforce development program to develop employer-identified skills. This bill remains in the House Industry and Labor Committee.
- [HB 495](#), by Rep. Jimmy Pruett (R-Eastman), proposes changes to Chapter 8 of Title 34 to change the definition of employment to include services which are performed by an individual for wages unless the Department of Labor makes a contrary determination based upon evidence that such individual has been, and will continue to be, free from control or direction over the performance of such services. The Department would be required to look at whether the individual is not prohibited from working for other companies or holding other employment contemporaneously; free to accept/reject work assignments without consequences; is not prescribed minimum hours to work or, in the case of sales, does not have a minimum number of orders to be obtained; has discretion to set his/her own work schedules; receives only minimal instructions and no direct oversight or supervisions regarding the services to be performed (e.g. location where services are to be performed and any requested deadlines); when applicable, has no territorial or geographical restrictions; and is not required to perform, behave, or act or, alternatively, is compelled to perform, behave, or act in a manner related to the performance of services for wages which is determined by the Commissioner to demonstrate employment. This bill remains in the House Industry and Labor Committee.

- [SB 46](#), authored by Sen. Donzella James (D-Atlanta), provides for an increase in the state minimum wage to \$15 an hour in O.C.G.A. § 34-4-3. The bill also stipulates that the minimum wage shall be adjusted each year to reflect the cost of living. This bill remains in the Senate Insurance and Labor Committee.
- [SB 49](#), authored by Sen. Nan Orrock (D-Atlanta), prohibits employers from using salary history of an applicant to determine wages, benefits, or other compensation during the initial hiring process in O.C.G.A. § 34-1-11. This bill remains in the Senate Insurance and Labor Committee.
- [SB 215](#), authored by Sen. Marty Harbin (R-Tyrone), clarifies the classification of employees versus independent contractors for purposes of the Employment Security Law in O.C.G.A. § 34-8-35. The bill also includes a penalty for employers that misclassify such individuals and includes anti-retaliation provisions for whistleblowers in O.C.G.A. § 34-8-258. The bill remains in the Senate Insurance and Labor Committee.
- [SR 66](#), authored by Sen. Renee Unterman (R-Buford), ratifies an Amendment to the US Constitution that states “Equality of rights under the law shall not be denied or abridged by the United States or any State on account of sex.” This resolution remains in the Senate Judiciary Committee.

Firearms

- [HB 2](#), authored by Rep. Matt Gurtler (R-Tiger), is the “Georgia Constitutional Carry Act of 2019” The bill amends various Titles to allow for individuals who are legal weapons carriers as defined in O.C.G.A § 16-11-125.1 to carry a weapon without paying for state-issued license or permit. This bill remains in the House Public Safety and Homeland Security Committee.
- [HB 74](#), authored by Rep. Scot Turner (R-Holly Springs), amends O.C.G.A § 40-1-193 to prevent ride share networks from prohibiting their drivers who are valid weapons carry license holders from carrying or possessing a weapon in a vehicle that is used by the driver in said ride share network service. This bill remains in the Public Safety and Homeland Security Committee.

Freight and Logistics

- [SB 82](#), authored by Sen. Brandon Beach (R-Alpharetta), amends O.C.G.A. § 32-2-43 to provide for the appointment of a chief innovation officer to the

Department of Transportation to coordinate and develop technology based improvements and solutions to transportation needs. This bill remains in the Senate Science and Technology Committee.

Health

- [HB 9](#), authored by Rep. Karen Mathiak (R-Griffin), proposes changes to Chapter 14 of Title 44 so as to add chiropractic practices to the list of entities that can have a lien on a cause of action accruing to an injured person for the costs of care and treatment of injuries arising out of the cause of action. Currently, the listing of entities which may have a lien are hospitals, nursing homes, physician practices and traumatic burn care medical practices. This bill remains in the House Judiciary Committee.
- [HB 10](#), authored by Rep. Debra Bazemore (D-Riverdale), proposes to amend O.C.G.A. § 20-2-142 relating to the core curriculum and sex education and AIDS prevention instruction so as to provide for the instruction of the best practices for and risks associated with the use of tampons (e.g. toxic shock syndrome) and AIDS prevention instruction. HB 10 also proposes to add a new Code section at O.C.G.A. § 31-1-16 to encourage physicians and nurses, providing a tampon for use, to recite and provide in written form, information regarding the best practices of tampons and information on toxic shock syndrome. This bill favorably reported out of the House Health and Human Services Committee but was recommitted back to that Committee by the House Rules Committee on April 2, 2019.
- [HB 135](#), authored by Rep. Demetrius Douglas (D-Stockbridge), proposes enactment of the “Authorized Electronic Monitoring in Long-term Care Facilities Act”. The bill seeks to add a new Article 16 in Chapter 7 of Title 31 to allow residents of long-term care facilities to place electronic recording devices in their rooms. This bill remains in the House Human Relations and Aging Committee.
- [HB 160](#), authored by Rep. Katie Dempsey (R-Rome), proposes to add a new Code section at O.C.G.A. § 31-2-12 to reinstate a Department of Community Health four-year, pilot program for bariatric surgical procedures for the treatment and management of obesity and related conditions under the State Health Benefit Plan, the insurance program for State employees. This program would be managed by a postsecondary institution in the State. This bill was passed out of the House and remains in the Senate Health and Human Services Committee.

- [HB 188](#), authored by Rep. Renitta Shannon (D-Decatur), proposes to repeal Article 2 of Chapter 2A of Title 31, relating to the Positive Alternatives for Pregnancy and Parenting Grant Program. This program was established by SB 308, authored by Sen. Renee Unterman (R-Buford), in 2016. The original legislation was promoted by the Georgia Life Alliance Committee, Georgia’s affiliate of National Right to Life. This bill remains in the House Health and Human Services Committee.
- [HB 236](#), authored by Rep. Roger Bruce (D-Atlanta), proposes changes to Chapter 11 of Title 31 to allow any first responder of municipal fire departments to engage in the emergency medical transportation of patients and grants the department the authority to issue a license for emergency medical transportation to a first responder if that responder is of a fire department of a municipality and meets applicable training and standards criteria established by the department for the provision of ambulance services. Once licensed, the first responder is proposed to administer emergency medical services in the geographical area covering its jurisdiction and a first responder is proposed to be authorized to bill patients and recover fees, expenses, and administrative costs associated with emergency medical transportation conducted by the first responder. This bill remains in the House Public Safety and Homeland Security Committee.
- [HB 264](#), authored by Rep. Bill Werkheiser (R-Glenntown), amends Chapter 11 of Title 31 to establish bylaws and conflict of interest policies by local coordinating entities related to emergency medical services. The bill also provides for new regulations of “body artists” and “body art studios.” The bill also amends Chapter 5 of Title 21 related to contributions by regulated industries to elected executive officers or candidates. The original language of the bill requires that any person undertaking to promote or oppose any matter before a local coordinating entity regarding the Emergency Medical Systems Communications Program are subject to transparency and lobbyist disclosure laws. This bill was sent to Conference Committee but neither chamber voted to approve the Conference Committee report. Language relating to body artists and body art studios was passed; see [SB 214](#) which was signed by Governor Kemp on May 2, 2019 as Act Number 146.
- [HB 328](#), authored by Rep. Karen Mathiak (R-Griffin), proposes changes to Chapter 40 of Title 31 regarding the regulation of body artists and body art studios. It eliminates the reference to “tattoo artist” and “tattoo studio” and replaces those terms with body artist and body art studio. The bill exempts physicians and osteopaths or someone working under their direction from the

regulations provided in the bill. This bill received a favorable recommendation from the House Regulated Industries Committee but never reached the House Floor. It was recommitted to the House Regulated Industries Committee. [See SB 214](#) which was passed and signed on May 2, 2019 as Act Number 146; it takes effect July 1, 2019.

- [HB 376](#), authored by Rep. Sheri Gilligan (R-Cumming), creates O.C.G.A. § 1-4-23 to provide that September 1 of each year shall be Childhood Cancer Awareness Day in the State of Georgia. This bill was recommitted to the House Special Rules Committee where it remains.
- [HB 416](#), authored by Rep. Rick Williams (R-Milledgeville), amends O.C.G.A. § 31-25-1. to establish the State Vaccine Consumer Protection Office. The bill also creates a State Vaccine Information Sheet. This bill remains in the House Health and Human Services Committee.
- [HB 442](#), authored by Rep. Kim Schofield (D-Atlanta), amends O.C.G.A. § 20-3-518.10. to create a grant program for certain physician specialists (who serve patients with complex medical conditions) under the Georgia Board for Physician Workforce. The grants would be \$25,000 per year for up to four years or \$100,000. There is a requirement for the physician to serve in an underserved area of the state as designated by the Board. The doctors participating would have to be Georgia residents and licensed to practice in Georgia. This bill remains in the House Appropriations Committee.
- [HB 477](#), by Rep. Ron Stephens (R-Savannah), addresses O.C.G.A. § 31-45-3, exempting pools located in condominium complexes from being required to obtain a permit for operation. This bill remains in the House State Planning & Community Affairs Committee.
- [HB 484](#), by Rep. Andy Welch (R-McDonough), proposes to address Georgia's lien laws in Chapter 14 of Title 44 so as to provide for the resolution of disputes in which a medical funding provider has provided payment to a consumer's health care provider. It would be known as the "Georgia Medical Funding Act," It also outlines what a medical funding provider is prohibited from doing (pay or offer to pay commissions, referral fees or other forms of consideration to any attorney, law firm or health care provider or any of their employees for referring a consumer to a specific health care provider or attorney; refer a consumer or potential consumer to a specific attorney, law firm or health care provider or any of their employees; provided, however, that if a consumer does not have legal

representation, the medical funding provider may refer the consumer to a local or state bar referral service; fail to promptly supply, upon request, copies of any and all complete medical funding contracts regarding payment for services rendered to the consumer and any attorney representing the consumer upon request; accept any commissions, referral fees, rebates, or other forms of consideration from an attorney, law firm or healthcare provider or any of their employees; or make a decision relating to the conduct, settlement or resolution of the underlying legal claim, the power of which is to remain solely with the consumer). This bill remains in the House Judiciary Committee.

- [HB 542](#), authored by Rep. Todd Jones (R-South Forsyth), amends Chapter 8 of Title 31 to authorize health care facilities to purchase and sell charity care credits through the Georgia Charity Care Exchange, which the bill creates, to meet their indigent and charity care requirements. This bill remains in the House Human Relations and Aging Committee. See [HR 584](#) which creates the House Study Committee on Exploring a Floor and Trade Charity Care System.
- [HB 586](#), authored by Rep. Chuck Efstration (R-Dacula), creates O.C.G.A. § 31-7-180 to provide for the disposal of unused prescribed controlled substances for hospice patients by hospice staff. This bill remains in the House Health and Human Services Committee.
- [HB 615](#), authored by Rep. Teri Anulewicz (D-Smyrna), proposes to address vaccinations of minors in O.C.G.A. § 31-12-3.3 so as to allow minors ages 16 or 17 years of age to receive certain vaccines without parental consent. The bill remains in the House Health and Human Services Committee.
- [HB 620](#), authored by Rep. Park Cannon (D-Atlanta), amends O.C.G.A. § 45-18-4.1. to require DNA testing to be covered by the State Health Benefit Plan under certain circumstances. The bill remains in the House Insurance Committee.
- [HB 719](#), authored by Rep. Deborah Silox (R-Sandy Springs), amends Title 31 provide modernization updates to laws related to HIV. Specifically, the bill updates the criminal penalties within O.C.G.A. § 16-5-60 for individuals that knowingly engage in acts that present, based on current scientific understanding, a high risk of transmitting HIV to another person. The bill also exempts syringes from certain drug related penalties by amending O.C.G.A. § 16-13-32. The bill remains in the House Health and Human Services Committee.

- [HB 722](#), authored by Rep. Sharon Cooper (R-Marietta), increases the fines levied against certain applicants or licensees that violate rules listed in Code section 31-2-8 (b). Under the bill, the fines will increase from a maximum of \$25,000 to \$50,000 and \$1,000 per day to \$5,000 per day. This bill remains in the House Health and Human Services Committee.
- [HR 588](#), authored by Rep. Mark Newton (R-Augusta), urges the Georgia Department of Public Health to review maternal deaths in this state and to develop strategies for the prevention of maternal deaths in this state. The resolution remains in the House Health and Human Services Committee. See [HR 589](#) which creates the House Study Committee on Maternal Mortality.
- [HR 644](#), authored by Rep. Lee Hawkins (R-Gainesville), creates the House Study Committee on Health Care Reimbursement. The Study Committee will study the current health care system and the various types of payors and identify any possible changes to such health care system to address the differentials in health care reimbursement. The resolution remains in the House Special Committee on Access to Quality Healthcare.
- [HR 646](#), authored by Rep. Katie Dempsey (R-Rome), encourages the Georgia Legislature to broaden eligibility and increase funding for the Breast and Cervical Cancer Prevention Program. The resolution was recommitted to the House Health and Human Services Committee where it remains.
- [HR 648](#), authored by Rep. Ed Setzler (R-Acworth), brings awareness to vaccine injury in the State of Georgia. The resolution remains in the House Health and Human Services Committee.
- [SB 4](#), authored by Sen. Jen Jordan (D-Atlanta), provides for a private lactation room in O.C.G.A. § 28-4-1, open to the public, in the Georgia State Capitol. This bill remains in the Senate Rules Committee.
- [SB 12](#), authored by Senator Michael Rhett (D-Marietta), creates O.C.G.A. § 31-1-16 to require certain health clubs to have at least one functional automated external defibrillator (AED). The bill defines health clubs as any commercial enterprise with more than 3,000 clients that provides services or facilities for the preservation, maintenance, encouragement, or development of physical fitness or well-being. SB 12 also provides for certain penalties for health clubs found in violation of the new code section. The bill remains in the Senate Health and Human Services Committee.

- [SB 101](#), authored by Sen. Brandon Beach (R-Alpharetta), seeks to create the “Coach Safely Act” in O.C.G.A. § 31-53-1 et seq. It requires volunteer coaches with youth athletic associations to undergo training to reduce the likelihood of injuries to youth athletes engaged in high risk athletics. This bill remains in the Senate Education and Youth Committee.
- [SB 104](#), authored by Sen. Chuck Payne (R-Dalton), amends O.C.G.A. § 31-39-2 and O.C.G.A. § 31-39-4 to revise the parental requirement for consent for an order not to resuscitate for their child. This bill provides that a parent’s consent must be submitted orally or in written form and expands the class of individuals that can make a non-resuscitation decision to include a person with legal authority to act on behalf of a minor. This bill was recommitted to the House Judiciary Committee where it remains.
- [SB 113](#), authored Sen. Lindsey Tippins (R-Marietta), re-designates O.C.G.A. § 31-7-22 as § 31-7-23 and that, on or after March 31, 2020, nursing homes and personal care homes with eight or more residents are required to have a backup power source to provide medical care. This bill remains in the Senate Health and Human Services Committee.
- [SB 151](#), authored by Sen. Dean Burke (R-Bainbridge), amends Title 31 to make sweeping changes to Georgia’s healthcare system through the establishment of a new Office of Health Strategy and Coordination. The office is granted power to bring together experts from academia and industry along with elected and appointed leaders in an information sharing forum. The agency will also serve as a forum for new ideas along with evaluating the effectiveness of previously enacted and ongoing health programs. The agency will collaborate with both health related and non-health related agencies. Authority is granted to the agency to evaluate proposed CON and State Health Benefit Plan updates. This bill remains in the Senate Health and Human Services Committee. [See HB 186](#) which creates this new office. It was passed and signed by Governor Kemp on April 25, 2019 as Act Number 41.
- [SB 185](#), by Sen. Elena Parent (D-Atlanta), provides for a qualified Medicare beneficiary program in O.C.G.A. § 49-4-23 which is to be designed to provide financial assistance to low-income Medicare beneficiaries to fill the gaps in Medicare coverage to pay Medicare premiums, deductibles, and coinsurance for Medicare covered services or to purchase Medicare supplemental insurance coverage. It outlines eligibility: must be a citizen or legal resident of the United States and Georgia; must be enrolled in Medicare Part A or eligible to enroll in

Medicare Part A; does not exceed the asset limits a identified by the Department; and have a limited income as defined by the Department. This bill remains in the Senate Health and Human Services Committee.

- [SB 189](#), by Sen. Bill Cowser (R-Athens), relates to health records in Title 31. The bill expands the persons allowed to request copies of a patient's medical records from a provider to include a party to a civil lawsuit requesting records pursuant to subsection (c) of Code section 9-11-34. The bill also mandates that records be delivered electronically unless physical copies are specifically requested. The bill outlines fines for failure to deliver requested records and sets a flat fee of \$26.50. This bill remains in the Senate Health and Human Services Committee.
- [SB 201](#), by Sen. Jeff Mullis (R-Chickamauga), proposes to provide that any person who is undertaking to promote or oppose a matter before a local coordinating entity regarding the Emergency Medical Systems Communications Program are subject to transparency and lobbyist disclosures in O.C.G.A. § 21-5-70. This bill remains in the Senate Ethics Committee.
- [SB 223](#), authored by Sen. Jeff Mullis (R-Chickamauga), adds in O.C.G.A. § 16-13-123 to prohibit access to kratom for persons under 18 years of age. It also provides for labeling requirements and criminalizes distribution of kratom to persons under 18 in O.C.G.A. § 16-13-124. The bill remains in the Senate Health and Human Services Committee. See [HB 551](#) which regulates sales of Kratom. It was passed and signed by Governor Kemp on April 26, 2019 as Act Number 59.
- [SB 274](#), authored by Sen. Nan Orrock (D-Atlanta), amends Title 31 to create the Advisory Council on Rare Diseases. The bill defines "rare disease" as the definition provided in 21 U.S.C. Sec 360bb. The new Advisory Council will be housed within an academic research institution in Georgia that has a dedicated focus on rare disease research or has received grant funding to support the advancement of rare disease research that is approved by the Department of Public Health. The bill also provides for the membership and duties of the council. This bill remains in the Senate Health and Human Services Committee.

Insurance

- [HB 84](#), authored by Rep. Richard Smith (R-Columbus), proposes a new Chapter 20E in Title 33 so as to provide for consumer protections regarding health insurance and the provision of non-emergency services. Specifically, the bill

requires providers to disclose participation agreements, affiliated hospitals, costs of services, and affiliated providers to patients upon request. The bill also requires hospitals to publish standard charges for DRGs, in-network health care plans, and providers with which they have contracted. Under the bill, insurers must provide enrollees with a variety of information regarding care access, out-of-network services, and claims processes. The bill further proposes an arbitration process for patients to dispute hospital or provider bills. This bill was defeated on the House Floor with a vote of 77-78 on March 7, 2019.

- [HB 246](#), authored by Rep. Deborah Silcox (R-Sandy Springs), creates O.C.G.A. § 33-1-26 to revise the way that depositions taken at the instance of the state are paid. This bill passed the Senate by Substitute and never received a vote to agree from the House.
- [HB 385](#), authored by Rep. Lee Hawkins (R-Gainesville), amends O.C.G.A. § 33-24-57.1 to require that a statement indicating that a subscriber's health policy is fully insured is included on a subscriber's health insurance identification card and adds dental insurers to the list of applicable insurers. This bill remains in the House Insurance Committee. See [SB 142](#) which was passed and signed on May 7, 2019 by Governor Kemp as Act Number 282. The Act takes effect on July 1, 2019.
- [HB 672](#), authored by Rep. Jesse Petrea (R-Savannah), proposes to create the "Free Market Solutions to Insure All Georgians Act" at O.C.G.A. § 33-29-1 et seq. The bill creates the Georgia Health Insurance Assignment System, in which all licensed health insurers must participate, that will allow interested individuals to be assigned to a health insurer and be eligible to purchase a standard health benefit plan developed by the Department of Insurance. The bill also establishes the "Georgia Preexisting Condition Individual High Risk Pool" to provide for coverage of individuals who have been denied coverage. The bill remains in the House Insurance Committee.
- [HB 677](#), authored by Rep. Deborah Silcox (R-Sandy Springs), creates the "Consumer Coverage and Protection for Out-of-Network Medical Care Act." Specifically, the bill proposes a new Chapter 20E in Title 33 to establish standards for insurers and health care providers with regard to payment under a health benefit plan in the provision of emergency medical services. The bill requires physicians to provide information of any health care provider that the office or surgery center utilizes for the provision of anesthesiology, laboratory, pathology, or assistant surgeon services in connection with care to be provided

by the physician's office or an ambulatory surgery center own by the physician at least 48 hours before the provision of services where possible. The bill also requires hospitals to make public information regarding standard charges along with a statement physician services provided in the hospital may not be included in the hospital's charges. Requirements for insurers under the bill include providing a covered person with information regarding services and charges from physicians not within the insurer's network. The bill also contains information and requirements for out-of-network billing. The bill remains in the House Insurance Committee.

- [HB 716](#), authored by Rep. Shaw Blackmon (R-Perry), seeks to amend O.C.G.A. § 33-24-59.23 so as to provide that health insurance carriers issuing a health benefit plan in the state through an agent is required to file proposed commission rates with the Department of Insurance and requires that carriers which do not pay commissions during special enrollments will be required on policy renewals to pay such commissions along with renewal commissions. If passed next year, it takes effect January 1, 2021. This bill remains in the House Insurance Committee.
- [SB 28](#), authored by Sen. Lester Jackson (D-Savannah), creates O.C.G.A. § 33-24-59.25 to prohibit insurers from charging a higher copayment, coinsurance, or office visit charge for services rendered by a physical therapist, occupational therapist, or chiropractor than that charged for a primary care physician or osteopath. The bill remains in the Senate Health and Human Services Committee.
- [SB 56](#), authored by Sen. Chuck Hufstetler (R-Rome), is the "Consumer Coverage and Protection for Out-of Network Medical Care Act". The bill amends Title 33 to establish standards for carriers and health care providers with regard to payment under a managed care plan in the provision of emergency medical care, typically referred to as "balanced billing". The bill also provides for patient, or prospective patient, and insurer disclosures, as well as requirements for managed care plan contracts between carriers and covered persons. This bill remains in the House Insurance Committee.
- [SB 90](#), authored by Sen. Zahra Karinshak (D-Dunwoody), O.C.G.A. § 33-24-59.25 to require insurers to cover emergency medical care services that are provided for a medical condition of a recent onset and severity, including, but not limited to, severe pain that would lead a prudent layperson, possessing an average knowledge of medicine and health, to believe that his or her condition,

sickness or injury is of such a nature that a failure to obtain immediate medical care would result in: A) placing the patient's health in serious jeopardy; B) serious impairment to bodily functions; or C) serious dysfunction of any bodily organ part. This bill remains in the Senate Health and Human Services Committee.

- [SB 145](#), authored by Sen. Marty Harbin (R-Tyrone), requires in O.C.G.A. § 33-20E-2 that insurers develop selection standards for provider participation. The bill also requires in O.C.G.A. § 33-20E-3 that insurers must provide a provider that is participating in one or more of its tiered networks with a complete list of all network plans and products offered to consumers. The insurer must provide this information within 30 days upon request, but no more than quarterly. The bill mandates within O.C.G.A. § 33-20E-4 that insurers cannot terminate a provider nor place a provider in a tiered network without 60 days' written notice. This bill remains in the Senate Insurance and Labor Committee.
- [SB 188](#), by Sen. Larry Walker, III (R-Perry), addresses reinsurance of risks in O.C.G.A. 33-7-14 and provides for the incorporation of the National Association of Insurance Commissioners reinsurance model law into the Georgia Insurance Code. It outlines that credit shall be allowed when the reinsurance is ceded to an assuming insurer which meets certain conditions (including determining if the insurer has its head office or domiciled and licensed in a jurisdiction that has been recognized as a reciprocal jurisdiction by the Commissioner of Insurance and assuming that the insurer has and maintains on an ongoing basis minimum capital and surplus, or its equivalent, etc.). This bill remains in the House Insurance Committee.
- [SB 192](#), by Sen. Burt Jones (R-Jackson), seeks to extensively revise Chapter 41 of Title 33 regarding captive insurance companies. This bill was tabled on the Senate Floor on March 5, 2019.
- [SB 195](#), by Sen. Chuck Hufstetler (R-Rome), provides a framework for regulating the offering of travel insurance within Chapter 23 of Title 33. This bill originally pertained to prescription drug benefit programs, with the travel insurance language being added in the House Insurance Committee. The Senate failed to agree to the changes and the bill failed to pass.
- [SB 206](#), authored by Sen. Jen Jordan (D-Atlanta), proposes to add language in O.C.G.A. § 33-24-59.25 so as to stipulate that no short-term health benefit plan

may define 'preexisting condition' in a manner which is more restrictive than the following:

- Preexisting condition means the existence of symptoms which would cause an ordinary prudent person to seek diagnosis, care, or treatment; or
- A condition for which medical advice or treatment was recommended by or received from a provider of health care services, within six months preceding the effective date of coverage of an insured person. The condition at issue must be the ultimate condition for which medical advice or treatment was recommended by or received from a provider of health care services and excludes any preventive services.

This bill remains in the Senate Health and Human Services Committee.

Local Control

- [SB 172](#), authored by Sen. John Wilkinson (R-Toccoa), adds a new code section at O.C.G.A § 8-2-5 to add new definitions to the broad definition of building to include building design element, state minimum standard codes, zoning decision, and zoning ordinance. Further, the bill amends the definition of 'zoning' in O.C.G.A § 36-66-3 to enumerate the specific elements of zoning that a local government can regulate. This bill remains in the Senate Government Oversight Committee.

Low THC – Medical Cannabis

- [SB 232](#), by Sen. Sheikh Rahman (D-Duluth), offers this legislation to repeal Georgia's law on Low THC Oil Patient Registry in O.C.G.A. § 31-2A-18. It also proposes creating the "Controlled Substances Therapeutic Relief Act" in Chapter 34 of Title 43 allowing medical marijuana for qualifying patients (someone who has been diagnosed by a physician as having a debilitating medical condition). The legislation defines "debilitating medical condition" as one or more of the following: "A) cancer, glaucoma, positive status for human immunodeficiency virus, acquired immune deficiency syndrome, hepatitis C, amyotrophic lateral sclerosis, Crohn's disease, agitation of Alzheimer's disease, post-traumatic stress disorder, or the treatment of such conditions; B) a chronic or debilitating disease or medical condition or its treatment that produces one or more of the following: cachexia or wasting syndrome, severe and chronic pain, severe nausea, seizures, including those characteristic of epilepsy, or severe and

persistent muscle spasms, including those characteristic of multiple sclerosis, or CO any other medical condition or its treatment added by the department pursuant to Code Section 43-34-123.” They would be allowed two ounces of usable marijuana during a 14-day period. This program would be overseen by the Department of Public Health and would have an established registry. It also proposes that the Department of Revenue allow for the creation of a minimum of three in-state medical marijuana dispensaries. This bill remains in the Senate Health and Human Services Committee. See [HB 324](#), “Georgia’s Hemp Act” passed and signed by Governor Kemp as Act Number 27.

Medicaid/Medicaid Expansion

- [HB 37](#), authored by Rep. Robert Trammell (D-Luthersville), proposes to enact the “Expand Medicaid Now Act.” The bill seeks to add a new Code section at O.C.G.A. § 49-4-159 to authorize appropriations for the purpose of accessing additional federal funds and expanding Medicaid in Georgia with the maximum amount of 138 percent of the federal poverty level. The bill received a hearing but remains in the House Appropriations Committee.
- [HB 158](#), authored by Rep. Deborah Silcox (R-Sandy Springs), proposes to add in O.C.G.A. § 49-4-159 that Medicaid recipients are required to have the same access to antiretroviral treatments used to treat HIV/AIDS as to those included in the formulary established for the Georgia AIDS Drug Assistance Program. It further proposes to require that the Department of Community Health add to its drug list any new antiretroviral regimen, including any single-tablet regimen, no later than 30 days after such regimen has been added to the formulary established under the Georgia AIDS Drug Assistance Program and also proposes to prohibit the Department from using any utilization management tool (e.g. preferred drug list, prior authorization or step edits) for any antiretroviral regimens, including single-tablet regimens, used to treat HIV and AIDS. This bill passed out of the House and remains in the Senate Health and Human Services Committee.
- [HB 693](#), authored by Rep. Renitta Shannon (D-Decatur), creates O.C.G.A. § 49-4-159. to require the Department of Community Health to allow mothers giving birth to newborns to retain Medicaid eligibility for one year following such birth. The bill remains in the House Appropriations Committee.
- [SB 3](#), authored by Senator Michael Rhett (D-Marietta), creates O.C.G.A. § 49-4-159 to provide for a program of premium assistance for qualified health care

plans. The assistance program would require up to five (5) percent of their personal income as a personal responsibility premium. This legislation also creates a Legislative Oversight Committee for Health Care Premium Assistance consisting of eight (8) total members: three (3) from the House, three (3) from the Senate, appointed by the Speaker of the House and President of the Senate, respectively, and one (1) each from the House and Senate appointed by the Governor. The bill remains in the Senate Health and Human Services Committee.

- [SB 36](#), authored by Sen. Steve Henson (D-Stone Mountain), creates O.C.G.A. § 49-4-142.3 to authorize appropriations for the purpose of obtaining federal financial participation for medical assistance payments to Medicaid providers pursuant to the Patient Protection and Affordable Care Act. This act will not allow appropriations for this purpose unless federal payments provide for 90% or more of the funding. This bill remains in the Senate Health and Human Services Committee.
- [SB 258](#), authored by Sen. Emanuel Jones (D-Decatur), proposes to require in O.C.G.A. § 49-4-159 the Department of Community Health to allow mothers giving birth to newborns to retain Medicaid eligibility for one year following such birth. This bill remains in the Senate Health and Human Services Committee.

Mental Health

- [HB 178](#), authored by Rep. Don Hogan (R-St. Simon's Island), amends Chapter 3 of Title 37 to create a unit within the Department of Behavioral Health and Developmental Disability to provide supervision, support, and coordination to assisted outpatient treatment programs that provide court-ordered treatment services. The bill also creates an advisory council for these programs in O.C.G.A. § 37-3-182 and provides for a pilot program and training and education for service providers. This bill remains in the House Health and Human Services Committee.
- [HB 229](#), authored by Rep. Debbie Buckner (D-Junction City), amends O.C.G.A. § 35-3-34. It removes the Georgia Crime Information Center's current requirement to purge a patient's records, who have been involuntary hospitalized, five years from the completion of that individual's hospitalization. This bill remains in the House Judiciary Committee.

- [HB 524](#), authored by Rep. David Stover (R-Newnan), amends Chapter 2 of Title 37 to provide for a foundation to fund the Georgia Apex Program through the Office of Children, Young Adults, and Families by adding a new Code Section: O.C.G.A. § 37-2-6.6. The foundation shall be known as the Public School Mental Health Services Foundation. The bill also provides for the tax credits associated with donations to the foundation by citizens by creating O.C.G.A. § 48-7-29.22. This bill remains in the House Ways and Means Committee.
- [HB 544](#), authored by Rep. Chuck Efstration (R-Dacula), amends Title 37 to change rules regarding the treatment of individuals suffering from alcoholism or drug abuse. The bill allows physicians treating individuals under 48 hour emergency to prevent the patients voluntary discharge based on information including mental and physical appearance, information in affidavits provided in subsection (b) of Code section 37-7-41 or other documentation accompanying the patient. If an individual is discharged, the court shall immediately notify the persons who provided affidavits of the discharge and any court ordered treatment plan according to O.C.G.A. § 37-7-43. This bill remains in the House Judiciary Committee.
- [HB 580](#), authored by Rep. Matthew Wilson (D-Brookhaven), creates O.C.G.A. § 43-10A-22.1, § 43-34-22.1, and § 43-39-6.1 to outlaw the practice of conversion therapy from being performed on individuals under the age of 18 by any licensed professional. This bill remains in the House Regulated Industries Committee.

Motor Vehicles

- [HB 106](#), authored by Rep. Sandra Scott (D-Rex), creates O.C.G.A. § 40-5-10 to require the Department of Driver Services to provide best practices for safety of all parties during a traffic stop in all future manuals issued by the department. This bill remains in the House Judiciary Non-Civil Committee.
- [HB 113](#), authored by Rep. John Carson (R-Marietta), amends O.C.G.A. § 40-5-24 to widen the class of drivers prohibited from using telecommunications devices while operating a vehicle to include holders of instructional permits and Class D driver's licenses. The bill also revises rules related to acquiring driver's license. This bill was remains in the House Public Safety and Homeland Security Committee.
- [HB 205](#), authored by Rep. Billy Mitchell (D-Stone Mountain), amends Chapter 5 of Title 40 by adding O.C.G.A. § 40-5-10 and amending O.C.G.A. § 40-5-27 to

require the Department of Driver Services, in any republication of its drivers' manual, to include instructions for best practices for facilitating the safety of all parties during a traffic stop by law enforcement. This bill remains in the House Public Safety and Homeland Security Committee.

- [HB 342](#), authored by Rep. Matt Dollar (R-Marietta), creates O.C.G.A § 44-1A-2 which makes it illegal to use a vehicle immobilization device on parked motor vehicles unless authorized by a governing authority of a county or municipal corporation. These devices may be used on private property as provided in the bill. The bill outlines a permitting process for operators of vehicle immobilization devices. This bill remains in the Senate Rules Committee.
- [HB 354](#), authored by Rep. Pedro Marin (D-Duluth), amends O.C.G.A. § 40-2-74.1 to stipulate that parking permits for individuals with disabilities must include a recent photograph of the individual. This bill remains in the House Motor Vehicles Committee.
- [HB 398](#), authored by Rep. Michael Smith (D-Marietta), amends O.C.G.A. § 40-6-144 and O.C.G.A. § 40-6-371 to allow local authorities to regulate the use of bicycles on sidewalks by individuals under the age of 16 or with disabilities. This bill remains in the House Transportation Committee.
- [HB 415](#), authored by Rep. Gregg Kennard (D-Lawrenceville), creates O.C.G.A. § 40-5-106 to require that the Department of Driver Services issue an identification card to any persons that has completed a sentence of incarceration and does not have a driver's license, personal identification card, or other identification card. This bill remains in the House Public Safety and Homeland Security Committee.
- [SB 24](#), authored by Senator Donzella James (D-Atlanta), O.C.G.A. § 40-2-20 to require motor vehicle registration of electric personal assistive mobility devices unless operated by an individual possessing a valid handicapped parking permit. This bill remains in the Senate Public Safety Committee.
- [SB 148](#), authored by Sen. Randy Robertson (R-Cataula), amends Title 40 to change the provisions relating to seatbelts. The bill changes language in O.C.G.A. § 40-8-76 to allow for violation of the Code section to be admissible evidence in any civil action along with allowing a violation to result in an increase of insurance rates. The bill strikes language in O.C.G.A. § 40-8-76.1 that allows occupants in the back seat of a car to not wear a seatbelt. This bill remains in the Senate Judiciary Committee.

- [SB 160](#), authored by Sen. Tonya Anderson (D-Lithonia), amends Title 40 in O.C.G.A. § 40-8-76.1 (b) and (e) to require that all occupants of a vehicle, regardless of their location in the vehicle, to wear a seatbelt. Current Georgia law allows occupants not in the front seat of a vehicle to not wear a seatbelt. This bill was referred to the Senate Public Safety Committee.

Pharmacy

- [HR 725](#), authored by Rep. Sharon Cooper (R-Marietta), recognizes the policy recommendation of co-prescribing naloxone with opioid prescriptions to help minimize the opioid epidemic in Georgia. This Resolution remains in the House Health and Human Services Committee.

Professions/Licensure

- [HB 214](#), authored by Rep. Ron Stephens (R-Savannah), proposes to changes to O.C.G.A. § 43-34-26.1 so as to remove the geographic limitation relating to vaccine protocol agreements entered into by physicians with pharmacists. This bill passed out favorably from the House Health and Human Services Committee but was recommitted to that Committee by the House Rules Committee on April 2, 2019. See [SB 215](#) which was passed and signed by Governor Kemp on May 6, 2019 as Act Number 156. That Act takes effect on July 1, 2019.
- [HB 317](#), authored by Rep. Dewayne Hill (R-Ringgold), amends O.C.G.A. § 43-17-8.2(b) to transfer the jurisdiction of a petition to remove sanitary collection receptacles from superior courts to local and municipal courts. This bill was recommitted to the House Judiciary Committee where it remains.
- [HB 330](#), authored by Rep. Rick Williams (R-Milledgeville), proposes changes to Titles 14 and 43 to address the practice of podiatry. The bill seeks to allow podiatrists to organize and join a professional association with other physicians as they are currently prohibited from doing. It also proposes to permit them to perform surgery under conscious sedation in a licensed hospital or ambulatory surgery center when that conscious sedation is administered by a certified registered nurse anesthetist under the direction of a duly licensed podiatrist or other duly licensed physician. The bill also changes the definitions of “podiatric medicine” (the types of procedures performed) and “podiatrist” (to mean a doctor of the foot, ankle, or leg). Previously the definition for podiatrist only covered the foot and leg. The bill also seeks to authorize the State Board of Podiatry

Examiners to conduct fingerprint-based criminal background checks of applicants for licensure. This bill remains in the House Health and Human Services Committee.

- [HB 370](#), authored by Rep. Sharon Cooper (R-Marietta), proposes to amend O.C.G.A. § 43-34-25(g)(10) to provide that advanced practice registered nurses, working for an emergency medical services system operated by or on behalf of any county, municipality or hospital authority with a full-time physician medical director, may order up to a 14 day supply of non-narcotic drugs as necessary in an emergency situation. This permission would exclude Schedule II controlled substances and benzodiazepines. It also proposes that an advanced practice registered nurse is prohibited from ordering radiographic imaging, diagnostic studies, or medical devices and it seeks to require that the advanced practice registered nurse is to refer the patient to a physician or a federally qualified health center. This bill received a favorable recommendation from the House Health and Human Services Committee but never made it to the House Floor. It was recommitted to the House Health and Human Services Committee. [This language was included in SB 168 which was passed and signed as Act Number 48. [See SB 168.](#)]
- [HB 409](#), authored by Rep. Alan Powell (R-Alan Powell), amends O.C.G.A. § 43-34-25 to remove life threatening situation radiographic imaging testing from the list of approved nurse protocol agreement procedures. The bill also increases the number of advanced practice nurses a physician can enter into nurse protocol agreements with from four to eight. However, the bill stipulates that a physician can only supervise four advanced practice nurses at any given time. This bill remains in the House Special Committee on Access to Quality Healthcare.
- [HB 629](#), authored by Rep. Scott Holcomb (D-Atlanta), amends Chapter 34 of Title 43 to provide for the refusal, suspension, or revocation of the license of a physician who has committed a sexual assault on a patient. The bill also requires mandatory reporting by health care professionals who have reasonable cause to believe that a physician has committed a sexual assault on a patient. The bill remains in the House Health and Human Services Committee.
- [HB 700](#), authored by Rep. Matt Dollar (R-Marietta), amends Chapter 34 of Title 43 to create licensing procedures and requirements for surgical assistants. The bill provides definitions for surgical assistants and delineates the types of procedures they shall be allowed to perform. The bill also outlines how the Georgia Composite Medical Board must implement the new licensing process,

along with how and why the Board may revoke a license. Lastly, the bill requires the Board to appoint an advisory committee. This bill remains in the House Health and Human Services Committee.

- [HB 704](#), authored by Rep. Jan Tankersley (R-Brooklet), creates a new Georgia Board of Recreational Therapy within the Secretary of State's office by creating a new Code Section: O.C.G.A. § 43-40A-2. The bill also provides the requirements to become licensed as a recreational therapist. This bill remains in the House Regulated Industries Committee.
- [HB 717](#), authored by Rep. Karen Mathiak (R-Griffin), relates to the practice of midwifery in Chapter 26 in Title 43 and seeks to create the regulation of midwives, in the "Georgia Licensed Midwife Act." Among requirements for licensure is a national certification, which would be approved by the board, such as the North American Registry of Midwives and having attended an education program or pathway accredited by the Midwifery Education and Accreditation Council. It would also create an "Advisory Board for Licensed Midwives." This bill remains in the House Health and Human Services Committee.
- [SB 76](#), authored by Sen. Ellis Black (R-Valdosta), proposes changes to Chapter 26 of Title 43 so as to replace the term of "veterinary technician" with "registered veterinary nurse. It seeks to define a "registered veterinary nurse" as a "licensed person who engages in the practice of veterinary technology and on the basis of his or her qualifications is validly and currently licensed by the board for such purpose." It also reenact the State Board of Veterinary Medicine so as to add these nurses. This bill remains in the Senate Rules Committee.
- [SB 109](#), authored by Sen. Larry Walker (R-Perry), amends O.C.G.A. § 43-34-25 to remove life threatening situation radiographic imaging testing from the list of approved nurse protocol agreement procedures. The bill also increases the number of advanced practice nurses a physician can enter into nurse protocol agreements with from four to eight. However, the bill stipulates that a physician can only supervise four advanced practice nurses at any given time. This bill was tabled on the Senate Floor on March 5, 2019.
- [SB 204](#), by Sen. Gloria Butler (D-Stone Mountain), addresses Chapter 4B of Title 43 pertaining to the Georgia Athletic and Entertainment Commission, changing provisions relating to boxing, wrestling, an martial art associations and federations to remove certain organizations from the definition of "amateur." This bill remains in the Senate Economic Development Committee.

- [SB 267](#), authored by Sen. Lester Jackson (D-Savannah), repeals Chapter 26 of Title 31 and amends Title 43 by creating a new Chapter 24B, the “Certified Community Midwife Act.” The bill defines who can be considered a certified community midwife in O.C.G.A § 43-24B-2 along with the duties they may perform. The bill also provides for a licensure process for midwives in O.C.G.A § 43-24B-5. This bill remains in the Senate Health and Human Services Committee.

Property

- [SB 178](#), authored by Sen. P.K. Martin, IV (R-Lawrenceville), provides for statements of account under the “Georgia Condominium Act” and the “Georgia Property Owners’ Association Act” in Chapter 3 of Title 44 and when such are to be obtained by a mortgage lender. It outlines who is authorized to complete such statement of account and the information which is to be contained regarding the lot for which the request has been made. The legislation does propose a statutory form for such purpose. This bill was tabled on the Senate Floor.

State Government

- [HB 14](#), authored by Rep. Sandra Scott (D-Rex), is the “Georgia Lottery for Assistance of Homeless Military Veterans Act.” The bill creates O.C.G.A. § 50-27-121 to provide that the Georgia Lottery Corporation shall offer one or more games to benefit homeless military veterans. This bill remains in the House Appropriations Committee.
- [HB 24](#), authored by Rep. Vernon Jones (D-Lithonia), creates O.C.G.A. § 45-1-7 to require that all members of state and local boards, authorities, commissions, or similar entities be appointed or elected by an elected official of the state or subdivision of the state, or by grand juries. This bill was recommitted to the Governmental Affairs Committee where it remains.
- [HB 175](#), authored by Rep. Renitta Shannon (D-Atlanta), amends O.C.G.A § 50-3-1 to remove language protecting monuments or memorials dedicated to the Confederate States of America. The bill also prevents any monument or other memorial, statue, plaque, or marker dedicated to the Confederate States of America or any members of its military from being displayed on state property unless housed in a museum. This bill remains in the House Governmental Affairs Committee. See [SB 77](#), authored by Sen. Jeff Mullis (R-Chickamauga), which was passed and signed by Governor Kemp on April 26, 2019 as Act Number 57.

- [HB 180](#), authored by Rep. Michael Caldwell (R-Woodstock), amends various Titles to repeal provisions creating inactive boards, panels, authorities, centers, commissions, committees, councils, task forces, and other such bodies. This bill was recommitted to the House Code Revision Committee where it remains. [See HB 553](#) which was passed and signed by Governor Kemp on May 7, 2019 as Act Number 296; it takes effect on July 1, 2019.
- [HB 262](#), authored by Rep. Sheila Nelson (D-Augusta), amends O.C.G.A. § 45-16-21 to add death under compensated care to the list of deaths that require law enforcement to notify medical examiners and/or coroners. This bill remains in the House Government Affairs Committee.
- [HB 308](#), authored by Rep. Jason Ridley (R-Chatsworth), amends O.C.G.A. § 50-18-72 by adding a new subsection (e) to prevent any agency from entering into an agreement with a private entity that would allow for public records to be held exclusively by that private entity. This bill remains in the House Government Affairs Committee.
- [HB 628](#), authored by Rep. Wes Cantrell (R-Woodstock), creates O.C.G.A. § 50-1-10 to provide that Georgia shall at all times observe the standard time of the United States and exempt Georgia from the daylight savings advancement of time provisions of the United States Code. The bill remains in the House State Planning and Community Affairs Committee.
- [HB 630](#), authored by Rep. Wes Cantrell (R-Woodstock), creates O.C.G.A. § 50-1-10 to provide that Georgia shall observe daylight savings time year round only if allowed by Congress. The bill remains in the House State Planning and Community Affairs Committee
- [HB 709](#), authored by Rep. Wes Cantrell (R-Woodstock), calls for a the holding of a nonbinding, advisory referendum election to gauge public opinion of daylight saving time. The referendum would provide options to 1) continue switching between standard time and daylight saving time; 2) observe standard time year round; and 3) observe daylight saving time year round (if authorized by Congress). This bill remains in the House State Planning and Community Affairs Committee.
- [SB 81](#), authored by Sen. Valencia Seay (D-Riverdale), amends Title 45 to change the compensation of the members of the General Assembly. This bill calls for members to receive an annual salary equivalent to the median annual

household income in the State of Georgia in O.C.G.A. § 45-7-4 (a)(22) and (b). This bill remains in the Senate Government Oversight Committee.

- [SB 131](#), authored by Sen. Burt Jones (R-Jackson), creates the Major Airport Legislative Oversight Committee in O.C.G.A § 6-3-35. The committee is mandated to periodically inquire into and review the operations, contracts, safety, financing, organization, and structure of commercial airports. The bill also contains language for an extension of the jet fuel tax in O.C.G.A § 48-8-3.5. The bill also contains a new Code section O.C.G.A § 48-8-67.1 to add a new tax on for-hire ground transportation for the purpose of funding transit and transit projects as defined in O.C.G.A § 48-8-269.40 and 50-31-2. This bill also seeks to further update regulations of the Atlanta-region Transit Link Authority. This bill passed the House by Substitute but the Senate did not vote to agree to the changes made in the House. Thus, the legislation failed to pass.
- [SB 221](#), authored by Sen. Marty Harbin (R-Tyrone), is the "The Religious Freedom Restoration Act." The bill adds at O.C.G.A. § 50-15A-3 to provide that the State government may only substantially burden a person's exercise of religion if it is in furtherance of a compelling government interest and it is the least restrictive means of furthering that compelling interest. The bill also creates O.C.G.A. § 50-21-38 which provides for a waiver of sovereign immunity provided that it is not waived for any claim for monetary damages or expenses of litigation that are included in or related to such claim, counterclaim, cross-claim, or third party claim. This bill remains in the Senate Judiciary Committee.
- [SB 231](#), by Sen. Randy Robertson (R-Cataula), addresses call center operations in Chapter 7 of Title 50. It requires that an employer which intends to relocate a call center (a place of 50 or more employees (excluding part time) or who in the aggregate work at least 1,500 hours each week (excluding overtime). This also applies to a call center which has one or more facilities or operating units within such call center. The employer is to notify the commissioner of the Department of Economic Development at least 120 days prior to such relocation if those calls consist of at least 30 percent of that call center's total volume when measured against the previous 12 month average call volume. Failure to do so can result in the Commissioner of the Department of Economic Development notifying the Attorney General who is required commence an action for a civil penalty against that employer and assess a penalty of not more than \$10,000.00 for each day that the employer fails to provide appropriate notice. Further, the Commissioner of the Department of Economic Development is to comprise a list of each such employer which relocates a call center and the Commissioner then notifies each

state agency and political subdivision of the state that provides the employers on such list with any grants, loans or tax credits – those employers are then ineligible from receiving any grants, loans or tax credits for five years from the date of the relocation. It does allow a process for the Commissioner to waive the disqualification in certain instances. This bill remains in the Senate Economic Development & Tourism Committee.

- [SR 459](#), authored by Sen. Jeff Mullis (R-Chickamauga), requests that all persons testifying before the Senate tell the truth and provides for bans on persons found to have lied to the Senate from providing testimony to the Senate for the remainder of the legislative session. This resolution remains in the Senate Ethics Committee.

Taxation

- [HB 7](#), authored by Rep. Jesse Petrea (R-Savannah), amends O.C.G.A. § 48-7-27 to create an income tax exemption for income received as retirement benefits from military service. This bill remains in the Ways and Means Committee.
- [HB 8](#), authored by Rep. Debbie Buckner (D-Junction City), proposes to amend O.C.G.A. § 48-8-3(50) to create a sales and use tax exemption for sales of certain menstrual products. This bill remains in the House Ways and Means Committee.
- [HB 85](#), authored by Rep. Penny Houston (R-Nashville), amends O.C.G.A. § 48-8-3 to create a tax exemption for sales to blood banks and organ procurement organizations. The bill also requires that organ procurement organizations which receive exemptions under the Code section must submit an annual report to the Department of Community Health including the number of donors and transplants facilities in the organization's fiscal year. The bill also creates a tax exemption, under the same Code section, for initiation and membership charges from clubs that provide access to facilities designed to enhance physical fitness or shooting sports. This bill was passed by Substitute in the Senate and the House disagreed to the Senate language. Thus, the bill failed to pass.
- [HB 102](#), authored by Rep. Chuck Martin (R-Alpharetta), amends O.C.G.A. § 48-5-41 to allow exemption from property taxation for property owned by nonprofit organizations and operated for the primary or incidental purpose of securing income so long as the income is used exclusively for the operation of the charitable institution. This bill remains in the House Ways and Means Committee.

- [HB 105](#), authored by Rep. Sam Watson (R-Moultrie), amends O.C.G.A. § 48-7-27 (a) to provide an income tax exemption for income received as payments from a disaster relief program administered by the US Department of Agriculture relating to Hurricane Michael. This bill remains in the Senate Finance Committee.
- [HB 132](#), authored by Rep. Bruce Williamson (R-Monroe), amends O.C.G.A. § 48-7-42 (c) to permit affiliated entities to apply certain transferable tax credits against payroll withholding. This bill remains in the Senate Finance Committee.
- [HB 170](#), authored by Rep. Darlene Taylor (R-Thomasville), amends O.C.G.A. § 48-7-29.21 to raise the aggregate amount of education donation tax credits from \$5 million to \$15 million. This bill remains in the House Ways and Means Committee.
- [HB 204](#), authored by Rep. Billy Mitchell (D-Stone Mountain), amends O.C.G.A. § 48-8-3 to provide a sales and use tax exemption for sales of veterinary medications. This bill remains in the House Ways and Means Committee.
- [HB 276](#), authored by Rep. Brett Harrell (R-Snellville), amends O.C.G.A. § 48-8-2 to create a definition for ‘Marketplace Facilitator’ as a person that contracts with a marketplace seller to make available or facilitate retail sales that are taxable for a marketplace seller in exchange for any form of consideration, by directly, or indirectly from a related member or any agreement or arrangement of third parties. The bill also amends O.C.G.A. § 48-8-3 to create a sales and use tax for purchases of transportation services including rideshare services. This bill was passed by Substitute by the Senate and disagreed to by the House. The differences were not reconciled before the end of the session. Thus, the bill failed.
- [HB 313](#), authored by Rep. Spencer Frye (D-Athens), amends O.C.G.A. § 48-5-41 to create a property tax exemption for property owned by 501(c)(3) charities if the property is held by the charity for the purpose of building or repairing single family homes which are financed by the charity to individuals using loans that bear no interest. This bill remains in the House Ways and Means Committee.
- [HB 333](#), authored by Rep. John Corbett (R-Lake Park), amends O.C.G.A. § 48-7-40 to address the development of rural counties through the preparation of a listing by the Department of Community Affairs or counties in the state with populations of less than 50,000 with 10% or more of the population living in

poverty. It also defines a “target wage.” It allows an additional \$500 credit for a new full-time job created in a county which is designated as a tier 1 or tier 2 county and has a population of 50,000 or less with 10% or more in poverty. The new credits would apply to tax years beginning on or after January 1, 2020. This bill remains in the House Ways and Means Committee.

- [HB 365](#), authored by Rep. Shaw Blackmon (Bonaire), creates Article 8 in Chapter 13 of Title 48 to create an excise tax of 50¢ for any for-hire ground transport trip and 25¢ for any shared for-hire ground transport trip in O.C.G.A § 48-13-142. The House agreed to a Senate Substitute as Amended by the House. This final version was not approved by the Senate. Thus, the bill failed.
- [HB 447](#), authored by Rep. Dominic LaRiccia (R-Douglas), began in the House as a partial extension of the jet fuel sales tax exemption through FY2039 which would have imposed a half cent excise tax per gallon of jet fuel. The bill was modified in the Senate to include airport authority language. This language would create the Georgia Major Airport Authority in O.C.G.A § 6-6-4. The Authority would have the power to administrate airports in the state through making and executing contracts, adopt regulations, finance loans, issue revenue bonds, and enter into agreements with the federal government. This bill remains in the Senate Rules Committee.
- [HB 451](#), by Rep. Houston Gaines (R-Athens), addresses the procedures, conditions and limitations relating to tax credits for rehabilitation of historic structures in Chapter 7 of Title 48. There is a process for preapproval of additional tax credits for current recipients of tax credits. This bill remains in the House Ways and Means Committee.
- [HB 533](#), authored by Rep. Jeff Jones (R-Brunswick), amends Title 48 by adding a new Code section at 48-7-29.22 to create a tax exemption for educators for certain education related expenses. This bill remains in the House Ways and Means Committee.
- [HR 164](#), authored by Rep. Jay Powell (R-Camilla), proposes an amendment to the constitution to authorize the General Assembly to dedicate revenues derived from fees or taxes to the public purpose for which such fees or taxes were imposed. This resolution was adopted by Substitute in the Senate; but it was never agreed to by the House. Thus, the Resolution failed.

- [HR 327](#), authored by Rep. Ron Stephens (R-Savannah), proposes an amendment to the Constitution to allow the local authorization for a limited number of licensed destination gambling resorts. This resolution was recommitted to the House Economic Development Committee where it remains.
- [HR 380](#), authored by Rep. Craig Gordon (D-Savannah), proposes an amendment to the Constitution to authorize the General Assembly to provide by law for sports betting. This resolution remains in the House Regulated Industries Committee.
- [SB 41](#), authored by Sen. Elena Parent (D-Atlanta), creates an earned income tax credit for individuals that qualify for a federal earned income tax credit under Section 32 of the Internal Revenue Code in O.C.G.A. § 48-7-29.22. The credit would be equal to 10% of the federal tax credit. This bill remains in the Senate Finance Committee.
- [SB 62](#), authored by Sen. Gloria Butler (D-Stone Mountain), provides a 100% tax credit for expenses associated with qualified child and dependent care in O.C.G.A. § 48-7-29.10. This bill remains in the Senate Finance Committee.
- [SB 119](#), authored by Sen. John Albers (R-Roswell), amends O.C.G.A. § 48-8-3 to create a tax exemption for sales to blood banks and organ procurement organizations. The bill also requires that organ procurement organizations which receive exemptions under the Code section must submit an annual report to the Department of Community Health including the number of donors and transplants facilities in the organization's fiscal year. This bill was passed by Substitute in the House but never received a vote in the Senate to agree or disagree with the changes. Thus, the bill failed.
- [SB 144](#), authored by Sen. Lee Anderson (R-Grovetown), amends O.C.G.A. § 48-11-4 to provide for the issuance of special tobacco sales permit for off-premises sales of tobacco products. This bill was recommitted to the House Ways & Means Committee where it remains.
- [SR 435](#), authored by Sen. Randy Robertson (R-Cataula), urges the State of Georgia to increase its cigarette excise tax to offset indigent health care costs. The resolution remains in the Senate Finance Committee.

Torts

- [SB 32](#), authored by Sen. Kay Kirkpatrick (R-Marietta), amends O.C.G.A § 51-1-29 to prevent a person who, in good faith, contacts law enforcement to report what would appear to a prudent person to be a life-endangered dog inside of a locked motor vehicle shall not be liable for civil damages to such vehicle as a result of any act or omission by such person in acting to rescue or attempting to rescue the dog. This bill failed on the House Floor by a vote of 46-108.
- [SB 155](#), authored by Sen. Bill Cowser (R-Athens), stipulates, in O.C.G.A. § 51-12-1.1 that in an action to recover damages resulting from death or injury, only actual amounts paid for health care services or treatment shall be recoverable. This bill remains in the Senate Judiciary Committee.

Voting/Ethics/Elections

- [HB 6](#), authored by Rep. Bob Trammell (D-Luthersville), deletes language in O.C.G.A. § 21-2-234 requiring the Secretary of State to remove inactive electors from the active voter list. This bill remains in the House Governmental Affairs Committee.
- [HB 57](#), authored by Rep. Dar'Shun Kendrick (D-Atlanta), amends Chapter 2 of Title 21 to require that all eligible electors be mailed an absentee ballot for each primary, election, and runoff in which they are eligible to vote. This bill remains in the House Governmental Affairs Committee.
- [HB 117](#), authored by Rep. Roger Bruce (D-Atlanta), amends O.C.G.A. § 21-2-420 to allow a county to permit an elector to vote in any precinct in the county in which that elector is registered. This bill remains in the House Governmental Affairs Committee.
- [HB 191](#), authored by Rep. Dar'shun Kendrick (D-Lithonia), expands rules for the nomination of candidates for public office to include the same rules as candidates for state-wide offices. These changes include lowering the amount of signees on a petition of nomination in O.C.G.A § 21-2-132 from five (5) percent of eligible voters to one (1) percent of the number of voters in the previous election. This bill remains in the House Governmental Affairs Committee.

- [HB 252](#), authored by Rep. Kimberly Alexander (D-Hiram), creates O.C.G.A. § 21-2-224.1 to provide for same day voter registration and voting. This bill remains in the House Government Affairs Committee.
- [HB 270](#), authored by Rep. Jeff Jones (R-Brunswick), amends O.C.G.A. § 21-2-417, concerning acceptable identification form to present to poll workers, so as to prevent driver's licenses or identification cards issued to non-citizens from being acceptable forms of identification for a voter. This bill remains in to the House Government Affairs Committee.
- [HR 345](#), authored by Rep. El-Mahdi Holly (D-Stockbridge), proposes an amendment to the Constitution to allow citizens who are 17 years of age or older to register to vote and vote in elections. This resolution remains in the House Governmental Affairs Committee.
- [HR 369](#), by Rep. Matthew Wilson (D-Brookhaven), proposes an amendment to Georgia's Constitution which would be known as the "Democracy Act." It seeks to provide that legislative and congressional reapportionment be done by an independent nonpartisan 14 member commission instead of the General assembly. It proposes an outline on the commission appointments as well as their duties and responsibilities. This resolution remains in the House Legislative and Congressional Reapportionment Committee.
- [SB 11](#), authored by Sen. Harold Jones II (D-Augusta), removes felonies involving marijuana from the list of offenses for which an individual's right to vote is suspended in O.C.G.A. § 21-2-216. The bill remains in the Senate Judiciary Committee.
- [SB 30](#), authored by Sen. Kay Kirkpatrick (R-Marietta), amends Title 21 to allow for the electronic return of absentee ballots of Uniformed and Overseas Citizens Absentee Voting Act electors in O.C.G.A. § 21-2-384. The bill also repeals O.C.G.A. § 21-2-387 relating to a pilot program for electronic handling of absentee ballots. The bill remains in the Senate Ethics Committee.
- [SB 42](#), authored by Sen. Steve Henson (D-Stone Mountain), amends Title 21 by creating Chapter 6 to enact an agreement between states to elect the President of the United States by national popular vote. This bill remains in the Senate Ethics Committee.

- [SB 147](#), authored by Sen. Emmanuel Jones (D-Decatur), proposes to add in O.C.G.A. § 21-5-77 to make it illegal for an elected official of a local government to register as a lobbyist if they are compensated other than the salary of their elected position. This bill remains in the Senate Ethics Committee.
- [SR 18](#), authored by Senator David Lucas (D-Macon), proposes an amendment to the Georgia Constitution to require that a sitting Secretary of State vacate his or her office upon qualifying for election to another federal, state, county, or municipal elective office. This resolution remains in the Senate Government Oversight Committee.
- [SR 52](#), authored by Sen. Elena Parent (D-Atlanta), proposes an amendment to the Constitution that requires legislative and congressional reapportionment be done by an independent commission instead of the General Assembly. This resolution remains in the Senate Reapportionment and Redistricting Committee.

Study Committees and Councils

- [HR 196](#), authored by Rep. Billy Mitchell (D-Stone Mountain), creates the House Study Committee to Review the Education Equalization Grant. This resolution remains in the House Special Rules Committee.
- [HR 291](#), authored by Rep. Sam Park (D-Lawrenceville), creates the House Study Committee on Increasing Access to Afterschool Programs. This resolution remains in the House Special Rules Committee.
- [HR 305](#), authored by Rep. Jason Ridley (R-Chatsworth), creates the House Study Committee on Special License Plates. This bill remains in the House Special Rules Committee.
- [HR 329](#), by Rep. William Boddie (D-East Point), creates a House Study Committee on Homeowners' Associations, Condominium Owners' Associations and Property Owners In Community Associations. Such study would be conducted by five members of the House of Representatives and the Committee would stand abolished on December 1, 2019. This resolution was recommitted to the House Special Rules Committee where it remains.
- [HR 448](#), authored by Rep. Sharon Cooper (R-Marietta), creates the Joint Study Committee on the Safe Staffing of Nurses in Georgia. This bill was recommitted to the House Health and Human Services, where it remains.

- [HR 592](#), authored by Rep. Lee Hawkins (R-Gainesville), creates the House Study Committee on Health Care Reimbursement. The Study Committee will study the current health care system and the various types of payors and identify any possible changes to such health care system to address the differentials in health care reimbursement. The resolution remains in the House Special Committee on Access to Quality Healthcare.
- [HR 647](#), authored by Rep. Kim Schofield (D-Atlanta), establishes the House Study Committee on Addressing Period (or Menstruation) Poverty in Girls in Elementary, Middle, and High Schools in Need in Georgia. The resolution remains in the House Health and Human Services Committee.
- [HR 680](#), authored by Rep. Doreen Carter (D-Lithonia), creates the House Study Committee on School Nutrition Program Funding. The resolution was recommitted to the House Special Rules Committee where it remains.
- [HR 681](#), authored by Rep. Jasmine Clark (D-Tucker), creates the House Study Committee on the Effects of Mental Health on Gun Violence. The resolution remains in the House Health and Human Services Committee.
- [HR 682](#), authored by Rep. Rick Jasperse (R-Jasper), creates the House Study Committee on Higher Education Outcomes. This resolution remains in the House Higher Education Committee.
- [HR 683](#), authored by Rep. Ron Stephens (R-Savannah), creates the House Study Committee on a Tax Deduction for Members of a Health Care Sharing Organization (HCSO). This bill remains in the House Ways and Means Committee.
- [SR 19](#), authored by Senator Brandon Beach (R-Alpharetta), creates the Georgia Commission on Freight and Logistics. This resolution was recommitted to the House Transportation Committee where it remains. See [SR 318](#) which was adopted
- [SR 87](#), authored by Sen. Elena Parent (D-Atlanta), creates a Senate Study Committee on Digital Education and Screen Time in Georgia Public Schools. This resolution remains in the Senate Rules Committee.
- [SR 193](#), authored by Sen. Greg Kirk (R-Americus), creates the Senate Study Committee on Transferring Oversight of Developmental Disabilities to the

Department of Community Health. This resolution remains in the Senate Rules Committee.

- [SR 194](#), authored by Sen. Greg Kirk (R-Americus), creates the Joint Study Committee on Transferring Oversight of Developmental Disabilities to the Department of Community Health. This resolution remains in the Senate Rules Committee.
- [SR 217](#), authored by Sen. William Ligon (R-Brunswick), creates the Senate Study Committee on Prescribing Patterns for Antidepressants and Other Psychotropic Medications. This resolution remains in the Senate Health and Human Services Committee.
- [SR 263](#), by Sen. Jeff Mullis (R-Chickamauga), creates a Senate Emergency Medical Services Study Committee. This resolution remains in the Senate Rules Committee.
- [SR 264](#), by Sen. Jeff Mullis (R-Chickamauga), creates a Joint Emergency Medical Services Committee. This resolution was recommitted to the House Special Rules Committee where it remains.
- [SR 455](#), authored by Sen. Valencia Seay (D-Riverdale), creates the Senate Study Committee on Adult Changing Stations in Commercial Public Facilities. The resolution remains in the Senate Rules Committee.
- [SR 520](#), authored by Sen. Lester Jackson (D-Savannah), seeks to create the Senate Study Committee on Midwifery Practices. This Study would be conducted by five members of the Senate to be appointed by the President of the Senate. The Committee would be abolished on December 1, 2019. This resolution remains in the Senate Rules Committee.