

HOUSE BUDGET & RESEARCH OFFICE

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HOUSE COMMUNICATIONS

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## TOMORROW'S FORECAST

\* The House will reconvene for its 18th Legislative Day on Thursday, February 6, at 10:00 AM.

\* 5 bills are expected to be debated on the floor.



# GEORGIA HOUSE OF REPRESENTATIVES

Wednesday, February 05, 2014

17th Legislative Day

# *DAILY REPORT*

# 2014

[www.house.ga.gov](http://www.house.ga.gov)

# **TODAY ON THE FLOOR**

Speaker David Ralston gavelled the House into session today, and with the Lt. Governor Casey Cagle convened a joint session of the House and the Senate to receive the first "State of the Judiciary Address" from Chief Justice Hugh P. Thompson.

## **RULES CALENDAR**

### **HB 737 - Alcoholic beverages; malt beverages produced in private residences to be transported to other locations and consumed by the producer and other individuals; allow**

- BILL SUMMARY: HB 737 strikes Code Section 3-3-24.1 relating to the definition of "business establishment primarily engaged in the retail sale of alcoholic beverages in unbroken packages", and the penalty for person violating this code section.

HB 737 allows up to 128 ounces of malt beverages produced in a private residence to be transported to an unlicensed location and consumed by the producer, the owner of the unlicensed location, and any guests present at such location. HB 737 also stipulates that a governing authority must obtain a permit to hold home-brew special events within its jurisdiction.

- **Authored By:** Rep. Brett Harrell of the 106th
- **House Committee:** Regulated Industries
- **Rule:** Modified-Structured
- **Yeas:** 160; **Nays:** 3

### **HB 784 - Alcoholic beverages; local authorization and regulation of sale of alcohol for consumption on the premises on Sundays during the St. Patrick's Day holiday period; allow**

- BILL SUMMARY: HB 784 allows for local authorization and regulation of the sale of alcoholic beverages for consumption on the premises on Sundays during the St. Patrick's Day holiday period.

- **Authored By:** Rep. Ron Stephens of the 164th
- **House Committee:** Regulated Industries
- **Rule:** Modified-Structured
- **Yeas:** 148; **Nays:** 8

### **HB 824 - Banking and finance; term "interest" does not include certain fees agreed upon by financial institution and depositor in written agreement between parties; clarify**

- BILL SUMMARY: This bill clarifies the difference between financial charges and interest. Overdraft and nonsufficient funds, delinquency or default charges, returned payments, stop payment and automated teller machine charges are not to be considered interest.

- **Authored By:** Rep. Richard Smith of the 134th
- **House Committee:** Banks & Banking
- **Rule:** Structured
- **Yeas:** 162; **Nays:** 0

*\* The House will reconvene Thursday, February 6, at 10:00 AM, for its 18th Legislative Day.*

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## **COMMITTEE ON RULES**

**The Committee on Rules has fixed the calendar for the 18th Legislative Day, Thursday, February 6, and bills may be called at the pleasure of the Speaker.**

### **NEXT ON THE FLOOR**

#### **HB 740 - Game and fish; full-time military personnel on active duty and dependents be considered residents of state for procuring certain hunting and fishing licenses; provide**

- BILL SUMMARY: HB 740 amends Code Section 27-1-2, relating to definitions regarding game and fish, by revising the definition of the term 'resident'. For the purpose of issuing or procuring noncommercial hunting and fishing licenses, 'resident' is revised to include all active duty military personnel and their dependents. However, the residency requirements defined in paragraph (5) of subsection (e) of Code Section 27-2-3.1 shall apply for all lifetime licenses, honorary licenses, and the landowner exemption. Also, for military personnel and their dependents, honorary licenses and the landowner exemption shall require a three month domicile requirement.

- **Authored By:** Rep. Kevin Tanner of the 9th

- **House Committee:** Game, Fish, & Parks

- **House Committee Passed:** 2/4/2014

- **Rule:** Modified-Open

#### **HB 786 - Game and fish; Type I nonresident infant lifetime sportsman's license; add**

- BILL SUMMARY: HB 786 amends Code Section 27-2-3.1, relating to hunting licenses, sportsman's licenses, and lifetime sportsman's licenses. The requirements for a nonresident to be considered eligible to acquire a lifetime sportsman's license are revised to allow all individuals less than two years of age. The fee for a nonresident Type I (Infant) license shall be the same as a resident Type I (Infant) license. For the purpose of procuring a lifetime sportsman's license, the term 'resident' is revised; the domicile requirement is changed from 12 months to three months and the requirement of a secondary form of identification is removed. For Type I and Type Y lifetime licenses a copy of a certified copy of a birth certificate shall be required to show age and parentage or a court order or other legal document establishing parental rights to show parentage. A replacement fee of up to \$10.00 shall be required to replace all lost, stolen, or destroyed licenses and the exception for Type S licenses has been removed.

- **Authored By:** Rep. David Knight of the 130th

- **House Committee:** Game, Fish, & Parks

- **House Committee Passed:** 2/4/2014

- **Rule:** Modified-Open

#### **HB 791 - Taxation; redrawing census tracts shall not disqualify a designated military zone as a less developed area; provide**

- BILL SUMMARY: A bill that prevents areas adjacent to designated military zones from losing qualification, as a less developed area, because of redrawing of census tracts.

- **Authored By:** Rep. Ron Stephens of the 164th

- **House Committee:** Economic Development & Tourism

- **House Committee Passed:** 2/3/2014

- **Rule:** Modified-Open

#### **HB 800 - Lanier County; probate judge; provide nonpartisan elections**

- BILL SUMMARY: A Bill to provide for the nonpartisan election of the Probate Judge of the Probate Court of Lanier County.

- **Authored By:** Rep. Jason Shaw of the 176th

- **House Committee:** Intragovernmental Coordination

- **House Committee Passed:** 2/4/2014

- **Rule:** Open

#### **HB 809 - Commerce and trade; bad faith assertions of patent infringement; prohibit**

- BILL SUMMARY: This bill defines the terms used and associated with filing a demand letter asserting a patent infringement. It also provides guidance to state superior courts on determining the validity of a bad faith assertion of patent infringement. It further provides the courts with guidance for determining damages if patent infringement has occurred.

- **Authored By:** Rep. Bruce Williamson of the 115th

- **House Committee:** Banks & Banking

- **House Committee Passed:** 2/4/2014

- **Rule:** Modified-Open

**\* The Rules Committee will next meet on Thursday, February 6, at 9:00 AM, to set the Rules Calendar for the 19th Legislative Day.**

## **COMMITTEE ACTION REPORT**

### **Agriculture & Consumer Affairs**

#### **SB 209 - Electronic Transactions; provide that no entity shall be prohibited from making self-help documents; not a substitute for advice of a professional**

- BILL SUMMARY: The bill creates a new Code Section 10-12-14.1 which provides that no individual, company or other entity shall be prohibited from making available, designing, creating, publishing, assembling, completing distributing, displaying or selling self-help documents, information and automated forms in hard copy, electronically, or online, whether made available with or without a fee provided that the storefront, website or other medium from which the items or provided states that the items are not a substitute for the advice of a professional in the relevant industry.

- **Authored By:** Sen. John Wilkinson of the 50th

- **Committee Action:** Do Pass by Committee Substitute

### **Agriculture & Consumer Affairs**

#### **SB 213 - "Flint River Drought Protection Act"; clarify legislative intent; revise definitions; expand programs**

- BILL SUMMARY: Section 1

The "Flint River Drought Protection Act," is amended by revising subsection (b) of Code Section 12-5-541 regarding legislative intent is as follows:

The use of water resources for the state for agricultural purposes is of vital importance to the state and southwest Georgia in particular. The protection of flows in the Flint River and its tributaries is necessary for healthy riverine ecosystems and health aquatic life. The use of water resources during drought conditions may interfere with public and private rights. The economic well-being of the State of Georgia is dependent on a strong and efficient agricultural industry, the wise use of water, the protection of stream flows, and the economic well-being of the state will be furthered by proper water allocation in periods of drought; programs to augment stream flows or provide incentives to ensure a certain irrigated lands are temporarily not irrigated during severe droughts will promote the wise use of water resources, the protection of stream flows and the economic well-being of the state.

#### Section 2

Code Section 12-5-542 is amended and provides definitions relative to Flint River drought protection:

- (1) 'Acceptable Flint River basin stream flows' means the quantity of stream flows at one or more specific locations on the Flint River or its tributaries which provides for aquatic life protection and other needs as established by the director, based on municipal, agricultural, industrial and environmental needs. Such tributaries shall not include field drainage systems, wet weather ditches, or any other water body;
  - (A) In which the channel is located above ground-water table year round;
  - (B) For which runoff from precipitation is the primary source of water flow; and
  - (C) For which ground water is not a source of water flow.
- (2) 'Affected area' means that portion of the state lying within the Flint River basin and area where ground water use from the Floridian aquifer can affect stream flows in the Flint River or its tributaries.
  - (2.1) 'Irrigation efficiency' means the percentage of the total amount of water withdrawn from a source which is beneficially used to meet crop water requirements or for other agronomic practices in accordance with applicable best management practices.
- (3) 'Authority' means the Georgia Environmental Finance Authority (created by Chapter 23 of Title 50).
- (4) 'Board' means the Board of the Department of Natural Resources.
- (5) 'Director' means the director of the Environmental Protection Division of the Department of Natural Resources.
- (6) 'Division' means the Environmental Protection Division of the Department of Natural Resources.
- (7) 'Drought conditions' means any conditions which results in a stream flow that is lower than the acceptable Flint River basin stream flows.
- (8) 'Drought protection funds' means the funds held by GEFA as provided in Code Section 12-5-545 for the accomplishment of the purposes of this article.
- (9) 'Flint River basin' means the area of land which drains into the Flint River or its tributaries.
- (10) 'Floridian aquifer' means those rocks and sediments described in United States Geological Survey Open-File Report 95-

- 321 (1996) that are capable of yielding ground water to wells or discharging water into the Flint River or its tributaries.
- (11) 'Irrigated land' means farm land which is irrigated by the ground water or surface water pursuant to a water withdrawal permit issued by the Director of EPD pursuant to Code Section 12-5-31 or 12-5-96.
- (12) 'Irrigation reduction auction' means the procedure established by subsection (b) of Code Section 12-5-546 pursuant to which permittees submit offers to cease irrigation of a specified number of acres in exchange for certain sum of money.
- (13) 'Permittee' means a person holding a valid permit issued before December 1, 2000, pursuant to Code Section 12-5-31 or 12-5-96.
- (14) 'Stream flow' means the quantity of water passing a given location of the Flint River or its tributaries over a given time period expressed in cubic feet per second.

### Section 3

Code Section 12-5-544, relating to powers of the director of the EPD, by revising paragraph (2) and adding a new paragraph to read as follows:

- (2) Establish acceptable Flint River basin stream flows and one or more locations.
- (9.1.) Conduct and participate in studies related to management of the water resources in the Flint River basin.

### Section 4

Code Section 12-5-546 relating to drought predictions and irrigation reduction auction, by revising subsection (a), (b), and (E) as follows:

- (a) On or before March 1 of each year, EPD may issue a prediction as to whether severe drought conditions are expected during the year. If EPD predicts a severe drought during any particular year, it shall issue such prediction before March 1 of that year. Prediction of severe drought may be based on consideration of historical, mathematical, or meteorological information including, but not limited to stream flows, ground-water levels, and precipitation forecasts. Such prediction may also be based on scientific analyses, including but not limited to, the Palmer Drought Severity Index administered by the National Oceanographic and Atmospheric Administration.
- (b) If severe drought conditions are predicted or otherwise declared in accordance with subsection (a) of this Code Section, the EPD may determine the total number of acres irrigated land, serviced by irrigation systems located within one or more of the affected areas, that must not be irrigated that year in order to maintain the acceptable Flint River basin stream flows. Upon such determination, the division may conduct an irrigation reduction auction whereby a permittee of an irrigation system located within the affected areas is given an opportunity to enter into an agreement with the EPD, agreeing that in exchange for a certain sum of money per acre of irrigated land serviced by the irrigation system, the permittee will not irrigate those particular acres for the remainder of the calendar year. GEFA shall pay the sum so agreed upon when so directed by the director of EPD from the unexpended balance of the drought protection funds. In conducting the irrigation reduction auction, the division may establish a maximum dollar amount per acre to be expended from the drought protection funds for such purposes.
- (e) The expenditure of funds under this article as an incentive to permittees not to irrigate lands is deemed by the legislature as a valid use of state moneys to promote valid land use policies that result in the protection of the riverine environment by ensuring that such lands not be irrigated for a specified period of time. No expenditure of funds under this article shall be considered full or partial compensation for any losses, financial or otherwise, experienced due to nonirrigation; a lease or repurchase of any irrigation permit issued by the director of EPD or an acknowledgement by the State of Georgia of a property right in any permit issued by the director of EPD.

### Section 5

Code Section 12-5-546.1

- (a) The Department of Agriculture and the State Soil and Water Conservation Commission shall in accordance with EPD in examining current practices, programs, policies, rules, and regulations to identify opportunities to enhance programming and incentives that will:
- (1) Support implementation of the agricultural water efficiency measures in water conservation or management plans prepared in accordance with Code Section 12-5-31, 12-5-96 and 12-5-522;
  - (2) Support implementation of pilot projects demonstrating the efficacy of emerging innovative irrigation technologies where appropriated and affordable;
  - (3) Identify ways the State Soil and Water Conservation Commission's program for measuring agricultural uses of water as authorized under Code Section 12-5-105 can further enhance efforts to improve agricultural water use efficiency; and
  - (4) Encourage a scheduled program for the voluntary retirement of unused surface-water and ground-water farm use permits in accordance with Code Section 12-5-31 and 12-5-105.
- (b) The director may modify all active surface-water and ground-water withdrawal permits for farm use in the affected area to require all irrigation systems applying water withdrawn pursuant to such permits to achieve application efficiencies of 80 percent or greater by the year 2020. The schedule for achieving the application efficiencies provided in this subsection shall be as follows:
- (1) Irrigation systems applying water withdrawn pursuant to all active permits issued after 2005 shall achieve a minimum application efficiency of 80 percent by January 1, 2016.
  - (2) Irrigation systems applying water withdrawn pursuant to all active permits issued from 1991 through 2005 shall achieve a minimum application efficiency of 80 percent by January 1, 2018.

(3) Irrigation systems applying water withdrawn pursuant to all active permits issued before 1991 shall achieve a minimum application efficiency of 80 percent by January 1, 2020.

© Notwithstanding subsection (b) of this Code Section, the director may modify specified active surface-water and ground-water withdrawal permits for farm use in the affected area to require all mobile irrigation systems and solid-set irrigation sprinklers operating under such permits to achieve application efficiencies of 60 percent or greater by the year 2020. The schedule for achieving such efficiencies shall be as follows:

(1) Irrigation systems applying water withdrawn pursuant to all active permits issued after 2005 shall achieve a minimum application efficiency of 60 percent by January 1, 2016.

(2) Irrigation systems applying water withdrawn pursuant to all active permits issued from 1991 through 2005 shall achieve a minimum application efficiency of 60 percent by January 1, 2018; and

(3) Irrigation systems applying water withdrawn pursuant to all active permits issued before 1991 shall achieve a minimum application efficiency of 60 percent by January 1, 2020.

(d) Notwithstanding the irrigation efficiency rates required in subsection c) of this Code Section or any other provision of this Code Section to the contrary, the minimum irrigation efficiency rate for mobile irrigation systems and solid-set irrigation sprinklers applying water withdrawn pursuant to new permits shall be 60 percent.

€ When considering any permit application for a new surface-water or ground-water withdrawal for farm use in the affected area, the division shall require that the irrigation system applying water withdrawn pursuant to any such permit has an irrigation efficiency of at least 80 percent.

(f) The EPD division shall, in cooperation with other state and federal agencies, universities, the Georgia Water Planning and Policy Center, the Lower Flint-Ochlockonee Regional Water Council, and other appropriate entities, provide to the board of DNR for consideration for adoption in its rules requirements pertaining to methods requirements pertaining to methods an applicant may utilize to demonstrate that the required irrigation efficiency has been achieved. Requirements shall consider current technologies, best management practices, and the effects of soil type and topography, among other factors deemed necessary.

(g) The EPD shall coordinate with any federal or state agencies offering incentive programs that support the purposes of this article to identify opportunities to refine and target relevant programs as practicable to assist permittees with achieving application efficiency requirements.

Code Section 12-5-546.2

(a) As used in this Code section, 'permittee' means any person holding a valid permit issued pursuant to Code Section 12-5-31.

(b) The director of EPD is authorized to notify specified permittees with surface-water withdrawal permits downstream of a state funded project specifically authorized to augment stream flows that, during specified periods of the project's operation and for the purpose of maintaining instream flows, the permittee shall let the flow provided by the augmentation projects pass their point of withdrawal. When specifying those permittees subject to such notification, the director shall also establish, in accordance with the factors that may be considered under paragraph e) of this Code Section, those withdrawal permittees that shall not be subject to the requirements of this Code section.

© Such notification shall be provided in accordance with the rules promulgated by the board of natural resources, shall be based on the best available science, and shall, at a minimum, inform the permittees that the upstream project is delivering augmented flows.

(d) The director's notification shall contain notice of opportunity for a hearing and shall be served by certified mail, return receipt requested, to the most recent address provided by the permittee. Any permittee to whom such notification is directed shall comply therewith immediately, but shall be afforded a hearing within five business days of the director's receipt of a petition filed by such permittee. Such hearing shall be before an administrative law judge of the Office of State Administrative Hearings and shall be conducted in accordance with the subsection c) of Code Section 12-2-2. Based upon findings adduced at such hearing, the notification shall be modified, reversed, or continued by the director as he or she deems appropriate.

€ In preparing such notification, the director may consider:

(1) The best available modeling and monitoring data for relevant locations and stream reaches;

(2) The appropriate duration of protection of augmented flows;

(3) The Distance downstream for which protection of augmented flows is appropriate;

(4) The degree to which protection of augmented flows will assist in mitigating the effects of droughts, provide ecological or other environmental benefits and ensure sustainable, long-term access to water resources for existing and future water users; and

(5) Any other data or information the director deems relevant.

## Section 6

Code Section 12-5-549 is revised relating to compliance as follows:

(a) Except as may otherwise be provided in this article. Whenever the EPD director has reason to believe that a violation of any provision of this article or any rule or regulation adopted pursuant to this article has occurred, he or she shall attempt to obtain compliance therewith by conference, conciliation, or persuasion, if the making of such an attempt is appropriate under the circumstances. If he or she fails to obtain compliance in this manner, the director may order the violator to take whatever corrective action the director deems necessary in order to obtain such compliance within a period of time to be prescribed in such order.

(b) Except as may otherwise be provided in this article, any order issued by the EPD director under this article shall become

final unless the person or persons named therein file with the director a written request for a hearing within 30 days after such order or permit is served on such person or persons.

© Except as may otherwise be provided in the article, hearings on contested matters and judicial review of final orders and other enforcement actions under this article shall be provided and conducted in accordance with subsection © of Code Section 12-2-2.

(d) The EPD director may file in the superior court of the county wherein the person under order resides, or if the person is a corporation, in the county wherein the corporation maintains its principal place of business, or in the county wherein the violation occurred or in which the jurisdiction is appropriate, a certified copy of a final order of the director unappealed from or a final order of the director affirmed upon appeal, whereupon the court shall render judgment in accordance therewith and notify parties. Such judgment shall have the same effect, and all proceedings in relation thereto shall thereafter be the same, as though the judgment had been rendered in an action duly heard and determined by such court.

€ For purposes of this Code Section, a violation of an agreement entered into in accordance with Code Section 12-5-546 or an order issued by the director of EPD in accordance with Code Section 12-5-547 shall be prima facie established upon showing that:

(1) During the effective period of the agreement or order, the irrigation system was observed in person or via remote sensing or otherwise established by representatives of the division or others to have been operating and distributing water; or

(2) During the effective period of the agreement or order, a seal, lock, or other device placed by the division on the system to prevent operation of the system has been broken or otherwise tampered with.

- **Authored By:** Sen. Ross Tolleson of the 20th

- **Committee Action:** Do Pass by Committee Substitute

## Education

### **HB 766 - Work Based Learning Act; enact**

- **BILL SUMMARY:** This bill replaces the Youth Apprenticeship Program with a work-based learning program. It allows students in the 11th and 12th grades or a student over age 16 to enroll in a work-based learning program. Work-based learning programs are designed to provide students with real-world work opportunities to prepare them for a future career. Students who enter into this program will be granted leave time from school to work as a student learner for any business enterprise approved by the local work based learning coordinator. This bill also defines eligibility requirements for work based learning coordinators.

- **Authored By:** Rep. Eddie Lumsden of the 12th

- **Committee Action:** Do Pass by Committee Substitute

## Education

### **HR 486 - Municipalities; created on or after January 1, 2005; establish independent school system; authorize - CA**

- **BILL SUMMARY:** House Resolution 486 proposes an amendment to the Constitution to authorize any municipality created on or after January 1, 2005 and any municipality which is contiguous to a municipality created on or after January 1, 2005, may establish individually or collectively by local law an independent school system.

- **Authored By:** Rep. Tom Taylor of the 79th

- **Committee Action:** Do Pass by Committee Substitute

## Education

### **HR 689 - Local boards of education; implement renewable energy systems to provide educational and cost-saving opportunities; urge**

- **BILL SUMMARY:** House Resolution 689 urges local boards of education and schools in Georgia to implement renewable energy systems to provide education and cost-saving opportunities.

- **Authored By:** Rep. Karla Drenner of the 85th

- **Committee Action:** Do Pass

## Insurance

### **HB 610 - Insurance; licensing and regulation of public adjusters; provide**

- **BILL SUMMARY:** HB 610 amends the Insurance Code as it relates to the definition of "Public Adjusters". The purpose is to ensure that individuals who receive compensation for investigating, settling, or adjusting a claim on behalf of an insurer or an insured are properly licensed by the commissioner.

- **Authored By:** Rep. Bruce Williamson of the 115th

- **Committee Action:** Do Pass by Committee Substitute

## **Insurance**

### **HB 645 - Insurance; electronic transmissions of notices and documents from an insurers to a party to an insurance transaction; provisions**

- BILL SUMMARY: HB 645 provides for insurers to offer electronic policy processing and information dissemination to their policy holders. It does not allow them to make the program mandatory.
- **Authored By:** Rep. Matt Dollar of the 45th
- **Committee Action:** Do Pass by Committee Substitute

## **Insurance**

### **HB 840 - Insurance; persons under authority of Commissioner and subject to penalties under Title 33; clarify**

- BILL SUMMARY: HB 840 updates the Insurance Code as it relates to persons required to be licensed by the Commissioner of Insurance. During recent legislative sessions, several changes have been made in regards to those needing to be licensed and the requirements of those licenses. This bill seeks to provide continuity in the Code as it relates to these changes.
- **Authored By:** Rep. Rich Golick of the 40th
- **Committee Action:** Do Pass

## **Insurance**

### **HB 849 - Insurance; excess wear and use waivers shall not be construed as insurance; provide**

- BILL SUMMARY: HB 849 amends Title 33 of the O.C.G.A. to clarify that an Excess Wear and Use Waiver is not considered insurance.
- **Authored By:** Rep. Howard Maxwell of the 17th
- **Committee Action:** Do Pass

## **Insurance**

### **HR 1055 - Biggert-Waters Flood Insurance Reform Act of 2012; repeal or amend; encourage**

- BILL SUMMARY: House Resolution 1055 is an urges Congress to amend or repeal the 'Biggert-Waters Flood Insurance Reform Act of 2012.'
- **Authored By:** Rep. Alex Atwood of the 179th
- **Committee Action:** Do Pass

## **Intragovernmental Coordination - Local**

### **HB 888 - Rutledge, City of; residents 65 years of age or older; provide homestead exemption**

- BILL SUMMARY: A Bill to provide a homestead exemption from City of Rutledge ad valorem taxes for municipal purposes in the amount of \$10,000 of the assessed value of the homestead for residents of that city who are 65 years of age or older.
- **Authored By:** Rep. Doug Holt of the 112th
- **Committee Action:** Do Pass

## **Intragovernmental Coordination - Local**

### **HB 893 - Bibb County; ad valorem tax; county purposes; provide homestead exemption**

- BILL SUMMARY: A Bill to provide a homestead exemption from Bibb County ad valorem taxes for county purposes in the amount of \$30,000 of the assessed value of the homestead for residents of that county who own homestead property with a fair market value of \$85,000 or less and whose income does not exceed \$30,000.
- **Authored By:** Rep. James Beverly of the 143rd
- **Committee Action:** Do Pass



## **Intragovernmental Coordination - Local**

### **HB 896 - Macon-Bibb County Community Enhancement Authority; change membership of authority**

- BILL SUMMARY: A Bill to amend an Act to create the Macon-Bibb County Community Enhancement Authority.
- **Authored By:** Rep. James Beverly of the 143rd
- **Committee Action:** Do Pass

## **Intragovernmental Coordination - Local**

### **HB 901 - Porterdale, City of; provide for certain appropriations; provisions**

- BILL SUMMARY: A Bill to provide a new charter for the City of Porterdale.
- **Authored By:** Rep. Pam Dickerson of the 113th
- **Committee Action:** Do Pass

## **Intragovernmental Coordination - Local**

### **HB 905 - Brookhaven, City of; provide for legislative findings and intent; provisions**

- BILL SUMMARY: A Bill to amend an Act incorporating the City of Brookhaven.
- **Authored By:** Rep. Scott Holcomb of the 81st
- **Committee Action:** Do Pass

## **Intragovernmental Coordination - Local**

### **HB 906 - Chamblee, City of; provide legislative findings and intent; provisions**

- BILL SUMMARY: A Bill to create a new charter for the City of Chamblee.
- **Authored By:** Rep. Scott Holcomb of the 81st
- **Committee Action:** Do Pass

## **Judiciary Non-Civil**

### **HB 835 - Controlled substances; Schedules I, III, and IV; change certain provisions**

- BILL SUMMARY: This legislation amends O.C.G.A. 16-13-25, 27, 28 and 71 regarding Schedule 1 controlled substances by including additional Schedule 1 drugs.
- **Authored By:** Rep. Bruce Broadrick of the 4th
- **Committee Action:** Do Pass

## **Judiciary Non-Civil**

### **SB 207 - Probation of first offenders; person disqualified from employment when discharged as felony offender; add private home care providers to list**

- BILL SUMMARY: SB 207 adds 'private home care provider' to the definition of long-term care facilities.
- **Authored By:** Sen. John Albers of the 56th
- **Committee Action:** Do Pass by Committee Substitute

## **Regulated Industries**

### **SB 128 - Professional Counselors; revise definitions relating to marriage and family therapy**

- BILL SUMMARY: This legislation revises the scope of practice definition of "marriage and family therapy" to include the diagnoses of emotional and mental problems and conditions. It also names the Commission on Accreditation for Marriage and Family Therapy Education as the national accrediting agency for marriage and family therapy education as recognized by the Council for Higher Education Accreditation.
- **Authored By:** Sen. Fran Millar of the 40th
- **Committee Action:** Do Pass

## Retirement

### **HB 460 - Georgia Firefighters' Pension Fund; no person under a sentence of confinement shall be eligible for membership; provide**

- BILL SUMMARY: This bill revises Chapter 7 of Title 47 of the Official Code of Georgia relating to Class Nine Fire Department Pension Fund. Under HB 460 a person would not be eligible for membership in the fund if they are incarcerated. Also, if they are a member of the fund they will not earn creditable service while they are incarcerated. This is a fiscal retirement bill.

- **Authored By:** Rep. Tom Weldon of the 3rd

- **Committee Action:** Do Pass

## Retirement

### **HB 477 - Employees' Retirement System of Georgia; Georgia Judicial Retirement System; transfer service credit**

- BILL SUMMARY: This bill adds language that any member of the Judicial Retirement System (JRS) who has not withdrawn their benefits can transfer them to the Employees' Retirement System (ERS) and must notify the board of trustees of each retirement system. If a member of JRS has withdrawn their retirement contributions, they may obtain creditable service by paying ERS an amount the member desires. ERS will only credit the member with the number of years of creditable service warranted by the amount the member desired to pay without creating any liability to JRS. No member will be granted creditable service in excess of the service they were credited under JRS. This is a fiscal retirement bill.

- **Authored By:** Rep. Jay Powell of the 171st

- **Committee Action:** Do Pass

## Retirement

### **HB 516 - Retirement and pensions; election to participate in Regents Retirement Plan in lieu of Teachers Retirement System of Georgia shall be revocable at will; provide**

- BILL SUMMARY: Under this bill, if a member declined participation in the Teachers' Retirement System (TRS) for participation in the Board of Regent's retirement plan they will now be eligible to revoke election in the Regent's retirement plan for membership in TRS. The member must notify the board of trustees of TRS and will become an active member the first day of the month after the notification is received by the board. The member may be able to transfer creditable service covered under Regent's retirement plan. The creditable service would be based on the amount of funds paid to the board without creating any unfunded liability to the system. Also, the amount of creditable service may not exceed the person's actual years of service in the Regent's retirement plan. This is a fiscal retirement bill.

- **Authored By:** Rep. Christian Coomer of the 14th

- **Committee Action:** Do Pass by Committee Substitute

## Retirement

### **HB 580 - Superior Court Clerk's Retirement Fund; provide spousal survivor's benefit**

- BILL SUMMARY: This bill revises the calculation of spousal benefits for the Superior Court Clerks' Retirement Fund. Also, language is added that allows a member to revoke the election of spousal benefits if the member's spouse predeceases the member.

- **Authored By:** Rep. Tom Weldon of the 3rd

- **Committee Action:** Do Pass

## Retirement

### **HB 646 - Magistrates Retirement Fund of Georgia; part-time chief magistrates may become members of such fund; provide**

- BILL SUMMARY: This bill deletes the "full-time chief magistrate" definition under the code section relating to the Magistrates Retirement Fund of Georgia. By deleting this definition all magistrates, including those that are part-time, will be eligible to participate in the fund.

- **Authored By:** Rep. Barry Fleming of the 121st

- **Committee Action:** Do Pass

*\* Bills passing committees are reported to the Clerk's Office, and are then placed on the General Calendar.*

## **COMMITTEE MEETING SCHEDULE**

**Thursday, February 06, 2014**

TBD	<u>FLOOR SESSION (LD 18)</u>	HOUSE CHAMBER- 10:00am
8:00 AM - 9:00 AM	<u>NATURAL RESOURCES &amp; ENVIRONMENT</u>	606 CLOB
8:30 AM - 9:30 AM	<u>Atwood Subcommittee of Juvenile Justice</u>	132 CAP
9:00 AM - 10:00 AM	<u>RULES</u>	341 CAP
1:00 PM - 3:00 PM	<u>Appropriations Public Safety</u>	606 CLOB
1:00 PM - 2:00 PM	<u>INDUSTRY &amp; LABOR</u>	506 CLOB
1:30 PM - 2:30 PM	<u>ETHICS</u>	403 CAP
2:00 PM - 3:00 PM	<u>INTERSTATE COOPERATION</u>	515 CLOB
2:00 PM - 4:00 PM	<u>Environmental Quality Subcommittee of Natural Resources</u>	415 CLOB
2:00 PM - 3:00 PM	<u>TRANSPORTATION</u>	506 CLOB
2:00 PM - 4:00 PM	<u>JUDICIARY CIVIL</u>	132 CAP
3:00 PM - 4:00 PM	<u>MOTOR VEHICLES</u>	506 CLOB
3:00 PM - 4:00 PM	<u>WAYS AND MEANS</u>	606 CLOB
4:00 PM - 5:00 PM	<u>PUBLIC SAFETY &amp; HOMELAND SECURITY</u>	606 CLOB

*\* This meeting schedule is up to date at the time of this report, but meeting dates and times are subject to change. To keep up with the latest schedule please visit [www.house.ga.gov](http://www.house.ga.gov) and click on [Meetings Calendar](#).*