

Memorandum

To: Georgia State Retirees Association
cc: Chuck Clay
From: Elizabeth Newcomb
Date: March 27, 2015
Re: Week Eleven at the Capitol

We're in the home stretch! With only two days left in the legislative session, the General Assembly has been busy reviewing various pieces of legislation, trying to keep their respective bills alive through the legislative process. This is the most hectic (and fun) time for lobbyists under the Gold Dome, with many attempting to tack language onto moving pieces of legislation. Below you will find some additional highlights this week at the Capitol:

Autism: We have a deal! Lawmakers on the House and Senate have come to an agreement on providing health insurance coverage for children who have autism spectrum disorders. SB 1's language will be added into HB 429, a bill concerning end of life care coverage for medications and treatments. SB 1 includes coverage for autism spectrum disorders for children up to the age of six with a cap of \$30,000 annually.

Medical Marijuana: Rep. Allen Peake's HB 1, or Haleigh's Hope Act, cleared the Senate with a vote of 48-6 in the form of a new Substitute on Tuesday of this week. This legislation addresses the use of THC (cannabidiol) oil to help children and adults who have cancer; amyotrophic lateral sclerosis (severe or end stage); seizure disorders (such as epilepsy or trauma-related head injuries); multiple sclerosis (severe or end-stage); Crohn's disease; mitochondrial disease; Parkinson's disease (severe or end-stage); or sickle cell disease (severe or end-stage). Individuals would be required to be registered with the Department of Public Health's Low THC Oil Patient Registry, which would in turn issue a registration card to the individuals/caregivers. The individual receiving this THC oil would have to be involved in a clinical research program being conducted by the Board of Regents of the University System or any authorized clinical trial or research study being conducted in the State or their authorized agent After an agreement by the House on the bill's substitute, HB 1 now moves to the Governor's desk for his consideration.

Transportation: Governor Deal has now threatened lawmakers with a "special session" if some agreement is not reached on the transportation plan, HB 170. There is still major disagreement on how Georgia should fund its transportation initiatives. The bill is currently Conference Committee.

Safe Harbor Bills: House Juvenile Justice Committee met earlier this week, and worked through the final passage of Sen. Renee Unterman's (R-Buford) bill and resolution addressing [SB 8](#) and [SR 7](#). The underlying legislation creates the Safe Harbor for Sexually Exploited Children Fund and the Safe Harbor for Sexually Exploited Children Fund Commission. It will impose an "assessment" on adult entertainment establishments where alcoholic beverages are sold, possessed

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or consumed. Its provisions mirror parts of the Texas law on this issue. Amendments were made in the Committee by Rep. Andy Welch (R-McDonough) to tighten up the definition of an "adult entertainment establishment." Further, these assessments imposed will be due by these establishments to the Commissioner of Revenue by April 30 of each calendar year and will be the greater of \$5,000 or one percent of the gross revenues from the establishment's prior year's receipts. Rep. Paulette Rakestraw (R-Powder Springs) questioned the Chairman and members of the Committee about unintended consequences – such as high school students or individuals in divorce actions who might be wrongfully accused of being a child sexual predator. Legislative counsel explained that the law did address "Romeo and Juliette" instances and registration of individuals on the sex offender registry. SB 8 and SR 7 passed by Substitutes as amended.

The General Assembly will reconvene on Tuesday, March 31st for legislative day 39 at 10:00. Sine Die, or Day 40, will commence on Thursday of next week.

Bill	Summary	Sponsor	Status	Analysis
HB117	Employment security legislation.	(1) Hamilton, Mark 24 th (2) Pruett, Jimmy 149 th (3) Fleming, Barry 121 st (4) Strickland, Brian 111 th (5) Kirby, Tom 114 th (6) Broadrick, Bruce 4 th	Bill has passed through the House with a vote of 159 to 1. It has been read and referred to the Senate Industry and Labor Committee.	Rep. Mark Hamilton (R-Cumming) offered this initiative relating to "employment security." It adds language to current law at O.C.G.A. § 34-8-43 concerning the most recent employer (the last employer for whom an individual worked in claiming benefits with years that begin on or after July 1, 2015). It further proposes deleting and adding new language at O.C.G.A. § 34-8-157 concerning the charging of regular benefits paid against experience rating account.
HB 170	Transportation Bill.	(1) Roberts, Jay 155 th (2) Burns, Jon 159 th (3) Hamilton, Mark 24 th (4) England, Terry 116 th (5) Hatchett, Matt	Passed through the House 123-46. It has also passed through the Senate with a vote of 29-25.	The 2015 Transportation Funding Act.

Bill	Summary	Sponsor	Status	Analysis
		150 th (6) Watson, Sam 172 nd		
HB240	GSRA legislation, requiring that at least two members of the DCH Board be (1) member of ERS and (2) a member of TRS.	(1) Brockway, Buzz 102 nd (2) Buckner, Debbie 137 th (3) Trammell, Robert 132 nd (4) Casas, David 107 th (5) Smith, Lynn 70 th (6) Pak, B.J. 108 th	Our bill did not make it past Crossover Day.	Rep. Buzz Brockway (R-Lawrenceville) addresses the membership of the Board of the Department of Community Health in this initiative in O.C.G.A. § 31-2-3. It would require at least two members of this Board to also be members of the State Health Benefit Plan with one of those a member of the Employees' Retirement System of Georgia and one of whom will be a member of the Teachers' Retirement System of Georgia. One would be required to be a retired person and the other an active participant in the respective retirement system. Another proposal in this legislation is that it creates a 12-member State Health Benefit Plan Customer Advisory Council (all must be participants in the State's plan).
HB266	Investments and reinvestments of assets of local retirement systems.	(1) Battles, Paul 15 th	The bill has passed through the House 168-0. It was favorably reported by the Senate Retirement Committee and now moves on to Senate Rules.	Rep. Paul Battles (R-Cartersville) proposes to amend O.C.G.A. § 47-1-12(a) regarding the investment and reinvestment of assets of local retirement systems, valuation and limitation on investments. The present law permits the board of trustees of any local retirement system the power to invest and reinvest assets of that retirement system and to purchase, hold, sell, assign, transfer and dispose of any securities and other investments. This legislation addresses that the powers are required to be subject to all terms, conditions, limitations and

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Bill	Summary	Sponsor	Status	Analysis
				<p>restrictions outlined in Article 7 of Chapter 20 of Title 47 in making/disposing of those investments.</p>
<p>HB310</p>	<p>Creation of the Board of Community Supervision, the Department of Community Supervision, and the Governor's Office of Transition, Support and Recovery.</p>	<ul style="list-style-type: none"> (1) Powell, Alan 32nd (2) <i>Coomer, Christian</i> 14th (3) <i>Nimmer, Chad</i> 178th (4) <i>Rogers, Terry</i> 10th (5) <i>Dickey, Robert</i> 140th (6) Powell, Jay 171st 	<p>This bill has passed out of the House 164-5 by Committee Substitute. It has been favorably reported by the Senate Public Safety Committee and is now in Senate Rules.</p>	<p>Rep. Alan Powell (R-Hartwell) is taking the lead with the Governor's Floor leaders on this bill, which is a series of changes in Title 42, creating the new Board of Community Supervision, the Department of Community Supervision and the Governor's Office of Transition, Support and Recovery. These are the new entities the Governor has described in his state of the state address. The probation divisions and functions of the Department of Corrections and Department of Juvenile Justice are transferred to the new Board along with the State Board of Pardons and Paroles that relate to community supervision. The County and Municipal Probation Advisory Council are also transferred.</p> <p>The Board is charged with developing and implementing evidence based practices for management and treatment of probationers and parolees with the overarching goal of reducing recidivism. A Department of Community Supervision is also created to manage any defendant whose sentence partly includes some form of community probation. The Governor's Office of Transition, Support and Recovery is also created to manage the re entry services of Corrections, Juvenile Justice, and Pardons and Paroles. A new Probation Advisory Council is also created and the probation statutes and judicial powers and procedures for dealing with probation options</p>

Bill	Summary	Sponsor	Status	Analysis
				are amended.
HB313	Paid leave for employees of the State to promote education.	(1) <i>Dickey, Robert 140th</i> (2) <i>Nimmer, Chad 178th</i> (3) <i>Coomer, Christian 14th</i>	HB 313 passed the House 168-2. It was favorably reported by the Senate Education and Youth Committee as a committee substitute. It is now in Senate Rules.	Rep. Robert Dickey (R-Musella) adds a new Code Section at O.C.G.A. § 45-20-32, regarding leaves of absence for full-time, non-temporary employees of the State (including branches, departments, boards, bureaus or commission) so that such individuals would be eligible for up to eight hours of paid leave per calendar year for promoting education in the State. This proposal is from the Governor's office.
HB328	Consumer reporting and employment reports.	(1) Efstoration, Chuck 104 th (2) <i>Coomer, Christian 14th</i> (3) <i>Nimmer, Chad 178th</i> (4) <i>Dickey, Robert 140th</i> (5) Golick, Rich 40 th (6) Willard, Wendell 51 st	This bill passed through the House by substitute with a vote of 170-0. Was favorably reported by the Senate Judiciary Non-Civil Committee and is now in Senate Rules.	Rep. Chuck Efstoration (R-Dacula) amends in part "Georgia's Fair Business Practices Act of 1975." It outlines in O.C.G.A. § 10-1-393.14 what "consumer reporting" agencies may do in furnishing reports for employment purposes and information gathered which are matters of public record that might likely have an adverse action upon a consumer's ability to obtain employment. This legislation is another part of Governor Deal's package as it contains reforms recommended by the Georgia Council on Criminal Justice Reform involving adult offenders and proposes to allow greater employment opportunities for individuals who have had an interaction with the criminal justice system. Further, it provides for protections to consumers relating to consumer reports in connection with employment and licensing in O.C.G.A. § 43-1-19(p).

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<p>SB8</p>	<p>Safe Harbor legislation.</p>	<p>(1) Unterman, Renee 45th (2) Butler, Gloria 55th (3) Miller, Butch 49th (4) Hill, Judson 32nd</p>	<p>This bill has passed through the Senate by substitute, 52-3. It was favorably reported by the House Juvenile Justice Committee as a substitute. It is now in House Rules.</p>	<p>Sen. Unterman (R - Buford) proposes to amend Chapter 3 of Title 9, Chapter 21 of Title 15, Title 16, and Article 1 of Chapter 5 of Title 49 of the O.C.G.A. to protect a child from further victimization after he or she is discovered to be a sexually exploited child (under the age of 18). Under this piece of legislation, the victimized child should not be prosecuted for criminal acts related to prostitution, sodomy, solicitation of sodomy, or masturbation for hire, but instead should be diverted into services that address the needs of the child outside of the justice system, if possible. Services will be partially funded through the creation of the Safe Harbor for Sexually Exploited Children Fund. This bill also allows a victimized child to file a civil action for recovery of damages suffered as a result of childhood sexual abuse on or before the date the child turns 25 years of age. Additionally, this piece of legislation will establish the Safe Harbor for Sexually Exploited Children Fund Commission, assigned to the Division of Family and Children Services of the Department of Human Resources. The commission will develop a state-wide protocol for helping coordinate the delivery of services to sexually exploited children, as well as provide oversight and accountability for any program that receives disbursements from the fund, among others.</p>
<p>SB35</p>	<p>Leaving children in cars is considered</p>	<p>(1) James, Donzella 35th (2) Rhett,</p>	<p>This bill passed out of the Senate 50-</p>	<p>This bill, proposed by Sen. Donzella James</p>

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	cruelty to children.	Michael 'Doc' 33 rd (3) Parent, Elena 42 nd (4) Jones, Emanuel 10 th (5) <i>Jackson, Bill</i> 24 th (6) Bulter, Gloria 55 th	0. It has been assigned to the House Judiciary Non-Civil Committee.	(D-Atlanta), provides that leaving certain children in cars while unsupervised will be constituted as cruelty to children in the third degree. The child must be under the age of 6 and not be supervised by anyone over the age of 13.
SB 129	Religious Freedom Bill	(1) McKoon, Joshua 29 th (2) Ligon, Jr., William 3 rd (3) Crane, Mike 28 th (4) Bethel, Charlie 54 th (5) Harbin, Marty 16 th (6) Gooch, Steve 51 st	The committee substitute passed out of the Senate with a vote of 37 to 15. It was assigned to the House Judiciary Committee, which tabled the bill.	Sponsored by Sen. Joshua McKoon (R-Columbus), titled the "Religious Freedom Restoration Act." This piece of legislation aims to protect religious opinions and freedom of religion. The government shall not substantially burden a person's exercise of religion even if the burden results from the rule of general applicability, unless government demonstrates that application of the burden to the person is: essential to achieve a compelling governmental interest or the least restrictive means of achieving that compelling governmental interest. A person whose religion's exercise has been burdened in violation of this chapter may assert the claim or defense in a judicial, agency, or other proceeding and obtain appropriate relief against government.
SB145	One member of DCH be a member of SHBP.	(1) McKoon, Joshua 29 th	This bill passed out of the Senate Floor with a vote of 45-0. It	Sen. Joshua McKoon (R-Columbus) proposes to amend O.C.G.A. § Code Section 31-2-3 to provide that at least one member of the Board

Bill	Summary	Sponsor	Status	Analysis
			has been referred to the House Governmental Affairs Committee.	of Community Health is also a member of the state health benefit plan. It goes on to require that all appointments to the board shall be for three-year terms; however current members of the board shall carry out their current term.
SR7	Safe Harbor legislation	(1) Unterman, Renee 45th (2) Butler, Gloria 55th (3) <i>Miller, Butch</i> 49th (4) Hill, Judson 32nd	This bill was passed out of the Senate Floor 53-3 by substitute and has been favorably reported by the House Juvenile Justice Committee.	Sen. Renee Unterman (R-Buford) offered this Constitutional Amendment to provide that the General Assembly by general law may impose additional penalties or fees for the offenses of prostitution, keeping a place of prostitution, pimping, pandering, pandering by compulsion, solicitation of sodomy, masturbation for hire, trafficking of persons for sexual servitude, sexual exploitation of children and sodomy and may provide for the allocation of such additional penalties or fees to the Safe Harbor for Sexually Exploited Children Fund in a new subparagraph (o) to Article III, Section IX, Paragraph VI of the State's Constitution. Any moneys appropriated shall not lapse.