



JUDICIAL COUNCIL OF GEORGIA ADMINISTRATIVE OFFICE OF THE COURTS

LEGISLATIVE REPORT

March 19, 2019

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Legislative Day 33 & Recess

The tenth week of the 2019 Legislative Session began on Monday, March 18, when the General Assembly returned for Legislative Day 33. As with last week, the House and Senate have focused primarily on committee meetings over the past two days. Both Tuesday, March 19, and Wednesday, March 20, are designated as Committee Work Days with both chambers standing in recess. With only two weeks left until Legislative Day 40 (Sine Die), it is expected that floor activity will increase through the remainder of the session.

Among the items of interest to the judiciary that have seen committee action this week are [HB 134](#) (law library fund population provision); [HB 257](#) (magistrate court update); and [HB 492](#) (writ of possession). These bills were passed out of the Senate Special Judiciary Committee on Tuesday, March 19.

The General Assembly will reconvene on Thursday, March 21, for Legislative Day 34. This report is a compilation of the items acted on this week affecting Georgia's Judiciary. To view more legislation pertaining to the judiciary, as well as bill summaries, previous reports, and committee meeting schedules, please visit legislation.georgiacourts.gov.

Floor and Committee Action

Legislation Supported by the Judicial Council

[HB 134 - County law libraries; repeal a population provision regarding the disposition of law library funds in certain libraries](#)

Sponsor: Rep. Bonnie Rich (R – Suwanee)

HB 134 repeals Code Section 36-15-11 of the OCGA which provides for law library funds to be directed to the general fund in counties with a population of 950,000 or more.

Action: HB 134 received a Do Pass from the Senate Special Judiciary Committee (3/19/19).

[HB 257 - Council of Magistrate Court Judges; organization and provide for officers; increase authority](#)

Sponsor: Rep. Mitchell Scoggins (R – Cartersville)

HB 257 amends Chapter 10 of Title 15 of the OCGA to update and modernize the magistrate court statutes.

Action: HB 257 received a Do Pass from the Senate Special Judiciary Committee (3/19/19).

[HB 492 - Property; dispossessory proceedings; require applications for execution of a writ of possession made within 30 days of issuance of the writ unless good cause is shown](#)

Sponsor: Rep. Bonnie Rich (R – Suwanee)

HB 492 amends OCGA 44-7-55 to require that an application for execution of a writ of possession be made within 30 days of being issued, unless good cause is shown in an affidavit accompanying the application for such writ.

Action: HB 492 received a Do Pass from the Senate Special Judiciary Committee (3/19/19).

Other Bills

[HB 217 - Crimes and offenses; employees and agents of syringe services programs are not subject to certain offenses relating to hypodermic syringes and needles; provide](#)

Sponsor: Rep. Houston Gaines (R – Athens)

Action: HB 217 received a Do Pass from the Senate Health & Human Services Committee (3/18/19).

[HB 226 - Courts; additional penalty for violation of traffic laws or ordinances under Joshua's Law; extend sunset](#)

Sponsor: Rep. Dominic LaRiccia (R – Douglas)

Action: HB 226 passed out of Senate Rules (3/18/19).

[HB 227 - Insurance; discrimination against victims of family violence to include victims of sexual assault; expand prohibitions](#)

Sponsor: Rep. Spencer Frye (D – Athens)

Action: No action was taken on HB 227 by the Senate Insurance & Labor Committee (3/18/19).

[HB 234 - Anti-Human Trafficking Protective Response Act; enact](#)

Sponsor: Rep. Chuck Efstration (R – Dacula)

Action: No action was taken on HB 234 by the Senate Judiciary Committee (3/18/19).

[HB 246 - Evidence; revise manner by which depositions taken at the instance of state are paid](#)

Sponsor: Rep. Deborah Silcox (R – Sandy Springs)

Action: HB 246 passed out of Senate Rules (3/18/19).

[HB 247 - Crimes and offenses; battery against a person 65 years of age or older; repeal an enhanced penalty](#)

Sponsor: Rep. Deborah Silcox (R – Sandy Springs)

Action: HB 247 received a Do Pass by Committee Substitute from the Senate Special Judiciary Committee (3/19/19).

[HB 281 - Crimes and offenses; pimping and pandering; increase penalty provisions](#)

Sponsor: Rep. Teri Anulewicz (D – Smyrna)

Action: HB 281 received a Do Pass from the Senate Judiciary Committee (3/18/19).

[HB 282 - Criminal procedure; increase amount of time that law enforcement agencies are required to preserve certain evidence of sexual assault](#)

Sponsor: Rep. Scott Holcomb (D – Atlanta)

Action: HB 282 received a Do Pass by Committee Substitute from the Senate Judiciary Committee (3/18/19).

[HB 307 - Abandoned Motor Vehicle Act; enact](#)

Sponsor: Rep. Alan Powell (R – Hartwell)

Action: HB 307 received a hearing from the Senate Judiciary Committee (3/18/19).

[HB 387 - Property; liens in favor of private, nonprofit, volunteer fire departments for instances of fire services that are requested by property owners; provide](#)

Sponsor: Rep. Eddie Lumsden (R – Armuchee)

Action: HB 387 passed out of Senate Rules (3/18/19).

[HB 424 - Crimes and offenses; include certain sex crimes into the definition of criminal gang activity](#)

Sponsor: Rep. Deborah Silcox (R – Sandy Springs)

Action: No action was taken on HB 424 by the Senate Judiciary Committee (3/18/19).

[HB 459 - Education; driver's license verification system for school bus drivers; provide](#)

Sponsor: Rep. Ginny Ehrhart (R – Powder Springs)

Action: HB 459 received a Do Pass by Committee Substitute from the Senate Public Safety Committee (3/18/19).

[HB 471 - Motor vehicles; implied consent notices; revise](#)

Sponsor: Rep. Steven Sainz (R – Woodbine)

Action: HB 471 passed out of Senate Rules (3/18/19).

[HB 481 - Living Infants Fairness and Equality \(LIFE\) Act; enact](#)

Sponsor: Rep. Ed Setzler (R – Acworth)

Action: HB 481 received a Do Pass by Committee Substitute from the Senate Science & Technology Committee (3/18/19).

[HB 483 - Controlled substances; Schedules I, IV, and V; change certain provisions](#)

Sponsor: Rep. Ron Stephens (R – Savannah)

Action: HB 483 received a Do Pass from the Senate Health & Human Services Committee (3/18/19).

[HB 502 - Civil practice; continuances for members of the Board of Regents and the Attorney General; revise](#)

Sponsor: Andrew Welch (R – McDonough)

Action: HB 502 received a Do Pass by Committee Substitute from the Senate Special Judiciary Committee (3/19/19).

[HB 514 - Georgia Mental Health Reform and Innovation Commission; create](#)

Sponsor: Rep. Kevin Tanner (R – Dawsonville)

Action: HB 514 passed out of Senate Rules (3/18/19).

[HB 530 - Education; prohibit parents or guardians from withdrawing or removing a child from a public school for the purpose of avoiding compliance with laws relating to mandatory attendance, school discipline, parental involvement, or parental responsibilities](#)

Sponsor: Rep. Bill Hitchens (R – Rincon)

Action: HB 530 received a hearing from the Senate Education & Youth Committee (3/18/19).

[HB 571 - Ben Hill County; Magistrate Court chief judge; provide nonpartisan elections](#)

Sponsor: Rep. Clay Pirkle (R – Ashburn)

Action: HB 571 passed out of House Rules; and passed the House 106-60 (3/18/19).

[HB 572 - Ben Hill County; probate judge; provide nonpartisan elections](#)

Sponsor: Rep. Clay Pirkle (R – Ashburn)

Action: HB 572 passed out of House Rules; and passed the House 104-59 (3/18/19).

[HB 595 - Jenkins County; Probate Court judge; provide nonpartisan elections](#)

Sponsor: Rep. Butch Parrish (R – Swainsboro)

Action: HB 595 passed out of House Rules; and passed the House 107-57 (3/18/19).

SB 6 - Correctional Institutions of the State and Counties; use of unmanned aircraft systems to deliver or attempt to deliver contraband to a place of incarceration; prohibit

Sponsor: Sen. Kay Kirkpatrick (R – Marietta)

Action: SB 6 received a Do Pass by Committee Substitute from the Senate Public Safety & Homeland Security Committee (3/18/19).

SB 29 - Waiver of Immunity for Motor Vehicle Claims; definition to clarify sheriff, deputy sheriff, other agent, servant, or employee of sheriff's office; include

Sponsor: Sen. Harold Jones (D – Augusta)

Action: SB 29 received a Do Pass from the House Judiciary Civil Welch Subcommittee (3/19/19).

SB 31 - Law Enforcement Officers and Agencies; performing any duty at the scene of an emergency; law enforcement officers shall not be liable; clarify

Sponsor: Sen. Michael Rhett (D – Marietta)

Action: SB 31 received a Do Pass by Committee Substitute as amended from the House Judiciary Civil Welch Subcommittee (3/19/19).

SB 32 - Torts; conditions upon immunity from civil liability in instances of rendering emergency care; provide

Sponsor: Sen. Kay Kirkpatrick (R – Marietta)

Action: SB 32 received a Do Pass by Committee Substitute from the House Judiciary Civil Committee (3/19/19).

SB 58 - Attorney General; written approval that allows for a private person to bring a civil action regarding false taxpayer claims; eliminate requirement

Sponsor: Sen. Zahra Karinshak (D – Duluth)

Action: No action was taken on SB 58 from the House Judiciary Civil Welch Subcommittee (3/19/19).

SB 98 - Elections and Primaries; ranked voting for runoffs by overseas citizens and military personnel; authorize

Sponsor: Sen. Jesse Stone (R – Waynesboro)

Action: SB 98 received a hearing from the Senate Ethics Committee (3/19/19).

SB 104 - Resuscitation; parental requirement for consent; provide

Sponsor: Sen. Chuck Payne (R – Dalton)

Action: SB 104 received a Do Pass by Committee Substitute from the House Judiciary Civil Committee (3/19/19).

SB 110 - Courts; State-wide Business Court; pursuant to the Constitution of this state; establish

Sponsor: Sen. Jesse Stone (R – Waynesboro)

Action: SB 110 received a Do Pass by Committee Substitute from the House Judiciary Civil Committee (3/19/19).

[SB 130 - Office of Probate Judge of Johnson County; future nonpartisan elections; provide](#)

Sponsor: Sen. Jesse Stone (R – Waynesboro)

Action: SB 130 passed out of House Rules; and passed the House 110-59 (3/18/19).

[SB 147 - Public Officials' Conduct and Lobbyist Disclosure; illegal for an elected official of a local government to register as a lobbyist; provide](#)

Sponsor: Sen. Emanuel Jones (D – Decatur)

Action: SB 147 received a hearing from the Senate Ethics Committee (3/19/19).

[SB 167 - Relative Search by DFCS; foster placement for a child adjudicated as a dependent; determine such child's permanency plan; provide](#)

Sponsor: Sen. Matt Brass (R – Newnan)

Action: SB 167 received a Do Pass from the House Juvenile Justice Committee (3/19/19).

[SB 171 - Relating to courts, primaries, and elections generally, and Ad Valorem taxation; compensation of various local government officials; modify](#)

Sponsor: Sen. John Wilkinson (R – Toccoa)

Action: SB 171 passed out of House Rules; and was recommitted to House Rules (3/18/19).

[SB 225 - Juvenile Code; in conformity with the federal Social Security Act and the Family First Prevention Services Act; bring provisions](#)

Sponsor: Sen. Larry Walker (R – Perry)

Action: SB 225 received a Do Pass from the House Juvenile Justice Committee (3/19/19).

[SB 240 - Incorporation of Municipal Corporations; no municipal charter shall be enacted where a portion of the proposed corporate boundary was ever part of existing municipality; provide](#)

Sponsor: Sen. Jeff Mullis (R – Chickamauga)

Action: No action was taken on SB 240 by the Senate State & Local Governmental Operations Committee (3/19/19).

Committee Meeting Schedule*

Wednesday, March 20, 2019 – Recess/Committee Work Day

10:15 AM	House Judiciary Civil Welch Subcommittee HR 228 - President of the United States and United States Congress; enact legislation securing the citizenship of internationally adopted adult individuals; urge SB 58 - Attorney General; written approval that allows for a private person to bring a civil action regarding false taxpayer claims; eliminate requirement	132 CAP
2:00 PM	House Judiciary Non-Civil Reeves Subcommittee SB 9 - Invasion of Privacy; sexual extortion; prohibit; definitions; elements of the crime; provide	132 CAP
2:30 PM	House Judiciary Non-Civil Setzler Subcommittee SB 208 - Drivers Licenses; implied consent notices; revise	132 CAP
3:00 PM	House Judiciary Non-Civil	132 CAP
3:00 PM	Senate Health & Human Services HB 290 - Health; pilot program to provide preexposure assistance to persons at risk of HIV infection; establish HB 323 - Insurance; administration of claims by pharmacy benefit managers; revise provisions HB 345 - Penal institutions; pregnant female inmates or a female inmate who is in the immediate postpartum period; provide prohibited practices	450 CAP

4:00 PM	<p>Senate Judiciary</p> <p>HB 70 - Guardian and ward; guardian and conservators of minors and adults; revise provisions (LC 48 0108S)</p> <p>HB 228 - Marriage; change minimum age from 16 to 17 and require any person who is 17 to have been emancipated (LC 41 1970S)</p> <p>HB 239 - Georgia Business Court; establish (LC 41 1987S)</p> <p>HB 307 - Abandoned Motor Vehicle Act; enact (LC 39 2343S)</p> <p>HB 311 - State government; waiver of sovereign immunity as to actions ex contractu and state tort claims; provisions (LC 41 1980S)</p> <p>HB 346 - Property; prohibit retaliation by a landlord against a tenant for taking certain actions (LC 41 1989S)</p> <p>HB 478 - Social services; improvements to the operation of the child abuse registry; provide</p> <p>HB 353 - Insurance; create the crime of staging a motor vehicle collision (LC 34 5541S) (Hearing Only)</p>	307 CLOB
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**This meeting schedule is up to date at the time of this report, but meeting dates and times are subject to change. Please visit the [House Meetings page](#) and the [Senate Meetings page](#) for a complete list of meetings, the most current schedules and agendas.*

Thursday, March 21, 2019 – Legislative Day 34

8:00 AM	Senate Appropriations HB 31 - General appropriations; State Fiscal Year July 1, 2019 - June 30, 2020 HR 164 - General Assembly; dedication of revenues derived from fees or taxes to the public purpose for which such fees or taxes were imposed; authorize	341 CAP
9:00 AM	House Rules	341 CAP
10:00 AM	House Floor Session	House Chamber
10:00 AM	Senate Floor Session	Senate Chamber
ADJ.	Senate Rules	450 CAP
4:00 PM	Senate Judiciary	307 CLOB

Friday, March 22, 2019 – Legislative Day 35

10:00 AM	House Floor Session	House Chamber
10:00 AM	Senate Floor Session	Senate Chamber
ADJ.	Senate Rules	450 CAP

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