



## JUDICIAL COUNCIL OF GEORGIA ADMINISTRATIVE OFFICE OF THE COURTS

# LEGISLATIVE REPORT

March 26, 2019

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Legislative Days 36-37

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The General Assembly returned to session on Monday, March 25 (LD 36), and only three legislative days remain in the 2019 Legislative Session. As such, it is predicted that both chambers will be very busy in the upcoming days as they work to grant final passage to bills and resolutions.

For legislation to achieve final passage by the General Assembly, both the House and Senate must agree to the same version of the legislation. If a bill is passed out of one chamber and then changed by the other, the original chamber may move to agree or disagree to the changes, and potentially insist on its version of the legislation. If both chambers insist on their respective version, a conference committee may be appointed. Conference committees consist of members from both the House and Senate who deliberate the legislation and report out a final version to both chambers. If both chambers agree to the conference committee report, the legislation achieves final passage and is sent to the Governor. Many bills will face this process to some extent over the final three days of session.

Among the items of interest to the judiciary seeing action this week is [SB 38](#), which passed out of the House Judiciary Civil Committee. This bill includes language mandating that certain post-judgment filings be assigned a new case number for case count purposes. Additionally, [HB 257](#), which updates and modernizes various provisions relating to magistrate courts passed out of Senate Rules and will be taken up on the Senate floor on Thursday.

On Monday, the Senate passed its version of [HB 31](#), the budget for FY 2020, and eventually a conference committee was appointed. House conferees are House Appropriations Chairman Terry England (R – Auburn), Majority Leader Jon Burns (R – Newington), and Speaker Pro Tempore Jan Jones (R – Milton). Senate conferees are Senate Appropriations Chairman Jack Hill (R – Reidsville), Majority Leader Mike Dugan (R – Carrollton), and President Pro Tempore Butch Miller (R – Gainesville). The Joint Appropriations Conference Committee met on Tuesday, March 26 (LD 37) to begin discussions and the tracking document for the budget can be found [here](#).

The General Assembly will be in recess on Wednesday, March 27, for a Committee Work Day before reconvening on Thursday, March 28, for Legislative Day 38. 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](http://legislation.georgiacourts.gov).

## **Floor and Committee Action**

### **Legislation Supported by the Judicial Council**

[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 passed out of Senate Rules (3/26/19).

[SB 38 - Courts; electronic filing requirements of superior and state courts; certain types of filings; exclude](#)

Sponsor: Sen. William Ligon (R – Brunswick)

SB 38 amends Title 15 of the OCGA to clarify the filing of paper documents at a courthouse and exempt certain groups from electronic filing fees in civil cases.

SB 38 further amends Title 15 of the OCGA to require that new case numbers be given to post-judgment proceedings filed more than 30 days after the initial judgment or dismissal of a case. The amendment also provides for the computerized record-keeping of such post-judgment filings.

SB 38 also includes amended language from [HB 502](#), relating to continuances.

*(The Judicial Council position applies to the language relating to post-judgment filings.)*

**Action:** SB 38 received a Do Pass by Committee Substitute from the House Judiciary Civil Committee (3/26/19).

## **Other Bills**

[HB 31 - General appropriations; State Fiscal Year July 1, 2019 - June 30, 2020](#)

Sponsor: Speaker David Ralston (R – Blue Ridge)

**Action:** HB 31 passed the Senate by Substitute with a vote of 55-0; the House disagreed to the Senate Substitute; both chambers insisted on its position and a conference committee was appointed (3/25/19).

[HB 64 - Parent and child; require 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](#)

Sponsor: Rep. Brian Prince (D – Augusta)

**Action:** HB 64 passed the Senate 51-0 (3/25/19). *Final passage.*

[HB 79 - Blind persons; child custody matters; provisions](#)

Sponsor: Rep. Carl Wayne Gilliard (D – Garden City)

**Action:** HB 79 received a Do Pass by Committee Substitute from the Senate Judiciary Committee (3/25/19); and passed out of Senate Rules (3/26/19).

[HB 91 - Hospitals and health care facilities; Federal Bureau of Investigation to retain fingerprints when an agency or entity is participating in the Georgia Bureau of Investigation's program; allow](#)

Sponsor: Rep. Andrew Welch (R – McDonough)

**Action:** HB 91 received a Do Pass from the Senate Judiciary Committee (3/25/19); and passed out of Senate Rules (3/26/19).

[HB 118 - Crimes and offenses; transmitting a false alarm; revise offense](#)

Sponsor: Rep. Marc Morris (R – Cumming)

**Action:** HB 118 received a Do Pass by Committee Substitute from the Senate Judiciary Committee (3/25/19).

[HB 171 - Motor vehicles; use of mounts on windshields for the support of wireless telecommunications devices and stand-alone electronic devices under certain circumstances; allow](#)

Sponsor: Rep. Timothy Barr (R – Lawrenceville)

**Action:** HB 171 passed out of Senate Rules (3/25/19); and failed to pass the Senate with a vote of 27-28 (3/26/18).

[HB 213 - Georgia Hemp Farming Act; enact](#)

Sponsor: Rep. John Corbett (R – Lake Park)

**Action:** HB 213 passed out of Senate Rules (3/25/19); and passed the Senate by Substitute 45-6 (3/26/19).

[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 passed the Senate 45-4 (3/25/19). *Final passage.*

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

Sponsor: Rep. Spencer Frye (D – Athens)

**Action:** HB 227 passed the Senate 38-13 (3/25/19). *Final Passage.*

[HB 228 - Marriage; change minimum age from 16 to 17 and require any person who is 17 to have been emancipated](#)

Sponsor: Rep. Andrew Welch (R – McDonough)

**Action:** HB 228 passed out of Senate Rules (3/26/19).

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

Sponsor: Rep. Teri Anulewicz (D – Smyrna)

**Action:** HB 281 passed out of Senate Rules (3/26/19).

[HB 296 - Superior Court of Hall County in the Northeastern Circuit; revise term of court](#)

Sponsor: Rep. Lee Hawkins (R – Gainesville)

**Action:** HB 296 received a Do Pass from the Senate Judiciary Committee (3/25/19).

[HB 311 - State government; waiver of immunity of sovereign immunity as to actions ex contractu and state tort claims; provisions](#)

Sponsor: Rep. Andrew Welch (R – McDonough)

**Action:** HB 311 passed the Senate by Substitute 49-0 (3/25/19).

[HB 324 - Georgia's Hope Act; enact](#)

Sponsor: Rep. Micah Gravley (R – Douglasville)

**Action:** *Action pending from the Senate Regulated Industries Committee at the time of this report.*

[HB 342 - Motor vehicles; issuance of a traffic citation to a vehicle owner in lieu of the individual operating the motor vehicle in certain instances; provide](#)

Sponsor: Rep. Matt Dollar (R – Marietta)

**Action:** HB 342 received a Do Pass from the Senate Public Safety Committee (3/25/19).

[HB 345 - Penal institutions; pregnant female inmates or female inmate who is in the immediate postpartum period; provide prohibited practices](#)

Sponsor: Rep. Sharon Cooper (R – Marietta)

**Action:** HB 345 from the Senate Health & Human Services Committee (3/25/19).

[HB 346 - Property; prohibit retaliation by a landlord against a tenant for taking certain actions](#)

Sponsor: Rep. Sharon Cooper (R – Marietta)

**Action:** HB 346 passed out of Senate Rules (3/25/19); and was tabled by the Senate (3/26/19).

[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 (3/25/19).

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

Sponsor: Rep. Ron Stephens (R – Stephens)

**Action:** HB 483 passed the Senate 48-1 (3/25/19). *Final passage.*

[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 passed out of Senate Rules (3/26/19).

[HB 551 - Controlled substances; kratom; provisions](#)

Sponsor: Rep. Dewayne Hill (R – Ringgold)

**Action:** HB 551 from the Senate Health & Human Services Committee (3/25/19); and passed out of Senate Rules (3/26/19).

[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 passed out of House Rules (3/26/19).

[SB 9 - Invasion of Privacy; sexual extortion; prohibit; definitions; elements of the crime; provide \(Includes language from \[HB 43\]\(#\)\)](#)

Sponsor: Sen. Harold Jones (D – Augusta)

**Action:** SB 9 passed out of House Rules (3/25/19); and passed the House by Substitute 169-0 (3/26/19).

[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 passed out of House Rules (3/25/19); and passed the House 170-0 (3/26/19).

**Final passage.**

[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 from the House Judiciary Civil Committee (3/26/19).

[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 failed to pass the House with a vote of 46-108 (3/25/19).

[SB 37 - Statute of Frauds; clarify that a mutual agreement to modify an existing promise, agreement, contract; shall be in writing and subject to statute of frauds](#)

Sponsor: Sen. William Ligon (R – Brunswick)

**Action:** SB 37 passed out of House Rules (3/25/19); and passed the House by Substitute 168-0 (3/26/19).

[SB 77 - State Flag, Seal, and other Symbols; additional protections for government statues; provide](#)

Sponsor: Sen. Jeff Mullis (R – Chickamauga)

**Action:** SB 77 passed out of House Rules (3/26/19).

[SB 110 - Courts; State-wide Business Court; pursuant to the Constitution of this state; establish](#)  
(Includes language from [HB 239](#))

Sponsor: Sen. Jesse Stone (R – Waynesboro)

**Action:** SB 110 passed out of House Rules; and passed the House by Substitute 155-10 (3/25/19).

[SB 153 - Trauma Scene Cleanup Services; comprehensive regulation; provide](#)

Sponsor: Sen. Tyler Harper (R – Ocilla)

**Action:** SB 153 passed out of House Rules (3/25/19); and passed the House with a vote of 152-13. *Final passage.*

[SB 158 - “Anti-Human Trafficking Protective Response Act”](#)

Sponsor: Sen. Sen. Brian Strickland (R – McDonough)

**Action:** SB 158 passed out of House Rules (3/25/19); and passed the House by Substitute 167-0 (3/26/19).

[SB 222 - Criminal Procedure; Georgia Council on Criminal Justice Reform; create](#)

Sponsor: Sen. Jesse Stone (R – Waynesboro)

**Action:** No action was taken on SB 222 by the House Judiciary Non-Civil Committee (3/26/19).

[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 passed out of House Rules (3/25/19); and passed the House by Substitute 158-1 (3/26/19).

**Committee Meeting Schedule\***

**Wednesday, March 27, 2019 – Committee Work Day**

2:00 PM	House Juvenile Justice <a href="#">SB 190</a> - Child Custody Intrastate Jurisdiction Act; party may bring a counterclaim for contempt in response to a complaint seeking a change of legal or physical custody; provide (Hearing Only)	606 CLOB
3:00 PM	House Governmental Affairs Elections Subcommittee <a href="#">SB 213</a> - Campaign Contributions; content of and certain reporting times for certain campaign disclosure reports; revise	406 CLOB
Adj. of Subcommittee	House Governmental Affairs	406 CLOB
4:00 PM	Senate Judiciary <a href="#">HB 424</a> - Crimes and offenses; include certain sex crimes into the definition of criminal gang activity <a href="#">HB 470</a> - Law enforcement officers and agencies; analysis and collection of DNA for individuals charged with a felony offense but sentenced as a first offender or under conditional discharge; provide HB 230 - Business corporations; provide for benefit corporations <a href="#">HB 396</a> - Crimes and offenses; unlawful for a person with intent to defraud a creditor's rights to deed or otherwise transfer title to real property to another person without the knowledge or consent of such other person; provide	307 CLOB

*\*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 28, 2019 – Legislative Day 38**

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 29, 2019 – Legislative Day 39**

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

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