



JUDICIAL COUNCIL OF GEORGIA ADMINISTRATIVE OFFICE OF THE COURTS

WEEKLY LEGISLATIVE REPORT

February 15, 2019

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Week 5 (Legislative Days 12-16)

The fifth week of the 2019 Legislative Session saw much action in both chambers of the General Assembly. With Crossover Day (LD 28) less than three weeks away, many bills are moving through the committee process and it is likely that floor activity will see a similar increase in the coming weeks.

On Wednesday, February 13 (LD 14), the House passed [HB 92](#). This bill would allow municipal court judges to request that up to six excess training hours carry over to the subsequent year. [SB 38](#), which includes language mandating that certain post-judgment filings be assigned a new case number for case count purposes, passed out of the Senate on the same day.

Both the FY 2020 Budget ([HB 31](#)) and the FY 2019 Amended Budget ([HB 30](#)) continue to make their way through the appropriations process. The current tracking document for FY 2020 can be found [here](#) and FY 2019 [here](#).

A Joint Session will be convened on Tuesday, February 19, to hear Chief Justice Harold D. Melton present the State of the Judiciary Address at 11 a.m. in the House Chamber. The speech will be available via livestream on the [House Video Broadcasts Page](#).

The General Assembly will reconvene on Tuesday, February 19, for Legislative Day 17.

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.

The following legislation supported by the Judicial Council was filed this week:

[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 O.C.G.A to update and modernize the relevant code section.

Action: HB 257 was assigned to the House Judiciary Civil Committee (2/12/19).

Floor and Committee Action

Legislation Supported by the Judicial Council

[HB 92 - Georgia Municipal Courts Training Council; training hours completed by a municipal court judge in excess of those required may carry over to the following year; provide](#)

Sponsor: Rep. Dale Rutledge (R – McDonough)

HB 92 amends Title 36 of the O.C.G.A. to allow municipal court judges who complete training hours in excess of the annual requirement to request that up to six of those excess hours be rolled over and applied to the subsequent calendar year

Action: HB 92 passed out of House Rules (2/13/19); and passed the House 171-0 (2/13/19).

[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 O.C.G.A. to clarify the filing of paper documents at a courthouse and exempt certain groups from electronic filing fees in civil cases.

SB 38 includes language requiring that new case numbers be given to post-judgment proceedings filed more than 30 days after the initial judgment or dismissal of a case, and also provides for the computerized record-keeping of such post-judgment filings.

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

Action: SB 38 passed out of Senate Rules (2/12/19); and passed the Senate 53-0 (2/13/19).

Other Bills

[HR 1 - Nathan Deal Judicial Center; naming the forthcoming new state appellate judicial complex](#)

Sponsor: Rep. David Ralston (R – Blue Ridge)

Action: HR 1 received a Do Pass from the Senate State Institutions & Property Committee (2/13/19).

[HB 20 - Crimes and Offenses; persons convicted of family violence offenses cannot possess or carry firearms; provide](#)

Sponsor: Rep. Debra Bazemore (D – Riverdale)

Action: No action was taken on HB 20 by the House Public Safety & Homeland Security Powell Subcommittee (2/14/19).

[HB 21 - Gwinnett Judicial Circuit; additional judge of the superior court; provide](#)

Sponsor: Rep. Chuck Efstration (R – Dacula)

Action: HB 21 received a Do Pass from the Senate Judiciary Committee (2/14/19).

[HB 24 - Public officers; members of state and local boards, authorities, commissions shall be appointed by an elected official or officials; require](#)

Sponsor: Rep. Vernon Jones (D – Lithonia)

Action: HB 24 received a Do Pass by Substitute from the House Government Affairs State & Local Government Subcommittee (2/13/19); and received a Do Pass by Substitute from the House Governmental Affairs Committee (2/13/19).

[HB 25 - Contracts; provide military service members civil relief concerning certain contractual obligations due to circumstances of active duty](#)

Sponsor: Rep. Dave Belton (R – Buckhead)

Action: HB 25 received a Do Pass by Substitute from the House Judiciary Civil Committee (2/12/19); passed out of House Rules (2/13/19); and passed out of the House 173-1 (2/13/19).

[HB 28 - Griffin Judicial Circuit; additional judge of the superior court; provide](#)

Sponsor: Rep. Karen Mathiak (R – Griffin)

Action: HB 28 received a Do Pass from the Senate Judiciary Committee (2/11/19).

[HB 33 - Weapons carry license; extension of time for the renewal of a license for certain service members on active duty outside of the state; provide](#)

Sponsor: Rep. Eddie Lumsden (R – Armuchee)

Action: HB 33 received a Do Pass from the House Public Safety & Homeland Security Powell Subcommittee (2/14/19).

[HB 43 - Sexual offenses; persons with supervisory or disciplinary authority; revise crime of sexual assault](#)

Sponsor: Rep. Ed Setzler (R – Acworth)

Action: HB 43 received a hearing by the House Judiciary Non-Civil Reeves Subcommittee (2/12/19).

[HB 55 - Crimes and offenses; prohibit printing or production of certain firearms produced by means of three-dimensional printing; provide](#)

Sponsor: Rep. Roger Bruce (D – Atlanta)

Action: HB 55 was tabled by the House Public Safety Lumsden Subcommittee (2/11/19).

[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 received a Do Pass by Substitute from the House Juvenile Justice Committee (2/14/19).

[HB 70 - Guardian and ward; guardian and conservators of minors and adults; revise provisions](#)

Sponsor: Rep. Chuck Efstoration (R – Dacula)

Action: HB 70 received a hearing by the House Juvenile Justice Committee (2/14/19).

[HB 73 - Public officers and employees; prohibition of persons engaged in bail bond business from serving in certain elected officials; revise](#)

Sponsor: Rep. Marc Morris (R – Cumming)

Action: HB 73 received a Do Pass from the House Government Affairs State & Local Government Subcommittee (2/13/19); and was tabled by the House Governmental Affairs Committee (2/13/19).

[HB 77 - Public assistance; fraud and related offenses; redesignate code section and revise terminology](#)

Sponsor: Rep. David Clark (R – Buford)

Action: No action was taken on HB 77 by the House Judiciary Non-Civil Setzler Subcommittee (2/11/19).

[HB 80 - Child Support Cooperation Act of 2019; enact](#)

Sponsor: Rep. William Werkheiser (R – Glennville)

Action: No action was taken on HB 80 by the House Judiciary Civil Welch Subcommittee (2/15/19).

[HB 81 - Contracts; certain restrictive covenants regarding information technology employees; prohibit](#)

Sponsor: Rep. Todd Jones (R – South Forsyth)

Action: HB 81 received a Do Pass by Committee Substitute from the House Judiciary Civil Welch Subcommittee (2/15/19).

[HB 98 - Motor vehicles; uniform traffic citation and complaint form issued after a certain date shall include a method for noting offense by motor vehicle or a bicycle; require](#)

Sponsor: Rep. Park Cannon (D – Atlanta)

Action: No action was taken on HB 98 by the House Judiciary Non-Civil Setzler Subcommittee (2/11/19).

[HB 113 - Motor vehicles; prohibit license and instruction permit holders from using a stand-alone electronic device or wireless telecommunications device while driving](#)

Sponsor: Rep. John Carson (R – Marietta)

Action: HB 113 received a Do Pass from the House Public Safety Lumsden Subcommittee (2/11/19); received a Do Pass from the House Public Safety & Homeland Security Committee (2/12/19); and was recommitted back to the House Public Safety & Homeland Security Committee by the House Rules Committee (2/13/19).

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

Sponsor: Rep. Marc Morris (R – Cumming)

Action: No action was taken on HB 118 by the House Public Safety & Homeland Security Powell Subcommittee (2/14/19).

[HB 129 - Crimes and offenses; knowingly selling or furnishing knuckles to a person under age of 18 years; provide for an exception](#)

Sponsor: Rep. Ron Stephens (R – Savannah)

Action: HB 129 received a Do Pass from the House Judiciary Non-Civil Reeves Subcommittee (2/15/19).

[HB 177 - Civil practice; certain actions arising from burial of construction waste or materials; change when statute of limitations shall accrue](#)

Sponsor: Rep. Michael Caldwell (R – Woodstock)

Action: No action was taken on HB 177 by the House Judiciary Civil Welch Subcommittee (2/15/19).

[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 received a hearing by the House Motor Vehicles Driver Safety & Service Subcommittee (2/14/19).

[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 received a hearing by the House Juvenile Justice Committee (2/14/19).

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

Sponsor: Rep. Chuck Efstoration (R – Dacula)

Action: HB 228 received a hearing by the House Juvenile Justice Committee (2/14/19).

[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 received a Do Pass from the House Judiciary Non-Civil Reeves Subcommittee (2/15/19).

[HB 256 - Controlled substances; certain persons shall be allowed to possess such substances only while in usual course of business or employment; provide](#)

Sponsor: Rep. Mitchell Scoggins (R – Cartersville)

Action: HB 256 received a Do Pass from the House Judiciary Non-Civil Reeves Subcommittee (2/15/19).

[HB 258 - Criminal procedure; add aggravated sexual battery to the list of offenses for which the statute of limitations is tolled if the victim is younger than 16 years of age](#)

Sponsor: Rep. William Boddie (D – East Point)

Action: HB 258 received a Do Pass from the House Judiciary Non-Civil Reeves Subcommittee (2/15/19).

[HB 259 - Georgia Crime Information Center; provide criminal history record information to the Sexual Offender Registration Review Board](#)

Sponsor: Rep. Mandi Ballinger (R – Canton)

Action: No action was taken on HB 259 by the House Judiciary Non-Civil Reeves Subcommittee (2/15/19).

[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 Substitute from the Senate Public Safety Committee (2/11/19); passed out of Senate Rules (2/13/19); and passed the Senate 55-0 (2/14/19).

[SB 9 - Invasion of Privacy; sexual extortion; prohibit; definitions; elements of the crime; provide](#)

Sponsor: Sen. Harold Jones (D – Augusta)

Action: SB 9 received a hearing by the Senate Judiciary Committee (2/14/19).

[SB 15 - “Keeping Georgia’s Schools Safe Act”](#)

Sponsor: Sen. John Albers (R – Roswell)

Action: SB 15 received a hearing by the Senate Public Safety Committee (2/11/19).

[SB 25 - Rules of the Road; when a driver of a vehicle need to stop upon meeting or passing a school bus; clarify](#)

Sponsor: Sen. Bill Heath (R – Bremen)

Action: SB 25 received a Do Pass from the House Public Safety Lumsden Subcommittee (2/11/19); received a Do Pass from the House Public Safety and Homeland Security Committee (2/12/19); passed out of House Rules (2/13/19); and passed the House 171-0 (2/13/19).

[SB 45 - “Rural Georgia Jobs and Growth Act”](#)

Sponsor: Sen. Brandon Beach (R – Alpharetta)

Action: No action was taken on SB 45 by the Senate Economic Development & Tourism Committee (2/13/19).

SB 52 - Code Revision Commission; statutory portion of said Code; revise, modernize, correct errors or omissions in and reenact

Sponsor: Sen. William Ligon (R – Brunswick)

Action: SB 52 received a Do Pass from the Senate Judiciary Committee (2/11/19); passed out of Senate Rules (2/13/19); and, passed the Senate 52-0 (2/14/19).

Committee Meeting Schedule

Monday February 18, 2019 – In Recess

2:00 PM	Senate Public Safety	MEZZ 1
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Tuesday February 19, 2019 – Legislative Day 17

8:00 AM	Senate Appropriations	341 CAP
8:30 AM	House Judiciary Non-Civil HB 129 - Crimes and offenses; knowingly selling or furnishing knuckles to a person under age of 18 years; provide for an exception HB 246 - Evidence; revise manner by which depositions taken at the instance of state are paid HB 258 - Criminal procedure; add aggravated sexual battery to the list of offenses for which the statute of limitations is tolled if the victim is younger than 16 years of age	132 CAP
9:00 AM	House Rules	341 CAP
10:00 AM	House Floor Session	House Chamber
10:00 AM	Senate Floor Session	Senate Chamber
11:00 AM	State of the Judiciary address	House Chamber
ADJ.	Senate Rules	450 CAP
4:00 PM	Senate Judiciary Subcommittee A SB 59 – Wiretapping, Eavesdropping; it shall be legal to intercept a wire, oral, or electronic communication if all parties consent to such interception; provide SB 64 – Juvenile Code; certain acts; offense of a terroristic threat as a Class B designated felony act; include	307 CLOB

5:00 PM	Senate Special Judiciary SB 32 – Torts; conditions upon immunity from civil liability in instances of rendering emergency care; provide SB 36 – Medical Assistance; authorization of appropriations for purposes of obtaining financial participation; Medicaid expansion; provide	307 CLOB
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Wednesday, February 20, 2019 – Legislative Day 18

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
2:00 PM	Senate Public Safety	MEZZ 1
5:00 PM	Senate Judiciary	307 CLOB

Thursday, February 21, 2019 – Legislative Day 19

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
1:00 PM	Senate Public Safety	MEZZ 1
4:00 PM	Senate Judiciary	307 CLOB

Friday, February 22, 2019 – Legislative Day 20

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

**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.*

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