



JUDICIAL COUNCIL OF GEORGIA ADMINISTRATIVE OFFICE OF THE COURTS

WEEKLY LEGISLATIVE REPORT

March 30, 2018

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Week 12 (Legislative Days 39-40)

The final week of the 2018 Legislative Session was a flurry of activity as both chambers worked long hours on Tuesday, March 27 (LD 39) and Thursday, March 29 (LD 40). The final gavel of the year was sounded slightly past midnight on LD 40, Sine Die.

The Conference Committee for [HB 684](#), the FY2019 state budget, released its report on Monday. The Senate agreed to the report on Tuesday with the House following on Thursday, bringing the budget to final passage. The final report can be found [here](#). A number of bills of interest to the judiciary received final passage on Day 40, including the last piece of Governor Deal's criminal justice reform package, [SB 407](#). Bills supported by the Judicial Council receiving final passage this week include SB 436 and HB 654 (by way of SB 427). While many bills made it through the entire process, others did not reach final agreement between the two chambers prior to adjournment. As this was the second year of a two-year legislative cycle, all bills that did not pass must restart the process next year.

This report is a compilation of the items acted on this week affecting Georgia's Judiciary. Bill summaries provided on the Judicial Council/AOC legislative website will be updated over the coming weeks to reflect final, As Passed versions. Staff may be contacted using the information provided on the last page of this report with any questions. A final report of enacted legislation will be available following the Governor's signing deadline of Tuesday, May 8th.

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

[SB 407 - Criminal Justice System; comprehensive reform for offenders; provide](#)

Sponsor: Sen. Brian Strickland (R – McDonough)

(Includes language from [HB 15](#))

Action: SB 407 passed the House with a vote of 170-0 (3/27/18); the Senate Agreed to the House Substitute as Amended by the Senate with a vote of 49-2; and, the House Agreed to the Senate amendment to SB 407 with a vote of 172-0 (3/29/18). ***Final passage.***

[SB 436 - Probate Courts; general provisions; change and modernize](#)

Sponsor: Sen. Brian Strickland (R – McDonough)

Action: The Senate Agreed to the House Substitute to SB 436 with a vote of 53-0 (3/29/18). ***Final passage.***

[SB 427 - Child Support in Final Verdict or Decree; court's discretion in making a final determination of support; provisions; change](#)

(Includes language from [HB 654](#), supported by the Judicial Council)

Sponsor: Sen. John Kennedy (R – Macon)

Action: SB 427 passed out of House Rules (3/26/18); passed the House with a vote of 171-0 (3/27/18); and, the Senate agreed to the House Substitute with a vote of 47-0 (3/29/18). ***Final passage.***

Other Bills

[HB 61 - Sales and use tax; certain retailers to either collect and remit or notify purchaser and state; require](#)

Sponsor: Rep. Jay Powell (R – Camilla)

Action: HB 61 passed the Senate with a vote of 49-3 (3/27/18); and, passed the House with a vote of 138-39 (3/29/18). ***Final Passage.***

[HB 65 - Low THC Oil Patient Registry; conditions and eligibility; change provisions](#)

Sponsor: Rep. Allen Peake (R – Macon)

Action: The House agreed to the Senate Substitute to HB 65 as amended by the House with a vote of 146-10; and, the Senate agreed to the House Amendment with a vote of 38-14 (3/29/18). ***Final passage.***

[HB 161 - Drug related objects; employees of harm reduction organizations are not subject to certain offenses; provide](#)

Sponsor: Rep. Price (R – Roswell)

Action: HB 161 passed out of Senate Rules (3/26/18); and, HB 161 passed the Senate as amended with a vote of 51-0 (3/27/18).

[HB 185 - Probate court; associate judges; change provisions](#)

(HB 185 was stripped of its original language and serves as the enabling legislation for HR 993)

Sponsor: Rep. Christian Coomer (R – Cartersville)

Action: HB 185 passed out of Senate Rules (3/26/18); and, HB 185 was tabled by the Senate (3/27/18).

[HB 190 - Domestic relations; marriage articles and antenuptial agreements; change provisions](#)

Sponsor: Rep. Meagan Hanson (R – Brookhaven)

Action: HB 190 passed out of Senate Rules (3/26/18); passed the Senate with a vote of 53-0 (3/27/18); and, the House agreed to the Senate Substitute with a vote of 165-0 (3/29/18). ***Final Passage***

[HB 214 - Crimes and offenses; consistent punishment for the unlawful manufacture, sale or distribution of a proof of insurance document; provide](#)

Sponsor: Rep. Rich Golick (R – Smyrna)

Action: HB 214 was tabled by the Senate (3/27/18); and, the Senate passed HB 214 by Substitute with a vote of 48-0 (3/29/18).

[HB 344 - Paternity; parties beyond movants in a child support case request a genetic test; allow](#)

Sponsor: Rep. Katie Dempsey (R – Rome)

Action: The House agreed to the Senate Substitute of HB 344 with a vote of 166-0 (3/29/18). ***Final passage.***

[HB 381 - Abandoned Mobile Home Act; enact](#)

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

Action: The House agreed to the Senate Substitute of HB 381 with a vote of 164-0 (3/29/18). ***Final Passage.***

[HB 441 - Trusts; establish qualified self-settled spendthrift trusts; provisions](#)

Sponsor: Rep. Barry Fleming (R – Harlem)

Action: The Senate agreed to the House Amendment to the Senate Substitute to HB 441 with a vote of 43-6 (3/29/18). ***Final passage.***

[HB 475 - Charitable solicitations; use of collection receptacles for donations; implement additional requirements](#)

Sponsor: Rep. Buddy Harden (R – Cordele)

Action: The House agreed to the Senate Substitute to HB 475 with a vote of 165-2 (3/29/18). ***Final Passage.***

[HB 605 - Hidden Predator Act of 2018; enact](#)

Sponsor: Rep. Jason Spencer (R – Woodbine)

Action: HB 605 passed out of Senate Rules (3/26/18); passed the Senate by Substitute with a vote of 51-0; the House disagreed to the Senate Substitute to HB 605; the Senate insisted on its position; and, the House appointed a Conference Committee but the Senate failed to appoint one with a vote of 26-27 (3/29/18).

[HB 657 - Firearms; providing to person on probation as a felony first offender; make unlawful](#)

Sponsor: Rep. Jesse Petrea (R – Savannah)

Action: HB 657 passed out of Senate Rules (3/26/18); passed the Senate by Substitute with a vote of 34-18; the House agreed to the Senate Substitute as amended with a vote of 162-10; and, the Senate agreed to the House Amendment with a vote of 49-1 (3/29/18). ***Final Passage.***

[HB 668 - Guardian and ward; petitions for appointment of a guardian under certain circumstances; provisions](#)

Sponsor: Rep. Betty Price (R – Roswell)

Action: HB 668 passed out of Senate Rules (3/26/18); and, HB 668 was tabled by the Senate (3/27/18).

[HB 673 - Motor vehicles; prohibit actions which distract a driver while operating a motor vehicle; provisions](#)

Sponsor: Rep. John Carson (R – Marietta)

Action: HB 673 passed out of Senate Rules (3/26/18); the House agreed to the Senate Substitute to HB 673 as Amended by the House with a vote of 147-23; the Senate agreed to the House Amendment to the Senate Substitute as Amended by the Senate; and, the House Agreed to the Senate Amendment to HB 673 with a vote of 144-18. (3/29/18). ***Final passage.***

[HB 684 - General appropriations; State Fiscal Year July 1, 2018 - June 30, 2019](#)

Sponsor: Speaker David Ralston (R – Blue Ridge)

Action: The Conference Committee report to HB 684 was adopted by the Senate with a vote of 54-1 (3/27/18); and, the Conference Committee report was adopted by the House with a vote of 175-1 (3/29/18). ***Final passage.***

[HB 763 - Education; student attendance protocol committees to school climate; expand](#)

Sponsor: Rep. Randy Nix (R – LaGrange)

Action: The House agreed to the Senate substitute to HB 763 165-6 (3/29/18). ***Final passage.***

[HB 765 - C.J.'s Law; enact](#)

Sponsor: Rep. “Able” Mable Thomas (D – Atlanta)

Action: HB 765 passed the Senate as Amended with a vote of 46-7 (3/21/18).

[HB 790 - State government; recommendations of the Court Reform Council; implement](#)

Sponsor: Rep. Chuck Efstration (R – Dacula)

Action: The House agreed to the Senate Substitute to HB 790 with a vote of 161-0 (3/29/18). ***Final passage.***

[HB 791 - State government; limited waiver of the state's sovereign immunity for declaratory or injunctive relief under certain circumstance; provide](#)

Sponsor: Rep. Chuck Efstration (R – Dacula)

Action: HB 791 was tabled by the Senate (3/27/18).

[HB 803 - Crimes and offenses; trafficking a disabled adult, elder person, or resident; prohibit](#)

Sponsor: Rep. Wendell Willard (R – Sandy Springs)

Action: HB 803 passed out of Senate Rules (3/26/18); and, passed the Senate with a vote of 49-0 (3/27/18). ***Final passage.***

[HB 808 - Courts; term of court in certain counties in Waycross Circuit; change](#)

Sponsor: Rep. Chad Nimmer (R – Blackshear)

Action: HB 808 passed out of Senate Rules (3/26/18); and, passed the Senate with a vote 54-0 (3/27/18). ***Final passage.***

[HB 809 - Motor vehicles; Georgia State Patrol motor vehicles for traffic law enforcement may be a solid color; provide](#)

Sponsor: Rep. Bill Hitches (R – Rincon)

Action: HB 809 passed out of Senate Rules (3/26/18); and, passed the Senate with a vote of 54-1 (3/27/18). ***Final passage.***

[HB 830 - Controlled substances; Schedule I and II; change certain provisions](#)

Sponsor: Rep. Buddy Harden (R – Cordele)

Action: HB 830 passed the Senate with a vote of 48-0 (3/14/18). ***Final passage.***

[HB 834 - Landlord and tenant; termination of a rental or lease agreement under circumstances involving family violence; provide](#)

(Includes Language from [SB 443](#))

Sponsor: Rep. Mandi Ballinger (R – Canton)

Action: HB 834 passed out of Senate Rules (3/26/18); passed the Senate by Substitute with a vote 54-0 (3/27/18); and, the House agreed to the Senate Substitute to HB 834 with a vote of 166-0 (3/29/18). ***Final Passage.***

[HB 856 - Board of Public Safety; add commissioner of community supervision](#)

Sponsor: Rep. John Deffenbaugh (R – Lookout Mountain)

Action: HB 856 passed the Senate with a vote of 52-0 (3/19/18). ***Final passage.***

[HB 867 - Georgia Peace Officer Standards and Training Council; quorum for transaction of business; revise](#)

Sponsor: Rep. Bill Hitchens (R – Rincon)

Action: HB 867 passed out of Senate rules (3/26/18); and, passed the Senate with a vote of 47-1 (3/29/18). ***Final passage.***

[HB 890 - Crimes and offenses; make it unlawful to use an emergency exit after having shoplifted](#)

Sponsor: Rep. Barry Fleming (R – Harlem)

Action: HB 890 passed out of Senate Rules (3/26/18); and, passed the Senate with a vote of 37-15 (3/29/18). ***Final passage.***

[HB 897 - Georgia Power of Attorney Act; revise](#)

Sponsor: Rep. Chuck Efstration (R – Dacula)

Action: HB 897 passed the Senate with a vote of 53-0 (3/19/18). ***Final passage.***

[HB 904 - Torts; effect of a landowner charging an admission price or fee; clarify provisions](#)

Sponsor: Rep. Meagan Hanson (R – Brookhaven)

Action: The House agreed to the Senate Substitute to HB 904 as amended by the House with a vote of 155-16 (3/27/18); the Senate agreed to the House Amendment to the Senate Substitute to HB 904 with a vote of 48-2 (3/29/18). ***Final passage.***

[HB 906 - Public records; public disclosure of personal information of certain foster parents; exclude](#)

Sponsor: Rep. Katie Dempsey (R – Rome)

Action: The House insisted on its position on HB 906 and a conference committee was appointed (3/27/18); the House adopted the conference committee report with a vote of 169-0; and, the Senate adopted the conference committee report with a vote of 52-0 (3/29/18). ***Final passage.***

[HB 917 - Crimes and offenses; restitution; update terminology and change provisions](#)

Sponsor: Rep. Matt Dollar (R – Marietta)

Action: HB 917 passed out of Senate Rules (3/26/18); passed the Senate as amended with a vote of 49-2; and, the House agreed to the Senate amendment with a vote of 167-3 (3/29/18). ***Final passage.***

[HB 920 - Domestic relations; department's information concerning the parties to an adoption under certain circumstances; allow for the use](#)

Sponsor: Rep. Katie Dempsey (R – Rome)

Action: The House agreed to the Senate Substitute with a vote 167-0 (3/29/17). ***Final Passage***

[HB 972 - Human Services, Department of; Division of Family and Children Services to offer extended care youth services under certain circumstances; allow](#)

(Includes language from HB 927)

Sponsor: Rep. Wendell Willard (R – Sandy Springs)

Action: HB 972 passed out of Senate Rules (3/26/18); was tabled by the Senate (3/27/18); and, passed the Senate by Substitute with a vote of 54-0 (3/29/18).

[HB 978 - Motor vehicles; automated traffic enforcement safety devices in school zones; provisions](#)

Sponsor: Sen. Brandon Beach (R – Alpharetta)

Action: HB 978 passed out of Senate Rules (3/26/18); was tabled by the Senate (3/27/18); passed the Senate by Substitute as Amended with a vote of 35-19; and, the House agreed to the Senate Substitute to HB 978 with a vote of 136-21 (3/29/18). ***Final passage.***

[HB 982 - Courts; relative searches conducted by DFCS; change provisions](#)

Sponsor: Rep. Chad Nimmer (R – Blackshear)

Action: HB 982 passed out of Senate Rules (3/26/18); passed the Senate by Substitute with a vote of 52-0 (3/27/18); and, the House agreed to the Senate substitute of HB 982 with a vote of 168-0 (3/29/18). ***Final passage.***

[HB 999 - Weapons; carry license; inpatient hospitalization; provisions](#)

Sponsor: Rep. Christian Coomer (R – Cartersville)

Action: HB 999 passed out of Senate Rules (3/26/18); and, was tabled by the Senate (3/27/18).

[HB 986 - Waycross Judicial Circuit; judges of superior courts; increase supplements](#)

Sponsor: Rep. Chad Nimmer (R – Blackshear)

Action: The House agreed to the Senate Substitute to HB 986 with a vote of 163-0 (3/29/18).
Final passage.

[HR 993 - Business court; state-wide jurisdiction; create](#)

Sponsor: Rep. Chuck Efstoration (R – Dacula)

Action: HR 993 passed out of Senate Rules (3/26/18); was tabled by the Senate (3/27/18); passed the Senate by Substitute with a vote of 46-7; and, the House Agreed to the Senate Substitute to HR 993 with a vote of 120-52 (3/29/18). ***Final passage.***

[SB 127 - Failure to Provide Notice Not Rendering Responsible Person Liable; victim to file a motion in a criminal case to assert his or her rights; allow](#)

Sponsor: Sen. John Kennedy (R – Macon)

Action: SB 127 passed out of House Rules (3/26/18); passed the House by Substitute with a vote of 170-0 (3/27/18); and, the Senate agreed to the House Substitute to SB 127 with a vote of 54-0 (3/29/18). ***Final passage.***

[SB 131 - Juvenile Code; adoption proceedings be stayed while an appeal to terminate parental rights is pending; provide](#)

Sponsor: Sen. Blake Tillery (R – Vidalia)

Action: The Senate agreed to the House Substitute to SB 131 (3/29/18). ***Final passage.***

[SB 154 - Assault and Battery; public safety officer while engaged in his or her official duties; provide for the offenses of aggravated assault and aggravated battery](#)

Sponsor: Sen. Greg Kirk (R – 13th)

(SB 154 has been stripped of its original language and replaced with language from [HB 1006](#))

Action: SB 154 passed the House by Substitute with a vote of 169-0 (3/27/18).

[SB 190 - Juvenile Court of Newton County; intake services; transfer to Georgia Department of Juvenile Justice pursuant to code section 15-11-69 of the OCGA](#)

Sponsor: Sen. Brian Strickland (R – McDonough)

Action: SB 190 passed the House by Substitute with a vote of 167-0 (3/27/18); the Senate agreed to the House Substitute to SB 190 as amended with a vote of 51-0 (3/29/18).

[SB 194 - Garnishment Proceedings; maximum part of disposable earnings subject to garnishment; change](#)

Sponsor: Sen. Jesse Stone (R – Waynesboro)

Action: The Senate agreed to the House Substitute to SB 194 with a vote of 45-0 (3/29/18).

Final passage.

[SB 263 - City of Eagles Landing; incorporate; charter; provide](#)

Sponsor: Sen. Brian Strickland (R – McDonough)

Action: SB 263 passed the House by Substitute with a vote of 102-67 (3/27/18); and, the Senate agreed to the House Substitute to SB 263 (3/29/18). ***Final passage.***

[SB 315 - Computer Crimes; create a new crime of unauthorized computer access; penalties; provide](#)

Sponsor: Sen. Bruce Thompson (R – White)

Action: SB 315 passed the House with a vote of 107-63 (3/27/18); and, the Senate agreed to the House Substitute with a vote of 42-7 (3/29/18). ***Final passage.***

[SB 321 - Medicaid Claims; false or fraudulent; recover the maximum penalty authorized by federal law; increase the civil penalties](#)

Sponsor: Sen. Blake Tillery (R – Vidalia)

Action: SB 321 passed the House by Substitute with a vote of 152-5 (3/15/18); and, the Senate agreed to the House Substitute with a vote of 45-0 (3/29/18). ***Final passage.***

[SB 335 -Trafficking of Persons for Labor; offense of trafficking an individual for sexual servitude; expand](#)

Sponsor: Sen. Renee Unterman (R – Buford)

Action: SB 335 passed out of House Rules (3/26/18); and, was tabled by the House (3/27/18).

[SB 338 - Administrative Procedure; agency rule making; modify requirements](#)

Sponsor: Sen. William Ligon (R – Brunswick)

Action: SB 338 passed out of House Rules (3/26/18); passed the House with a vote of 173-0 (3/27/18); the Senate disagreed to the House Substitute to SB 338; and, the House receded from its position with a vote of 150-16 (3/29/18). ***Final Passage***

[SB 369 - Revenues Collected from Fines and Fees; payments to Peace Officers' Annuity and Benefit Fund; fees collected in criminal and quasi-criminal cases prior to adjudication of guilt; provide](#)

Sponsor: Sen. Greg Kirk (R – Americus)

Action: SB 369 passed out of House Rules (3/26/18); and, passed the House with a vote of 111-63 (3/27/18). ***Final passage.***

[SB 406 - "Georgia Long-term Care Background Check Program" enact; public safety; promote](#)

Sponsor: Sen. Brian Strickland (R – McDonough)

Action: The Senate agreed to the House Substitute to SB 406 (3/29/18). ***Final passage.***

[SB 430 - Elections; compensation of various local government officials; modify](#)

Sponsor: Sen. Matt Brass (R – Newnan)

Action: SB 430 was tabled by the House (3/27/18); passed the House with a vote of 159-0; and the Senate agreed to the House Substitute as amended with a vote of 32-19 (3/29/18).

[SB 452 - Criminal Procedure and Penal Institutions; peace officer to take certain actions; verification that a suspect is illegal alien; require](#)

Sponsor: Sen. Jesse Stone (R – Waynesboro)

Action: SB 452 was tabled by the House (3/27/18).

[SR 146 - Certain Rights for Victims; suffered or harmed due to an act committed; in violation of the criminal or juvenile delinquency laws; provide-CA](#)

Sponsor: Sen. John Kennedy (R – Macon)

Action: SR 146 passed out of House Rules (3/26/18); passed the House by Substitute with a vote of 169-0 (3/27/18); and, the Senate Agreed to the House Substitute of SR 146 with a vote of 55-0 (3/29/18). ***Final passage.***

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