



Summary of Legislation Enacted During the 2020 Georgia General Assembly

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The following is a summary of the Bills and Resolutions impacting prosecutors or the criminal justice system that passed during the 2020 Session of the Georgia General Assembly and, in the case of Bills or Resolutions having the effect of law, were approved by the Governor. For each Bill or Resolution, the summary includes the Bill number, a short descriptive title, the name of the Bill sponsor, the date the Bill was approved by the Governor (if required), the effective date, the summary prepared by the contributing staff, and a link to where the full text can be found on the General Assembly website.

We have provided a brief analysis for the majority of the 80 Bills and 4 Resolutions that passed during the 2020 Session that we flagged as having some impact on prosecutors in Georgia. In a few instances, where the authors concluded that the legislative short title adequately described the contents of the Bill or Resolution, no summary has been provided. Also included are the summaries of the Bills vetoed by the Governor that would have had some impact on prosecutors in Georgia. These summaries are intended to give the reader an idea of what is contained in the new law; **they are not a substitute for reading the actual text of the Bill.**

Part 1: As Passed Bills and Resolutions

HB 195 | Georgia Firefighters' Pension Fund; increase benefit amount payable to beneficiaries after the member's death

Rep. Tommy Benton

Effective Date July 1, 2020

HB 195 amends O.C.G.A. § 47-7-103 regarding Georgia Firefighters' Pension Fund payment to a beneficiary upon death by increasing payment from \$5,000 to \$10,000 to be split equally among beneficiaries. Further increases any partial payments under the same (where some paid, some not) to \$10,000 instead of \$5,000 total.

HB 245 | Peace Officers' Annuity Fund; require certain benefits payable to a surviving spouse to terminate if such surviving spouse remarries; remove a provision

Rep. Debbie Buckner

Effective Date July 1, 2020

HB 245 Amends O.C.G.A. § 47-17-80(e), relating to benefits under the Peace Officers Annuity and Benefit Fund, by striking the clause that discontinued benefits paid to the surviving spouse of a deceased peace officer upon the remarriage of the surviving spouse. Under this Act, remarrying surviving spouses would continue to receive the benefit paid pursuant to the Peace Officers' Annuity and Benefit Fund. The effective date of the Act is July 1, 2020, provided it has been concurrently funded as provided in the Public Retirement Systems Standards Law. If not concurrently funded, the Act shall not become effective and shall be repealed completely on July 1, 2020.

HB 341 | Crimes and offenses; reproduction of recorded material; update terminology

Rep. Matt Dollar

Effective Date January 1, 2021

HB 341 updates terminology by adding "memory card, flash drive, hard drive and data service device" to the ways to transfer recorded material to sections of O.C.G.A. § 16-8-60.

HB 417 | Law enforcement officers and agencies; comprehensive regulation of trauma scene cleanup services; provide

Rep. Alan Powell

Effective Date January 1, 2021

This Act amends Title 43 by adding this new chapter that would regulate trauma scene clean up services. This Act would require "trauma scene waste management petitioners" to do the following: register with the Secretary of State, pay an initial registration fee of \$100, be subjected to a criminal background check, be bonded with an insurance company in the amount of \$25,000, have proof of liability insurance in the amount of at least 100K, and provide good faith estimates of clean-up costs prior to the service. A violation of this code section is a civil fine not to exceed \$5,000 and could involve the revocation of the registration. This Act exempts the actions of family members or friends who clean up crime scenes not for profit.

HB 426 | Criminal procedure; imposition of punishment for crimes involving bias or prejudice; revise criteria

Rep. Chuck Efstroton

Effective Date July 1, 2020

HB 426 is the Hate Crimes Act. New Code Section 17-10-17 (a) defines "designated misdemeanor" as simple assault, simple battery, battery, criminal trespass, and misdemeanor theft by taking. Subsection (b) then provides, "Subject to the notice requirement provided in Code Section 17-10-18 and in enhancement of the penalty imposed, if the trier of fact determines beyond a reasonable doubt that the defendant intentionally selected any victim or group of victims or any property as the object of the offense because of the actual or perceived race, color, religion, national origin, sexual orientation, gender, mental disability, or physical disability, the judge imposing sentence shall" impose a higher sentence as follows: for a designated misdemeanor, punishment of imprisonment for a period of not less than six nor more than 12 months, and a fine not to exceed \$5,000.00; and for a felony, punishment of imprisonment for a period of not less than two years and a fine not to exceed \$5,000.00. The judge must state that the court is imposing an increase in sentence.

New Code Section 17-4-20.2 provides that any law enforcement officer who investigates a crime that appears to be a hate crime must prepare a report to be known as a "Bias Crime Report" on a form provided by the GBI. There is a list of fifteen (15) requirements that must be included in the report (e.g. race and religion of parties, relationship of parties, etc.). The report is to be for statistical purposes only and not subject to the Open Records Act. However, a defendant arrested under Code Section 17-10-17 and the victim are entitled to a copy of the report relating to the incident giving rise to the report. Pursuant to the rules and regulations of GCIC, every Law Enforcement Agency must report all arrests and non-arrests to the GBI, which shall then compile and analyze statistics of such crimes and cause them to be published annually in the Georgia Uniform Crime Reports.

HB 463 | Motor vehicles; issuance of a Class C driver's license to operators of certain three-wheeled motor vehicles; provide

Rep. Martin Momtahan

Effective Date June 30, 2020

HB 463 (HB 463/AP) is an Act that allows certificate of mailing to provide notice of child support driver's license suspensions under O.C.G.A. § 40-5-54.1 and failure to appear license suspensions under O.C.G.A. § 40-5-56. "Certificate of mailing" is defined to mean a method of delivery by United States Postal Service that provides proof of an item being sent and date the item was accepted. O.C.G.A. §§ 40-2-88, 40-5-21, 40-5-27, 40-5-5, and 40-13-2.1 are also amended to allow political subdivisions of foreign countries to be part of reciprocal agreements related to registration of vehicles and licensing of drivers, and to include "political subdivisions of foreign countries" every time a foreign country is referenced in Title 40. This bill also allows the Department of Driver Services to issue, in addition to physical licenses, electronic driver's license and ID cards that would be stored on the driver's phone or other electronic device. A law enforcement officer is still authorized to demand display of a physical license. O.C.G.A. §§ 40-1-1, 40-5-28, 40-5-29, and 40-5-100 are amended to provide for electronic identification. A new code section, O.C.G.A. § 40-5-106, is added to clarify that providing a device to law enforcement for the purpose of identification shall not be considered consent to a search of the device.

HB 487 | Disaster Volunteer Relief Act; certain employees of state agencies to be granted leave from work with pay in order to participate in specialized disaster relief services; authorize

Rep. Josh Bonner

Effective Date January 1, 2021

This Act would permit state employees to take paid leave to assist certain specialized disaster relief services. The services would have to be rendered as part of a numbered mission upon request of the American Red Cross, Civil Air Patrol, activated by Georgia EMA, Homeland Security or a comparable federal agency. The employee would be compensated at their regular pay rate. The agency could only grant leave to serve in a disaster area in this state or a contiguous state with a reciprocal statutory provision. There is a cap of 15 workdays in a 12-month period.

HB 576 | Courts; distribution priority of partial payments of fines, bond forfeitures, and costs; provide

Rep. Ricky Williams

Effective Date August 3, 2020

HB 576 amends OCGA § 15-6-95 relating to priorities of distribution of criminal fines, bond forfeitures, or costs by rearranging the priorities for such payments. The fourth priority is changed to the amount provided for in cases of Driving Under the Influence and in cases of Reckless Driving for purposes of the Brain and Spinal Injury Trust Fund under Code Section 15-21-149. The fifth priority is changed to the balance of the base fine owed to the county. The seventh priority is changed to the amounts provided under subparagraphs (a)(1)(A) and (a)(2)(A) of Code Section 15-21-73. The eighth priority is changed to the amounts provided for under subparagraphs (a)(1)(B) and (a)(2)(B) of Code Section 15-21-73. The ninth priority is changed to the amount provided for in Code Section 15-21-131 for funding local victim assistance programs. The tenth priority is changed to the amount provided for in Code Section 36-15-9 for county law libraries. The eleventh priority is changed to the amount provided for in cases of driving under the influence for purposes of the Georgia Crime Victims Emergency Fund under Code Section 15-21-112. The twelfth priority is change to the amount provided for in Code Section 15-21-100 for the Drug Abuse Treatment and Education Fund. The thirteenth priority is changed to the amount provided for in Code Section 15-21-208 for the Safe Harbor for Sexually Exploited Children Fund. And the fifteenth priority is changed to the application fee provided for in subsection (c) or (e) of Code Section 15-21A-6. Code Section 15-21A-7 is amended to add new subsection (d) which provides that "[i]n promulgating rules and regulations regarding the priority of distributions of partial payments of fines, bond forfeitures, and costs from courts other than the superior and state courts, the authority shall follow the priority provisions of Code Section 15-6-95 insofar as practicable."

HB 578 | Human Services, Department of; review of certain law enforcement conviction data with regard to persons seeking to become volunteers, interns, students, or employees; provide

Rep. Katie Dempsey

Effective Date July 16, 2020

HB 578 amends Code Section 49-2-14 to allow the Department of Human Services to use conviction data when determining fitness and suitability of employees, volunteers, interns, or students to provide services to the Department or its contractors.

HB 663 | Georgia Judicial Retirement System; membership for certain persons employed in certain full time positions requiring admission to the State Bar of Georgia as a condition of employment; require

Rep. Chuck Efstoration

Effective Date July 1, 2020

HB 663 amends previously reserved Code Section 47-23-49 to provide under subsection (a) that each individual employed full time as a judge in the state-wide business court established pursuant to Article VI of the Constitution shall become a member of Judicial Retirement System. In paragraph (b)(1), these individuals shall be entitled to credible service in JRS for service between January 1, 2020 and June 30, 2020 as a full-time judge in the state-wide business court provided that the individual pay to JRS within one year the total of the employee contributions that he or she would have made during such period if he or she had been a member pursuant to this Code Section. Paragraph (b)(2) provides that the individual shall be eligible to transfer credible service from Employees' Retirement System to JRS, but the individual must notify the board within one year of obtaining such membership and pay to JRS the remaining amount necessary to pay for the full actuarial cost to the retirement system associated with transfer of service. Paragraph (c) provides that these individuals shall be subject to all provisions of Chapter 23 applicable to solicitors-general of the state courts, except as otherwise specifically provided by the chapter. Paragraph (d) provides that all other individuals employed by a new business court shall be treated in accordance with the provisions of Code Section 47-2-70.1 for new state agencies.

HB 664 | Georgia Judicial Retirement System; membership for certain persons employed in certain full-time positions requiring admission to the State Bar of Georgia as a condition of employment; require

Rep. Barry Fleming

Effective Date July 1, 2020

HB 664 creates new Code Section 47-23-3.1 relating to membership under the Georgia Judicial Retirement System. Specifically, this Act requires certain individuals hired on and after July 1, 2020 by the Office of Legislative Counsel to become members of the Georgia Judicial Retirement System, except that those employed as of June 30, 2020 shall remain in ERS unless they elect to become members of JRS by notifying the Board and making the actuarially determined payment on or before June 30, 2021. This would only affect employees who are in a full-time position that requires admission to and good standing with the State Bar of Georgia. Such members would be subject to the provisions applicable to solicitors-general of the state courts, except as otherwise specifically provided within Chapter 23 of Title 47. For persons electing to transfer, the Employees' Retirement System would be required to transfer all employee and employer contributions paid by or on behalf of the individual, together with regular interest, to the Georgia Judicial Retirement System. The transferred members shall receive service in this retirement system toward vesting only in the full amount of the service rendered as an employee while he or she was a member of ERS and for which credit was allowable in

such system. The new statute would not apply to or affect any retired member or individual who was already a member of ERS as of June 30, 2020.

HB 752 | Professions and businesses; national background checks by FBI through Georgia Crime Information Center for licensing to practice as a physical therapist or physical therapist assistant; provide

Rep. Dave Belton

Effective Date January 1, 2021

To practice as a Physical Therapist or a Physical Therapist Assistant, you have to pass a background check by having your fingerprints submitted to the FBI via the GCIC. This amends O.C.G.A. §§ 43-33-10, 43-33-12 and 43-33-13.

HB 759 | Controlled substances; Schedule IV; change certain provisions

Rep. Butch Parrish

Effective Date June 29, 2020

HB 759 amends 16-13-28 by adding a new schedule IV controlled substance: "(30.25) Solriamfetol, including its salts, isomers, and salts of isomers;" Also adds several new dangerous drugs to section 2.

HB 786 | Superior courts; additional judge of the Flint Judicial Circuit; provide

Rep. Andrew Welch

Effective Date July 29, 2020

HB 786 increases the number of Superior Court Judges in the Cobb Judicial Circuit from 10 to 11; the Flint Judicial Circuit from 3 to 4; and the Ogeechee Judicial Circuit from 3 to 4. The Governor appoints the new judges to begin their term of office on January 1, 2022. They would run for re-election in 2024 for a 4 year term.

HB 791 | Pharmacists; dispense up to a 90 day supply of a maintenance medication under certain conditions; authorize

Rep. Ron Stephens

Effective Date August 5, 2020

HB 791 gives a pharmacist the right to exercise professional judgment and give a 90 day supply to patients unless the prescriber specifically says periodic refills is medically necessary. This is only after consultation with patient. Does not apply to Schedule II, III, IV OR V medications.

HB 792 | Supplemental appropriations; State Fiscal Year July 1, 2019 - June 30, 2020

Rep. David Ralston

Effective Date March 17, 2020

HB 793 | General appropriations; State Fiscal Year July 1, 2020 - June 30, 2021

Rep. David Ralston

Effective Date June 30, 2020

HB 799 | Motor vehicles; prohibition regarding eligibility of certain violators to receive early reinstatement of their driver's licenses and limited driving permits; repeal

Rep. Shaw Blackmon

Effective Date July 29, 2020

HB 799 is an Act that repeals and reserves O.C.G.A. § 40-5-75 (d), which then held that any driver convicted of a violation of O.C.G.A. §§ 40-6-391 (a)(2), (a)(4), or (a)(6) – Driving Under the Influence/Drugs violations - shall not be eligible for early reinstatement of their license and shall not be eligible for a limited permit. This Act allows any driver whose license is suspended resulting from a conviction for a DUI/Drugs offense (either less safe, per se, or in combination with other substances) to be reinstated and receive a limited permit under the same conditions as now exist for a driver convicted of a DUI-Alcohol offense. There is no difference whether the drug in question is legal or illegal.

HB 819 | Motor vehicles; veterans' license to any person who is a United States citizen and resident of this state who served in the military for an ally of the United States during a time of war or other conflict; authorize issuance

Rep. Samuel Park

Effective Date August 4, 2020

HB 819 strikes and reserves O.C.G.A. § 40-2-8 (b)(1). That subsection provided that any vehicle operated in Georgia which is required to be registered, and does not have attached a numbered license plate with a current revalidation decal, shall be stored at the owner's risk and expense by any Georgia law enforcement officer. The Act further amends O.C.G.A. § 40-5-36 that provides the conditions precedent for the issuance of a Veteran's Driver's License. The Act adds subsection O.C.G.A. § 40-5-36(c)(3) to include in the list of persons eligible for Veteran's licenses those persons who are U.S. citizens and residents of Georgia at the time of application, who served on active duty during wartime or conflict in the armed forces of any country who was an ally of the United States in said conflict, and who were discharged or separated under honorable conditions.

HB 823 | Crimes and offenses; lifetime disqualification from operating a commercial motor vehicle by persons convicted of trafficking other persons for labor or sexual servitude; provide

Rep. Houston Gaines

Effective Date July 21, 2020

HB 823 amends O.C.G.A. § 16-5-46 (Trafficking of Persons for Labor or Sexual Servitude) and 40-5-151 (Commercial Motor Vehicle License Disqualifications) to provide for a lifetime ban on commercial motor vehicle driving privileges for any person convicted under O.C.G.A. § 16-5-46.

HB 831 | Cook County; Probate Court; charge technology fee

Rep. Penny Houston

Effective Date June 29, 2020

HB 831 authorizes the clerk of Probate Court of Cook County to charge a fee of not more than \$5 for the filing of each civil action and assess a surcharge of not more than \$5 to each fine imposed in a criminal case. The funds can only be used for the technology needs of the court and the authority to impose the fee ends on July 1, 2030.

HB 838 | Law enforcement officers and agencies; Office of Public Safety Officer Support; change the name

Rep. Bill Hitchens

Effective Date January 1, 2021

HB 838 amends O.C.G.A. §§ 24-5-510, 35-2-160, 35-2-161, and 35-2-163, by replacing the term "Office of Public Safety Officer Support" with "Office of Public Safety Support." The Act also creates O.C.G.A. § 35-8-7.3, which authorizes a peace officer to bring a civil action against a person, group of persons, organization, corporation, or the head of an organization or corporation for damages suffered during the officer's performance of official duties or for abridgement of the officer's civil rights arising out of the officer's performance of official duties, or for knowingly filing a false complaint against the officer. The Act further creates O.C.G.A. § 35-8-7.4, which establishes the new criminal offense of "Bias Motivated Intimidation." The Act holds that any person who maliciously and with specific intent to harass or terrorize another person because of the victim's actual or perceived employment as a first responder, causes death or serious bodily harm to another, or without permission damages real or personal property of a person because of that person's actual or perceived employment as a first responder (and such damage exceeds \$500), shall be guilty of a felony and shall be punished by imprisonment for not less than one nor more than five years or by a fine not to exceed \$5000 or both. Each violation shall constitute a separate offense, will not merge with any other offense, and

will run consecutively to any sentence related to offenses established under this code section. Grand Jury presentment is required.

HB 847 | Hemp farming; definitions, penalties and criminal background checks; provide

Rep. John Corbett

Effective Date July 22, 2020

HB 847 is an act that makes changes to the Georgia Hemp Farming Act as follows: Section 1 - the definition for "Federally defined THC level for hemp" now references code section 7 U.S.C. 1639(o). Business-related definitions are amended, and the definition for "processing" now specifies that merely packaging some part of a plant for resale is not sufficient to qualify a product as being processed. Section 2 adds colleges and universities to the list of entities allowed to legally provide hemp to licensees and permittees. Section 3 amends 2-23-5 to clarify issues related to background checks on individuals and businesses seeking licenses to grow hemp. Section 4 requires fingerprinting and background checks of key participants to be conducted within 60 days of the application, and now provides that a permit renewal will cost \$50,000/yr. (up from \$10,000). Initial permit application fee remains \$25,000. Section 5 now amends Code Section 2-23-7 to make technical changes to the transportation requirements for hemp, using language from the Department of Agriculture's proposed regulations. Transporters are required to carry documentation showing compliance. Sections 6 and 7 make technical changes to the provisions regarding testing and destruction of hemp crops that test above allowed amounts of delta-9 THC. Section 8 replaces the enforcement mechanism for the Department of Agriculture's administrative process by requiring a violation of an authorized plan, instead of "the rules and regulations of the department." Section 9 indicates this bill becomes effective upon approval by the Governor or becoming law without his signature. Section 10 is the repealer.

HB 851 | Cobb County; State Court; change compensation of judges

Rep. Bert Reeves

Effective Date June 30, 2020

HB 851 increases the Cobb County State Court Chief Judge's supplement by \$379.71 (from \$9,492.67 to \$9,872.38) and the State Court Judge's salary by \$7,278.02 (from \$181,950.72 to \$189,228.74).

HB 861 | Motor vehicles; commercial carriers; amend certain definitions

Rep. Marcus Wiedower

Effective Date June 29, 2020

HB 861 amends O.C.G.A. § 40-1-1 (8.1) to define a commercial motor vehicle as being used in intrastate or interstate commerce. Previous definition used "and." It also amends O.C.G.A. § 40-1-8 (a) (3) to use the 2020 version of federal regulations in 49 CFR.

HB 879 | Alcoholic beverages; legislative intent of the General Assembly to exercise strict regulatory control over the three-tier system; provide

Rep. Brett Harrell

Effective Date August 3, 2020

HB 879 makes changes to rules allowing for retail of alcoholic beverages. It contains a lengthy introduction in new Code Section 3-3-1.1 that cites the 21st and 10th amendments to the U.S. Constitution as their authority for this bill, as well as a fuller statement of intent for the bill to regulate alcoholic beverage transactions. New Code Section 3-3-10 sets out definitions and authorizes (unless barred by local ordinance) retailers to deliver alcoholic beverages to customers, subject to restrictions. Those restrictions include: Customer must maintain an account available for inspection and Retailer shall process all payments and shall only fulfill orders from their own inventory. Retailer may contract with third party to actually deliver, provided delivery person is 21 years old, has a valid driver's license, had a recent background check, underwent training on sale and delivery of alcoholic beverages, does not personally take money, and does not depend on a completed transaction to get paid. Customer must provide ID and be 21, and delivery person shall check and obtain a signature. Delivery address must be within local licensing jurisdiction of retailer and delivery must take place only during times when alcohol may legally be sold. Retailer may market this service online. Agents of the Department of Revenue may inspect premises and vehicles used for this purpose to ascertain if the law is being followed. Delivery must take place on the same calendar day on which the beverages leave the retailer's premises. The intent of this is to avoid 11:58 p.m. purchases. No deliveries shall be made to schools, prisons, substance abuse facilities, storage businesses, or retailers. Adds new code section 3-2-7.1 requiring the department to develop a streamlined and centralized way to process retailer license applications and renewals. Adds new code sections 3-3-7 (j.2) through 3-3-7 (q.1) that allow counties that have permitted Sunday alcohol sales to begin alcohol sales at 11:00 a.m. and provides for referendum approval of such ordinances if desired. New code sections 3-15-1 through 3-15-4 are added authorizing liquor stores to conduct up to 52 tasting events per year. Liquor stores are now allowed to give out samples for consumption on the premises, subject to restrictions. Penalties for violation include a fine (imposed by the commissioner) of up to \$500 for each violation and up to a 30 day suspension of the

authorization to deliver alcoholic beverages. All penalties are in addition to any criminal penalties otherwise provided by law.

HB 911 | Crimes and offenses; offenses of improper sexual conduct by a foster parent in the first and second degrees; provide

Rep. Ed Setzler

Effective Date January 1, 2021

The Act amends 16-6-5.1 regarding Sexual Assault Person in Custody by creating a specific provision for Foster Parents. Provides for First and Second Degree offenses as well as punishment.

First Degree: A person commits the offense of improper sexual contact by a foster parent in the first degree when he or she is a foster parent and engages in *sexually explicit conduct* with his or her foster child. The offense is punishable by imprisonment for one to 25 years or by a fine not to exceed \$100,000.00, or both. However, if the offense is committed against a child under 16 years the penalty is imprisonment for not less than 25 nor more than 50 years or a fine not to exceed \$100,000.00, or both, and shall be subject to the sentencing and punishment provisions of O.C.G.A. § 17-10-6.2; Moreover, if the victim of the offense is at least 14 years of age at the time committed but less than 21 years of age and the defendant is 21 years old or younger and no more than 48 months older than the victim, the offense is punished as a misdemeanor and will not subject to the sentencing and punishment provisions of O.C.G.A. § 17-10-6.2.

Second Degree: A person commits the offense of improper sexual contact by a foster parent in the second degree when he or she is a foster parent and engages in *sexual contact, excluding sexually explicit conduct*, with his or her foster child. The offense is punishable as a misdemeanor of a high and aggravated nature and will not be subject to the sentencing and punishment provisions of Code Section 17-10-6.2. However, if the offense is committed against a child under 16 years the penalty is imprisonment for not less than 5 nor more than 25 years or a fine not to exceed \$25,000.00, or both, and shall be subject to the sentencing and punishment provisions of 17-10-6.2; Moreover, if at the time of the offense the victim is at least 14 years of age but less than 21 years of age and the defendant is 21 years of age or younger and is no more than 48 months older than the victim, shall be guilty of a misdemeanor and not subject to the sentencing and punishment provisions of Code Section 17-10-6.2.

Upon a second or subsequent conviction of the offense of improper sexual contact in the second degree or improper sexual contact by a foster parent in the second degree, the

crime is punishable as a felony of 1 to 5 years and subject to the sentencing and punishment provisions of O.C.G.A. § 17-10-6.2.

HB 953 | Administrative Services, Department of; certain terms in particular types of state contracts shall be void and unenforceable and should not be included in such agreements; provide

Rep. Bonnie Rich

Effective Date January 1, 2021

The Act amends Code Section 50-5-51 relating to the Department of Administrative Services and amends Part 1 of Article 3 of Chapter 5 of Title 50 of the Official Code of Georgia Annotated by creating a new code section 50-5-64.1 regarding the procedure for state purchasing. DOAS given new authority to enter into or authorize agreements with cooperative purchasing organizations and provides that certain terms in particular types of state contracts shall be void and unenforceable and should not be included in such agreements

Under the new law, State contracts shall not contain a hold harmless provisions, vague terms, or allow the other party to change the terms of the contract without the permission and consent of the State. State contracts can also not allow someone other than the Attorney General to serve as legal counsel for the State or for any agency, authority, board, bureau, commission, department, institution, or any other entity thereof, provide venue for the lawsuit somewhere other than the Superior Court of Fulton County, bind the State of Georgia to follow another State's laws, require binding arbitration, or automatically renew such that it imposes a financial obligation on future fiscal years. State Contracts cannot also have provisions in contradiction of the Open Records Act. If a contract contains any prohibited term, such term shall be void, and the contract shall be otherwise enforceable as if it did not contain such term.

HB 966 | Conservation and natural resources; regulate the harvest and sale of palmetto berries

HB 966 adds Code Section 12-6-250 to define director (State Forestry Commission), harvest, landowner, person (defined as individual, partnership, corporation, or other legal entity), saw palmetto berries, dealer, and seller. All have fairly standard and obvious definitions. Further this adds a purpose statement to Code Section 12-6-251 that owners of saw palmetto berries are victimized by trespasses which deprive owners of resources and money. 12-6-252 establishes the requirements and contents for a certificate of harvest as a saw palmetto berry dealer, and such certificate shall be valid for one year.

Further, it requires the dealer to obtain the landowner's certificate of harvest to do business. 12-6-253 sets out the requirements for maintaining a legible record of all purchase and sale transactions in the procurement of palmetto berries. 12-6-254 provides for law enforcement or the director to issue a stop harvest, stop sale, stop use, or removal order for folks in violation of these requirements, and may seize and hold the quantity of palmetto berries until such time as the dealer/seller/procurer is in compliance. 12-6-255 gives the Superior Court authority to dispose of palmetto berries or to condemn for violations of this statute with consideration to quantity, interests of parties, and laws of state. 12-6-256 exempts growing for personal usage. 12--6-257 makes this a misdemeanor to exchange/offer for money or consideration without obtaining and presenting certificate, landowner certificate, harvest certificate, or to knowingly possess in violation of this statute. If the sale is over felony amount of \$1,500, it is a felony 1-3 yrs. And under \$1,500 is a misdemeanor. Providing false information shall be construed as committing False Swearing under 16-10-71. The fine shall be not less than \$1,500 nor more than \$5,000, but equal to the amount of the berries stolen, if possible.

HB 967 | Columbus, City of; Municipal Court; provide that the sheriff of Muscogee County shall be the ex officio marshal of said court

Rep. Vance Smith

Effective Date February 28, 2020

HB 967 makes the Sheriff of Muscogee County the Marshal of the Municipal Court of the City of Columbus and removes all references to the office of Marshal in the local legislation creating and governing the Municipal Court.

HB 983 | Sexual Offender Registration Review Board; information required to be provided by sexual offenders when they register; revise

Rep. Ricky Williams

Effective Date January 1, 2021

HB 983 amends 42-1-12 regarding the Registration of Sexual Offenders. Sex Offenders are required to provide landline and mobile telephone numbers at the time of registration and to update said information. A sexual offender who resides in a state or privately operated hospice facility, skilled nursing home, or residential health care facility, with the approval of the sheriff, the sexual offender may satisfy the annual registration requirements by registering any time during their month of birth. Additionally, a sexual offender who resides in a state or privately operated hospice facility, skilled nursing home, or residential health care facility, with the approval of the sheriff, the sexual offender is not required to be fingerprinted. Moreover, the Sheriff is no longer required

to collect the annual \$250.00 registration fee from sexual offenders and transmit such fees to the state for deposit into the general fund.

HB 984 | Criminal procedure; sentencing; change provisions

Rep. James Burchett

Effective Date January 1, 2021

HB 984 amends Code Section 17-10-1 and 17-10-9 to give the court more discretion to hear motions and to reduce or modify sentences. Further, the prosecutor now has burden of securing commencement of the sentence within 90 days of remittitur.

First, the Act overrides *Gray v. State*, 351 Ga. App. 703 (2019) which required a motion to modify sentence be filed and ruled upon within one year from the original sentence or within 120 days of receiving the remittitur following a direct appeal. Now, the motion simply has to be filed within 120 days or one year. Note – *Gray* was appealed to the Supreme Court (Case No S20G0192) and there should be ruling sometime in the near future that may impact this legislative change.

Second, the Act now requires prosecutors to notify a defendant who was granted an appellate bond that they lost their appeal and must surrender themselves to begin serving their sentence within 90 days of the decision. Failure to do so allows the offender's sentence to begin running from the date of the remittitur.

Third, the Act overrides *Spann v. Whitworth*, 262 Ga. 21 (1992). Offenders are now entitled to "full credit" for any time spent in confinement before or after trial. The court may exclude time an offender spent in a PDC completing a program, work release time, and in misdemeanor cases, if the credit being sought is from another jurisdiction.

HB 987 | Health; additional measures for the protection of elderly persons; provide

Rep. Sharon Cooper

Effective Date June 30, 2020

HB 987 affects the Assisted Living Facilities of this State. Section 1 creates a new 30-5-4.1 that prevents retaliation against anyone making a report or participating in an elder abuse multidisciplinary team. Section 2 amends 31-2-4 licensing fees for degrees of caregiver certificates to add "certificated." Section 3 revises the administrative fines in 31-2-8 to say up to \$2,000 per day for violations, not to exceed \$40,000. Further, it increases the minimum administrative fine to \$5,000 for death or serious physical harm. Authorizes the Department of Community Health to deny a license if the facility is sold or

transferred to avoid payments of fines. Section 4 amends 31-7-3.2 to require personal care homes and assisted living facilities to provide notice when they have been cited for deficiencies. Section 5 amends 31-7-12 to add “direct care staff person” as a definition for anyone providing direct, day-to-day care. Further, it adds the following requirements for facilities with 25 beds or more: training for direct care staff persons, minimum staffing ration of 1:15 during waking hours and 1:20 during non-waking hours, provide a certificate of financial stability for next two years (by 2021), provide 60 days written notice of foreclosure or eviction, provide 14 days written notice to residents of change of ownership, may hire a certified medication aid if operating a memory care, such person must pass the Department of Community Health registry background check, requires a yearly competency skills review of medication aid (and sets requirements), sets requirements for possessing/administering liquid morphine, documentation requirements for administering medications, requirements for review by licensed pharmacist, and training requirements. Section 6 amends other licensing requirements of assisted living to include limited nursing services including direct care staff and assessment of resident for continued living at assisted living and re-adopts the previous requirements to a companion code section. Section 7 requires the department to create regulations on limited nursing services. Section 8 provides for stricter rules regarding the operation of a memory care center for Alzheimer’s and Dementia patients at an assisted living including staffing ratio, direct care requirements, and training. Furthermore it requires notifications and PPE requirements for COVID-19 and other airborne viruses. Section 9 adds training and certification requirements for administrators of personal care homes and assisted living facilities similar to that of nursing home administrators including changing the name from State Board of Nursing Homes to State Board of Long-Term Care Facilities and changes the membership requirements and composition.

HB 993 | Health; vital records reports and data from the state registrar relating to child abuse reports; provide

Rep. Katie Dempsey

Effective Date July 1, 2020

HB 993 adds and amends Chapter 10 of Title 31 by creating Code section 31-10-9.2. It requires that the state registrar shall provide to Georgia Division of Family & Children Services copies of or data from certificates and reports filed with the state registrar upon notification by DFCS of the receipt of a report of abuse or neglect concerning a child or his or her parents or siblings pursuant to Code Section 19-7-5. The reports or data shall include records related to birth or death, fetal death, and putative father registry of this state concerning a child or his or her parents or siblings. Georgia Department of Public Health, through the state registrar and DFCS, shall jointly establish policies, procedures, and schedules regarding the transmittal of copies of records or data as jointly deemed

necessary. The Act also requires DPH and DFCS to enter into agreements as necessary to effectuate the provisions of the new Code section and ensure compliance with the requirements of the federal Health Insurance Portability and Accountability Act of 1996, P.L. 104-191, as amended.

HB 998 | Game and fish; effective date of rules and regulations promulgated by the Board of Natural Resources; change

Rep. Trey Rhodes

Effective Date August 5, 2020

HB 998 makes the following changes:

O.C.G.A. § 12-3-311 is amended to extend the Lake Lanier Islands Development Authority for an additional 40 years beyond its original 99 year mandate.

O.C.G.A. § 27-1-39 is amended to make the term 'rules and regulations' mean those Board of Natural Resources rules that are in effect as of January 1, 2020.

O.C.G.A. § 7-3-7 (a.1) is added to include the definition of "alcohol concentration" as grams of alcohol per 100 milliliters of blood or grams of alcohol per 210 liters of breath. And the implied consent warning for hunting under the influence now reads "requested" state tests instead of "required" state tests.

The same changes regarding "alcohol concentration" (O.C.G.A. § 52-7-3 (1)) and implied consent (O.C.G.A. § 52-7-12.5) are made to boating under the influence statutes.

Pursuant to a new Code Section, O.C.G.A. § 50-3-89, the majestic shoal bass (*Micropterus cataractae*) will receive its just due and is designated as the official Georgia state riverine sport fish.

The definition of 'air gun' in O.C.G.A. § 27-3-4 (a) (9), scheduled to sunset on July 1, 2020, will now stand until July 1, 2025.

O.C.G.A. § 27-3-15 (g), requiring a report to the General Assembly on the number of deer killed each hunting season, is repeated.

HB 1017 | Public officers and employees; revise when dependents qualify for a payment of indemnification for death under the Georgia State Indemnification Fund

Rep. Dominic LaRicca

Effective Date July 1, 2020

HB 1017 amends O.C.G.A. § 45-9-85 by authorizing indemnification payments for public safety professionals killed in the line of duty to the surviving spouse who has not married

again, the surviving children of the deceased provided the surviving child is under 19, or under the age of 24 if enrolled in a post-secondary educational institution, and individuals not otherwise provided for under this subparagraph who are dependents of the surviving spouse or deceased person. If the public safety professional suffers organic brain damage in the line of duty, the indemnification payments shall be made to the victim's legal guardian.

HB 1029 | Twigg County; office of probate judge; provide nonpartisan elections

Rep. Danny Mathis

Effective Date June 30, 2020

HB 1029 changes the election of the Twigg County Probate Judge from a partisan election to a nonpartisan one.

HB 1030 | Twigg County; office of chief judge of the Magistrate Court; provide nonpartisan elections

Rep. Danny Mathis

Effective Date June 30, 2020

HB 1030 changes the election of the Twigg County Chief Magistrate Judge from a partisan election to a nonpartisan one.

HB 1090 | Labor and industrial relations; provisions regarding employer's obligation to provide break time for an employee to express breast milk; revise

Rep. Deborah Silcox

Effective Date August 5, 2020

This Act revises Code Section 34-1-6 to expand the right of women to take breaks to express breast milk for a child. It requires under subsection all non-state employers to provide reasonable break time to employees who desire to express breast milk during work hours, whereas previous language stated, "may provide" and only upon need of the female. Subsection (b)(2) adds that this shall be done at that employee's standard pay. Subsection (b)(3) exempts if employee is working off-site or on a work site other than the primary location. Subsection (b)(4) requires provision of private room which is not a restroom. Subsection (c) exempts employers of less than 50 from anything imposing undue hardship. The Act adds a new code section, 45-1-7, to require the state and its agencies or any political subdivision to provide break time for women to express breast milk. The Act does not impose undue hardship portion, but does hold harmless if agency makes reasonable efforts. The act also amends Code Section 34-8-30 on deductible earnings from in excess of \$30 to the following, "in excess of an amount established by

the Commissioner of Labor as promulgated by rules and regulations...shall not be less than \$50 nor more than \$300." Removes language of \$50/week post July-2012. Section 2-2 amends 34-8-70 and gives Commissioner new authorities including adopting new emergency rules to include: modify benefit amounts, suspend unemployment insurance tax filing and payment deadlines, waive charges to employers for benefits paid, expedite process of claims, waive work search reporting requirements. The rules shall expire no later than 120 days from adoption (but in date specified by Commissioner). Requires publishing of emergency rules and subjugates them to executive orders. Amends claims after June 14, 2020, to include new percentages. Removes any 2012 language as well. Creates new 34-8-290 to create work-share program as opposed to layoffs and sets out parameters of the rules and regulations for such program.

HB 1119 | Paulding County; State Court; create

Rep. Joseph Gullett

Effective Date June 29, 2020

HB 1119 creates the State Court of Paulding County beginning July 1, 2022. The creation of the Court is conditioned upon the approval of the electorate of Paulding County on the November 3, 2020 ballot. The Court shall be located in the county site of Paulding County in facilities provided by the governing authority of Paulding County. The Court shall have such rules of practice and procedure as provided by Chapter 7 of Title 15 of the Official Code of Georgia and the rules Supreme Court. The Court shall have quarterly terms beginning the second Monday of January, April, July, and October. All misdemeanor criminal cases pending in the Superior, Probate, and Magistrate Courts on July 1, 2022 shall be transferred to the State Court. Jurors shall be drawn from the same list and in the manner as those selected for Superior Court service. The judge shall be elected at the state-wide non-partisan election in 2024, and will take office January 1, 2025. Prior to that, the Governor may fill the seat by appointment. There shall be a Solicitor-General elected at the state-wide general election in November 2022 and such person will take office January 1, 2023. Prior to that, the Governor may fill the seat by appointment. The Clerk of the Superior Court shall also be the Clerk of the State Court.

HB 1137 | Washington County; State Court; authorize assessment and collection of a technology fee

Rep. Mack Jackson

Effective Date June 29, 2020

HB 1137 allows the Washington County Clerk of State Court to charge a \$5.00 filing technology fee in civil actions and a \$5.00 surcharge upon each fine assessed in criminal cases. The fees are to be used exclusively to provide for technological needs of the office

of the Washington County Sheriff. The funds must be maintained in a segregated account by the clerk and the authority to assess the fee shall terminate on July 1, 2030. Any residual funds remaining shall remain dedicated to general Washington County technology uses.

HB 1148 | Berrien County; Magistrate Court; provide for election of future chief magistrates

Rep. Penny Houston

Effective Date July 1, 2020

The Chief Magistrate Judge of Berrien County at the time of effective date of this act shall serve out their term. Successors shall be elected according to O.C.G.A. § 15-10-20. Nonpartisan election. Vacancies shall be filled according to O.C.G.A. § 15-10-20. Act becomes effective on the first day of the first month after approval.

HB 1154 | Dade County; Probate Court; charge technology fee

Rep. Colton Moore

Effective Date June 30, 2020

HB 1154 authorizes the Probate Court of Dade County to collect up to a \$5.00 surcharge on each fine assessed in a criminal case in that court to be used for technological needs.

HB 1157 | Barrow County; State Court; create

Rep. Terry England

Effective Date January 1, 2021

HB 1157 is an act that as of 1/1/2021 creates a State Court in Barrow County. The Court shall have quarterly terms, and all misdemeanor cases in Superior, Magistrate, and Probate court are transferred to Barrow County State Court as of 1/1/2021. The Governor shall appoint the initial judge of State Court, who will serve part time, be paid 45% of the state salary for Superior Court judges and serve from 1/1/2021 to 1/1/2023 or until the election and qualification of a successor. A solicitor-general shall be appointed for the same term and be paid 85% of the salary of the state court judge. The Clerk of Superior Court shall serve as the Clerk of State Court, with a salary supplement of \$500/month.

HB 1191 | Bacon County; Magistrate Court; impose and collect county law library fees

Rep. James Burchett

Effective Date July 29, 2020

HB 1191 provides that the Chief Magistrate Judge of Bacon County may impose a county law library fee in accordance with Code Section 36-15-9 and that the provisions of Chapter 15 of Title 36 shall apply and govern the Bacon County Magistrate Court. The Act became effective 30 days after its approval by the Governor.

HB 1192 | Pierce County; Magistrate Court; impose and collect county law library fees

HB 1192 provides that the Chief Magistrate Judge of Pierce County may impose a county law library fee in accordance with Code Section 36-15-9 and that the provisions of Chapter 15 of Title 36 shall apply and govern the Pierce County Magistrate Court. The Act became effective 30 days after its approval by the Governor.

HB 1193 | Brantley County; Magistrate Court; impose and collect county law library fees

Rep. James Burchett

Effective Date August 28, 2020

HB 1193 provides that the Chief Magistrate Judge of Brantley County may impose a county law library fee in accordance with Code Section 36-15-9 and that the provisions of Chapter 15 of Title 36 shall apply and govern the Brantley County Magistrate Court. The Act became effective 30 days after its approval by the Governor.

HB 1194 | Ware County; Magistrate Court; impose and collect county law library fees

Rep. James Burchett

Effective Date August 28, 2020

HB 1194 provides that the Chief Magistrate Judge of Ware County may impose a county law library fee in accordance with Code Section 36-15-9 and that the provisions of Chapter 15 of Title 36 shall apply and govern the Ware County Magistrate Court. The Act became effective 30 days after its approval by the Governor.

HB 1195 | Berrien County; office of probate judge; provide nonpartisan elections

Rep. Penny Houston

Effective Date July 29, 2020

Berrien County Probate Judge would now be considered a non-partisan election. Previously, the position was either automatically assumed to be appointed or elected by regular partisan election.

HB 1196 | Coffee County; Magistrate Court; impose and collect county law library fees

Rep. James Burchett

Effective Date August 28, 2020

HB 1196 provides that the Chief Magistrate Judge of Coffee County may impose a county law library fee in accordance with Code Section 36-15-9 and that the provisions of Chapter 15 of Title 36 shall apply and govern the Coffee County Magistrate Court. The Act became effective 30 days after its approval by the Governor.

HB 1197 | Charlton County; Magistrate Court; impose and collect county law library fees

Rep. James Burchett

Effective Date August 28, 2020

HB 1197 provides that the Chief Magistrate Judge of Charlton County may impose a county law library fee in accordance with Code Section 36-15-9 and that the provisions of Chapter 15 of Title 36 shall apply and govern the Charlton County Magistrate Court. The Act became effective 30 days after its approval by the Governor.

SB 26 | Employees' Retirement System of Georgia; prior service as a member of Georgia Defined Contribution Plan; creditable service; provide

Sen. William Ligon

Effective Date July 1, 2020

SB 26 amends Code Section 47-2-99 (a) to provide that any member of Employees' Retirement System that is eligible to seek creditable service for prior temporary full-time employment, to the extent that such employment was covered under Chapter 22 relating to the Georgia Defined Contribution Plan (GDGP), shall have the provisions of Code Section 47-2-101 apply. The Bill also creates new Code Section 47-2-101 to provide, in subsection (a), that a member who was a member of the GDGP immediately prior to becoming a member of ERS shall be entitled to obtain creditable service in ERS for all such prior service with the GDGP employer. The remaining provisions of new Code Section 47-2-101 provide the conditions for obtaining such creditable service.

SB 38 | Courts; electronic filing requirements of superior and state courts; certain types of filings; exclude

Sen. William Ligon

Effective Date August 5, 2020

SB 38 amends OCGA 36-8-6, which was previously reserved, and creates a procedure for the abolishment of a county police department. It provides that once a county police department is created pursuant to the Chapter, it may be abolished by Local Act of the Legislature or resolution of the county governing authority. After either event, it must be approved by a local referendum. If the referendum is approved, the county police department shall be abolished 180 days following the referendum and "all property, equipment, records, documents, funds, and other items in the possession or control of the county police department shall be transferred to the Sheriff of the county." This Act is to be repealed by operation of law on January 1, 2022.

SB 176 | Employees' Retirement System of Georgia; certain public employers; make employer and employee contribution on behalf of retired members; require

Sen. Ellis Black

Effective Date January 1, 2021

SB 176 amends Code Section 37-2-6.1 (k) relating to community service boards by revising "...except in accordance with the provisions of subsection (c) of Code Section 47-2-110" to now read "...except in accordance with the provisions of Code Section 47-2-112" Next, it amends Code Section 47-2-110 relating to application and eligibility for retirement benefits by deleting in its entirety subsection (b), which contains the provisions relating to retired members being re-hired on a part time basis as an employee or an independent contractor. It then adds new Code Section 47-2-112 relating to application and eligibility for retired members being re-hired on a part time basis as an employee or an independent contractor. The language is mostly that found in the deleted provisions of Code Section 47-2-110 (b), but with some changes. For instance, whereas under deleted subsection (b), no contributions were to be made by the employer, now "[s]uch employer shall pay to the retirement system the employer and employee contributions required by this chapter for members." Finally, it amends Code Section 47-2-290 (c) relating to judges and solicitors of state court by deleting the subsection in its entirety, which read as follows: "Subsection (b) of Code Section 47-2-110 shall not apply to the judges and solicitors of any state court, who may retire at their discretion at any time after becoming eligible to retire."

SB 211 | Advertisement and Sale of Meat; representation of nonanimal products and non-slaughtered animal flesh as meat; render unlawful

Sen. Tyler Harper

Effective Date December 31, 2020

This act amends O.C.G.A. § 26-2-152 that deals with legalities of sale of beef, pork, and lamb. It adds subsection (c) defining animal as any cattle, swine, sheep, goat, fish, poultry (and eggs) raised for production of edible product and human consumption. It makes

unlawful to label, advertise, or represent any food product in the state (which is not meat) as meat unless it has at least one of the following product labels: lab-grown, grown in a lab, plant based, vegetarian, veggie, vegan, or similar term noticing that it is either lab produced or plant-based.

SB 249 | Peace Officers' Annuity and Benefit Fund; amount of monthly dues paid; increase; amounts collected from fines; revise

Sen. John Albers

Effective Date August 3, 2020

SB 249 first amends the definition of "peace officer" found in Code Section 47-17-1 (5) to add new paragraph (L) to add each jail officer (defined term) who is Georgia Peace Officer Standards and Training Council certified and maintains his POST certification. Next, it amends O.C.G.A. § 47-17-44 (a) to state that beginning July 1, 2020 and ending on June 30, 2021, each member shall pay monthly dues of \$25.00 (up from \$20). Thereafter, monthly dues shall be between \$25 and \$50. Each member shall be required to pay for a minimum of ten years, "or 15 years for individuals who became members on or after July 1, 2010." If a member is eligible for retirement, such dues in the same amounts, shall be deducted monthly from their benefits. Code Section 47-17-60 (a), relating to the collection of fines and forfeitures that are paid into the fund to state the amount to be the greater of \$10.00 or 10% of each bond forfeited or collected. It also adds that "[a]n amount equal to the greater of \$10.00 or 10 percent of each fine imposed in any criminal or quasi-criminal case for violation of state statutes, county ordinances, or municipal ordinances, which case is before any court or tribunal in this state, shall be added to the amount of the fine imposed and collected, and, once collected, shall be paid to the secretary-treasurer." Paragraphs (1), (2) and (3) of subsection (a) are deleted. Code Section 47-17-60 (a.1) relating to fees collected prior to adjudication of guilt for pretrial diversion programs, is raised from \$5.00 to the greater of 5% or \$5.00. The clerk of court is substituted for the political subdivision which is to make such payments. Code Section 47-17-80 (b) relating to retirement benefit options is amended by raising the monthly payment under Option One from \$17.50 to \$25.15 per month for each full year of creditable service; provided, however, on July 1, 2021, such amount shall increase to \$30.00. This Act shall become effective on July 1, 2020, only if it is determined to have been concurrently funded as provided in Chapter 20 of Title 47, the "Public Retirement Systems Standards Law"; otherwise, this Act shall not become effective and shall be automatically repealed in its entirety on July 1, 2020, as required by Code Section 47-20-50 (a).

SB 288 | Criminal History Record Information; automatic restriction; final disposition other than a conviction; provide

Sen. Tonya Anderson

Effective Date January 1, 2021

SB 288 is a Records Restriction Act which makes major changes to Code Section 35-3-37 and have a retroactive effect.

Code Section 35-3-37(h)(2) is changed to allow restriction an offense that was reduced to a violation of a local ordinance after indictment or accusation

Subparagraphs (B) and (C) are amended to add that restriction under Code Sections 16-13-2 (Conditional Discharge) and 3-3-23.1 (Underage Possession of Alcohol) shall be made if the court orders restriction upon sentencing. The Court must enter a written order specifying what date the restriction shall start and all records are to be restricted, including online booking photographs.

Under the changes to Code Section 35-3-37(i), the prosecuting attorney must "affirmatively" indicate that the offense was dismissed, nolle prossed, or reduced to a violation of a local ordinance if an offense is not to be restricted.

Code Section 35-3-37(j)(4) which used to be for only youthful offenders committing a misdemeanor offense or a series of misdemeanor offenses arising from a single incident is now applicable to all individuals as long as it is not one of the listed offenses. The person seeking record restriction must have completed their 4 years before seeking restriction and not have had any convictions for something other than non-serious traffic offenses during that time. An individual is limited to filing such a petition to a lifetime maximum of requesting record restriction on two convictions for a misdemeanor or a series of misdemeanors arising from a single incident.

New Code Section 35-3-37 (j)(6) allows an individual to seek record restriction for any convictions that the State Board of Pardons and Parole has granted a pardon except where the offense was a serious violent felony or a sexual offense, The individual requesting record restriction must also not any convictions for any crime in any jurisdiction, excluding any conviction for a nonserious traffic offense, since the pardon was granted, and has not pending charges.

New Code Section 35-3-37(t) provides that in the course of a civil action and upon request, the court shall order that any relevant criminal history record information that has been restricted or sealed pursuant to this Code Section for any witness in that civil action shall be provided to the parties in that proceeding for use only in that proceeding. Any information disclosed shall not be published outside the proceedings and any subsequent appeal.

New Code Section 35-3-37(u) provides that a restriction or sealing pursuant to this Code Section may be used to disqualify an individual for employment or appointment to office in the same manner that a discharge under Article 3 of Chapter 8 of Title 42 may be used to disqualify an individual from employment in some instances and shall not supersede any disclosure or consideration of criminal history record information required by federal law.

New Code Section 35-3-37(v) provides that restricted and sealed information shall always be available for inspection, copying and use for purposes of the First Offender Act, the Georgia Judicial Qualifications Commission, a prosecutor or public defender (but any other criminal defense attorney must submit a sworn affidavit to the clerk of court attesting that the information is relevant to the criminal proceeding), pursuant to court order, or by the individual whose record was restricted or sealed.

SB 295 | Courts and Revenue and Taxation; cost-of-living and general performance based increases; revise

Sen. John Wilkinson

Effective Date January 1, 2021

SB 295 removes the language allowing cost-of-living or general performance-based increases that were applied before 1/1/2021 for the Clerk of Superior Court, probate court judges, Sheriffs, and tax collectors/commissioners. The salaries of those four officials is now set as the salary schedule in Georgia Code.

SB 301 | Detainers; inmates charged with subsequent felony offenses under sentence and in custody; temporary custody provisions; revise

Sen. Blake Tillery

Effective Date January 1, 2021

SB 301 creates new Code Section 5-5-51.1, which provides that if an inmate in the state penal system commits a misdemeanor or felony within the confines of the state correctional institution, and is denied bond, the sheriff in the county where the crime is pending (and only if the crime occurred in the county where the inmate is housed) can request the Georgia Department of Corrections to have the inmate remain in the Department's custody after the sentence for which the GDC has jurisdiction over the inmate until adjudication of such charge. The Commissioner of Corrections is to consult with the Warden and must deny or grant within 36 hours of the request. If the request is granted, the inmate must not be transferred to an institution outside the county unless necessary for the inmate's physical or mental health.

SB 308 | Abandoned Vessels; unattended vessels in public waters; remove certain redundant processes

Sen. Kay Kirkpatrick

Effective Date January 1, 2021

This bill removes notifying the GBI of an abandoned vessel, and now only Department of Natural Resources has to be notified.

SB 310 | Professions; regulations; provide; certain boxing, wrestling, and martial arts associations and federations; provisions

Sen. Tyler Harper

Effective Date January 1, 2021

Originally this was a bill to regulate combat sports in Georgia. However, during the legislative session, the language in the Act was changed to regulate Structural Engineers. The Act does create a new misdemeanor crime in Code Section 43-15-7 practicing structural engineering without being a professional structural engineer and then in the other sections of the Act describes what qualifications are needed to become a professional structural engineer in Georgia.

SB 337 | Invasion of Privacy; prohibition against the transmission of photography depicting nudity; include falsely created videographic or still images

Sen. Bruce Thompson

Effective Date August 3, 2020

The Act amends Part 3 of Article 3 of Chapter 11 of Title 16 of the Official Code of Georgia Annotated, relating to invasion of privacy by revising subsection (b) of 16-11-90, relating to prohibition on nude or sexually explicit electronic transmissions.

It provides that it is a criminal offense to electronically transmit or post, in one or more transmissions or posts, a photograph or video which depicts nudity or sexually explicit conduct of an adult, including a falsely created videographic or still image, when the transmission or post is harassment or causes financial loss to the depicted person and serves no legitimate purpose to the depicted person.

Further, provides that it is a criminal offense to cause the electronic transmission or posting, in one or more transmissions or posts, of a photograph or video which depicts nudity or sexually explicit conduct of an adult, including a falsely created videographic or still image, when the transmission or post is harassment or causes financial loss to the depicted person and serves no legitimate purpose to the depicted person.

SB 341 | Peace Officers; re-employment of retired peace officers and correctional officers during disasters and emergencies; provide

Sen. Randy Robertson

Effective Date January 1, 2021

SB 341 This Act authorizes, and establishes general guidelines for the re-employment of retired police officers and corrections officers during disasters and other emergencies. The Act adds new provisions to O.C.G.A. § 36-8-2 that define a "requesting agency" and "retired corrections officer." The Act next adds a new code section, O.C.G.A. § 35-8-21.1, that authorizes any law enforcement entity to supplement its workforce with qualified, retired peace officers or correctional officers when a disaster or emergency has been declared by a sheriff, public safety director, the Governor, or when there is a national emergency. Such retired officers must be current on training and qualification standards, shall have the same immunities and powers of arrest as he or she has in his or her own jurisdiction, and the same powers of arrest as officers of the requesting entity, including sovereign immunity, official immunity, and the public duty doctrine, for the duration of the declared disaster or emergency. Such powers shall be limited to the location where the retired officer's services are requested to be provided, for the duration of the specific event, and while acting under the direction of the requesting entity's chief law enforcement officer or his or her designee. Further, any retired officer shall be deemed an employee of the requesting entity for the duration of the disaster or emergency and shall be subject to the workers' compensation, overtime, and expense reimbursement provisions provided as an employee of the requesting entity. Any compensation awarded to retirees for service shall be paid by the requesting entity.

SB 342 | Local Fire Departments; procedures for organization, issuance and revocation of certificates of compliance; provide

Sen. Burt Jones

Effective Date January 1, 2021

SB 352 amends Article 2 of Chapter 3 and Article 1 of Chapter 4 of Title 25 of the Official Code of Georgia Annotated to provide procedures for training and standards of fire departments and volunteer fire departments. Provides for minimum trainings and equipment for fire departments and volunteer fire departments.

Establishes the Georgia Volunteer Fire Service Council.

SB 362 | Livestock Running at Large or Straying; impounding animals and disposing of impounded animals; change the fees

Sen. John Wilkinson

Effective Date July 29, 2020

SB 362 amends O.C.G.A. § 4-3-10 relating to livestock running at large or straying by replacing low dollar figures with actual costs: (1) For impounding each animal, the actual cost of impounding each animal and mileage as provided by law for the arrest and commitment of prisoners; (2) For serving any notice and making return thereon, the actual cost and mileage provided by law for executing writs in actions at law and making return upon the same; (3) For feed and care of impounded animals, the actual cost per day per animal not to exceed \$25.00 per day per animal; (4) For advertising or posting notices of sale of impounded animals, the same as provided by law for advertising property for sale under process; (5) For sale or other disposition of impounded animals, the actual cost associated with such sale or other disposition; and (6) For report of sale of impounded animals, the actual cost associated with such report of sale."

SB 372 | Public Health; provisions; modernize, clarify, and update; certain councils and committees; eliminate

Sen. Blake Tillery

Effective Date July 1, 2020

The Act amends 17-10-15 that requires defendants to submit to a HIV test for any AIDS transmitting crime. The Act still requires that upon a verdict or plea of guilty or a plea of nolo contendere to any AIDS-transmitting crime, the court in which that verdict is returned or plea entered shall require the defendant in such case to submit to an HIV test within 45 days following the date of such verdict or plea. The Act no longer requires the clerk of court to notify Department of Public Health of the sentence and DPH is no longer required to arrange the HIV test for the defendant within 30 days of receiving the Court's sentence. The responsibility of making arrangements for scheduling and obtaining the tests are left to the defendants.

SB 375 | Cigarettes and Tobacco Related Products; additional penalties regarding any person under 21 years of age; provide; definition of vapor product; revise

Sen. Jeff Mullis

Effective Date July 22, 2020

SB 375 expands the definition of "vapor product" to include devices that produce vapor or aerosol from nicotine or other substances. The Act also raises the age to purchase tobacco or vapor products to 21 in Georgia. The provision allowing a parent to claim that they provided the tobacco or vape devices to an underage person is removed. Violations are still punished through community service and awareness classes. However, if the underage individual fails to attend the class or violates the statute 3 times in a calendar year, the Department of Driver Services is to be notified and the individual's driver's license is suspended for 45 days.

The Act bans vapor products in school safety zones. Possession of a vapor product by someone 21 and over is a fine-only misdemeanor. A first offense is \$25, second and subsequent are \$50. No court costs, fees, or surcharges are to be imposed. Additionally, any vapor product found in a school safety zone is declared contraband and may be seized and forfeited as such. The Act does reduce the maximum penalty for someone under the age of 21 who receives or attempts to purchase tobacco from the standard misdemeanor punishment to a first offense is \$25, second and subsequent are \$50 and no court costs, fees, or surcharges are to be imposed.

The final part of the Act creates a regulatory structure to tax and regulate vapor products and devices under the same laws and structure as tobacco retailers and producers are in Georgia.

SB 391 | "Early Prescription Refills During Emergencies Act"; health insurers to provide coverage for early refills of a 30-day supply; require; enact

Sen. Kay Kirkpatrick

Effective Date August 5, 2020

SB 391 gives pharmacists the right to refill a prescription early under certain circumstances. Limits the refill to 30-day supply and prohibits schedule II refills altogether. Circumstances where this is allowed would include state of emergency declared by Governor or hurricane warning in the area where patient resides.

SB 393 | Law Enforcement Officers and Agencies; duties and powers; revise; campus policemen and other security personnel of the university system; arrests for felony offenses

Sen. Brian Strickland

Effective Date July 1, 2020

The Act revises Code Section 35-3-4, relating to the powers and duties of the GBI by permitting attorneys employed by the Legal Division to serve at the request of a District Attorney, Solicitor-General, or United States Attorney in the prosecution of any civil or criminal case within the jurisdiction of such district attorney, solicitor-general, or United States Attorney and, while providing such assistance to such district attorney, solicitor-general, or United States Attorney, such attorneys shall have the same authority and power as an attorney employed by such district attorney, solicitor-general, or United States Attorney.

SB 394 | Attorney General; authority to investigate and prosecute certain crimes and offenses; provide

Sen. John Albers

Effective Date July 1, 2020

The Act Amends O.C.G.A. § 16-5-46, relating to trafficking of persons for labor or sexual servitude. It provides that the term "Peace Officer" will have the same definition as in 35-8-2 and gives the Attorney General the authority to employ peace officers authorized to execute all the powers enumerated in O.C.G.A. § 35-8-2. The power is limited to the purpose of investigating criminal cases under the Human Trafficking statute O.C.G.A. § 16-5-46.

Section 2 Amends O.C.G.A. § 45-15-17, relating to the Attorney Generals' power to investigate and issue/enforce subpoenas. Adds a new subsection which provides that the term "Peace Officer" will have the same definition as in O.C.G.A. § 35-8-2 and gives the Attorney General authority to employ peace officers authorized to execute all the powers enumerated in O.C.G.A. § 35-8-2.

Section 3 Amends O.C.G.A. § 49-4-146.1 relating to Medical Assistance - unlawful acts and investigation of such unlawful acts. This statute deals with public assistance and fraud under the Georgia Medicaid program. Adds a new paragraph which provides that the term "Peace Officer" will have the same definition as in O.C.G.A. § 35-8-2; gives the Attorney General authority to investigate and prosecute any offenses under O.C.G.A. § 49-4-146.1; and the authority to employ peace officers to investigate such offenses.

SB 402 | Bonds and Recognizances; conditions for unsecured judicial release on a person's own recognizance; provide

Sen. Randy Robertson

Effective Date January 1, 2021

Part 1 Section 1-1

Amends O.C.G.A. § 17-6-12

- There are no changes with regard to what is considered a "bail restricted offense". No substantive changes there.
- The most significant change is the change in name from "Own Recognizance" to "Unsecured Judicial Release" – defined essentially as an Own Recognizance bond without any money securing it.
- The other change is that the act only allows "elected judges" and "designated" judges to give "Unsecured Judicial Release." The use of the word "elected" may be interpreted to limit the kinds of judges who can give Unsecured Judicial Release. A Magistrate Judge

who is appointed by the Superior Court Judges could not issue these releases unless they were sitting by designation as a State Court or Superior Court Judge depending on the severity of the charge. An open question is also whether this provision would prevent a judge appointed by the Governor who has not yet faced election from issuing Unsecured Judicial Release. The word “elected” must have some meaning when reading this statute.

- The Act removes the requirement for a judge to note why he or she is granting unsupervised release.
- The Act does not impact the factors in 17-6-1 when setting bond such as the accused's financial resources and other assets, including whether any such assets are jointly controlled; the accused's earnings and other income; the accused's financial obligations, including obligations to dependents; the purpose of bail; and any other factor the court deems appropriate.

Part II Section 2-1

The Act amends O.C.G.A. § 17-6-1

- The Act requires any bond issued that purports a dollar amount shall be executed in the full-face amount of such bond through secured means as provided for in Code Section 17-6-4 or 17-6-50 or shall be executed by use of property as approved by the sheriff. This prevents a judge from releasing an offender on an “Unsecured Bail Release” but associating a monetary amount with the Unsecured Bail Release.
- The Act allows a sheriff to release an inmate for a medical emergency “with the consent of the judge in the county in which he or she presides”

SB 435 | "The Debbie Vance Act"; court imposing sentence may grant the relief of vacatur for convictions and sentences of defendants; provide

Sen. Brian Strickland

Effective Date June 29, 2020

The Act creates a procedure so that a court that imposed a sentence may vacate any convictions and sentences of a defendant who obtained such convictions and sentences as a direct result of being a victim of trafficking for labor or sexual servitude.

Section 2

The Act amends Title 17 by adding a new code section 17-10-21.

A defendant convicted of an offense and sentenced as a direct result of the defendant being the victim of an offense of trafficking under Code Section 16-5-46 may petition the

court imposing the sentence to vacate such conviction. Such court shall maintain the jurisdiction, power, and authority to vacate such conviction and sentence.

- The defendant shall serve the petition upon the prosecuting attorney.
- Such petition: Shall be submitted on a form promulgated by the Attorney General; Shall be submitted no earlier than six months following conviction and sentencing for a misdemeanor offense or no earlier than one year following completion of the sentence for a felony offense; Shall be submitted with a copy of his or her criminal history conducted by GCIC that has been completed no more than three business days prior to the filing of the petition; defendant shall not be charged a fee by GCIC for a report produced for purposes of this Code section.
- May include documentation of defendant's status as a victim of trafficking under 16-5-46 at the time of the offense; official documentation shall not be required to obtain relief under this Code section.
- Such documentation shall create a rebuttable presumption that the defendant was a victim of trafficking under 16-5-46.
- Provides terms for "official documentation".
- No defendant with an outstanding warrant issued by a jurisdiction in this state or any other state or by the United States shall file a petition provided for under paragraph (1) of this subsection.
- If the prosecuting attorney, to the court, consents in writing to vacating such conviction or fails to respond to such petition within 30 days of service, the court imposing the conviction and sentence shall, without notice or hearing, issue an order vacating the conviction and sentence and shall also issue an order restricting access to criminal history record information for such offense.
- If the prosecuting attorney objects in writing to the petition, the court shall hold a hearing within 90 days of the filing of the petition. The court shall hear evidence and determine, by a preponderance of the evidence, whether the defendant committed such offense as a direct result of being the victim of an offense of trafficking. If the court finds, by a preponderance of the evidence, that the defendant committed such offense as a direct result of being the victim of an offense of trafficking, the court may issue an order vacating the conviction and sentence.
- If order to vacate is issued, the court shall also issue an order restricting access to criminal history record information for such offense and no fee shall be charged by the Georgia Crime Information Center or any other entity for restricting access to criminal history record information under this paragraph.

Section 3

The Act amends 35-3-37 Criminal History Information

- Creates procedure for defendant convicted of a criminal offense while victim of Human Trafficking to have record restricted.
- Defendant to serve the District Attorney / Solicitor-General with petition to restrict.
- Petition shall be submitted on a form created by the Attorney General.
- If prosecuting attorney consents in writing or **fails to respond to such petition within 30 days of service**, the court imposing the conviction and sentence **shall, without notice or hearing, issue an order restricting access to criminal history record information.**
- If the prosecuting attorney objects in writing, the court will hold a hearing within 90 days of filing of petition. The court will hear evidence and determine, by a preponderance of the evidence, whether defendant committed the offense as a direct result of being a victim of Human Trafficking. If the court finds, by a preponderance of the evidence, that the defendant committed offense as direct result of being a victim of Human Trafficking, the court can restrict the conviction.

SB 439 | Juvenile Code; enhanced notice to and improved participation of foster, preadoptive, and relative caregivers in certain hearings; provide

Sen. Matt Brass

Effective Date January 1, 2021

Section 1 of the act amends O.C.G.A. § 15-11-509 to require court findings in writing about the participation of caregiver, foster parent, pre-adoptive parent on the following: notice provided and what method and whether caregiver wished to be heard; caregiver's views on health, well-being, safety of child and any changes to such things as well as timeliness, quality, and necessity of services provided. Section 2 provides in O.C.G.A. § 15-11-215 for email notices, then further requires Council of Juvenile Court Judges to promulgate methods of such notice. Further, it requires the court to consider objections to change of placement including evidence from the caregiver. Section 3 amends O.C.G.A. § 15-11-300 on termination of rights hearings to require specific findings of fact about the same things in Section 1. Section 4 amends O.C.G.A. § 15-11-320, the written order requiring written findings from things in Section 3. Section 5 amends O.C.G.A. § 15-11-324 to require that after the grant of termination and during disposition, court shall consider same evidence from caregiver, especially towards adoption if child has been in their custody twelve months or more pending the hearings. Such testimony considers bonding, attachment, health, safety, well-being of child.

SB 446 | Cash Bonds; unclaimed cash bonds; provide

Sen. Larry Walker

Effective Date January 1, 2021

SB 446 Reduces the time to claim a cash bond from 7 years to 2 years after the case is disposed of.

SB 477 | Investigation of Family Violence; terminology used in determining whom to arrest; revise

Sen. Kay Kirkpatrick

Effective Date January 1, 2021

This act amends Section 17-4-20.1(b) relating to the investigation of incidents of family violence. This bill would change the statute's language from "primary aggressor" to "predominant aggressor," defining it as "the individual who poses the most serious, ongoing threat, which may not necessarily be the initial aggressor in a specific incident." The act requires law enforcement to evaluate a complaint about family violence to determine the predominant aggressor when they are received from both parties or if both parties have injuries. The act also adds additional factors to be considered by law enforcement officers when evaluating which party is the predominant aggressor. Including prior complaints, the presence of offensive vs. defensive injuries, prior complaints, the existence of threats that created fear of physical injury, whether the party acted in defense of a third party, or whether the person had reasonable cause to believe he or she was in imminent danger of becoming a victim of any act of family violence.

SB 508 | State Court of Rockdale County; additional judge for such court; provide

Sen. Brian Strickland

Effective Date January 1, 2022

SB 508 is an act that amends local legislation providing for the State Court of Rockdale County to allow for an additional judge, who shall be appointed by the Governor to a term beginning 1/1/2022, ending 12/31/2022 and standing for election in the nonpartisan judicial election of 2022. The judge's salary shall be 92.5% of the salary of a Superior Court judge. The judge shall be allowed to appoint an official stenographer. Effective date 1/1/2022, except that the initial state court judge may be appointed at any time after the signature of this act.

SB 509 | Glynn County Police Department; abolish; transfer of assets and property of such police department; provide

Sen. William Ligon

Effective Date August 5, 2020

This Act abolishes the Glynn County Police Department as of May 2, 2021. All property, evidence, files, and other items are transferred to the Sheriff of Glynn County as well as

the duties and responsibilities of the Police Department. The Act also calls for a binding referendum as to whether the Department should be abolished as provided in the Act.

SB 518 | Magistrate Court of Henry County; assessment and collection of a technology fee; authorize

Sen. Brian Strickland

Effective Date July 1, 2020

SB 518 authorizes the Magistrate Court of Henry County to collect up to \$5 for each civil action and authorizes the Court to impose a surcharge no to exceed \$5 on each criminal case in the Court to use for the technological needs of the office.

SR 459 | Senate; all persons testifying tell the truth; providing bans on persons found to have lied; request

Sen. Jeff Mullis

Effective Date March 9, 2020

Allows the Senate to punish any member of the public who lies while testifying to the Senate by prohibiting them from presenting further testimony for the remainder of the legislative session.

Part 2: Bills vetoed by the Governor

HB 935 | Gwinnett County; Recorder's Court; provide for senior judges

2020 Veto Messages

Rep. Chuck Efstration

Veto Date August 5, 2020

HB 935 amends the Act creating the Gwinnett County Recorder's Court by authorizing the appointment of any retired Recorder's Court judge (following at least 10 years of service) as a senior judge. The Chief Judge of the Recorder's Court is authorized to call on the senior judges for assistance - and must do so before the appointment of a *pro hac* judge. Senior judge compensations shall be the responsibility of Gwinnett County. Also, the Clerk of Recorder's Court shall be appointed by a majority vote of the Gwinnett State Court judges. Finally, the Chief Judge of the Recorder's Court is authorized to designate a practicing lawyer to serve as a Recorder's Court judge *pro hac vice*.

SB 504 | Electors of Glynn County; nonbinding advisory referendum; provide

2020 Veto Messages

Sen. William Ligon

Veto Date August 5, 2020

SB 504 The Act calls for the holding of a nonbinding, advisory referendum for the purpose of ascertaining whether the electors of Glynn County desire to abolish the Glynn County Police Department. The Act mandates that the referendum be put to the voters on the November 2020 General Election ballot. Glynn County will bear the expense of conducting the referendum and the Glynn County election superintendent shall report the results to the Secretary of State.

Part 3: Resolutions Creating Constitutional Amendments

HR 1023 | Judiciary; people may petition for declaratory relief from certain acts of this state or certain local governments or officers or employees; provide

Rep. Andrew Welch

Effective Date August 5, 2020

HR 1023/AP

This Resolution proposes an amendment to the Georgia Constitution to waive sovereign immunity and allow petitions to the superior court for relief from certain acts of the state or certain local governments or officers or employees thereof that violate the laws of this state, the Constitution of Georgia, or the Constitution of the United States; and to provide for the submission of this amendment for ratification or rejection.

SR 841 | Legislative Acts; void; people of this state may petition the judiciary for declaratory relief from certain acts of this state that violate the laws or Constitution of this state or the Constitution of the United States; provide

Sen. John Kennedy

Effective Date June 22, 2020

SR 841 is a resolution to amend Paragraph VIII of Section II of Article I of the Georgia Constitution to allow pari-mutuel betting, sports betting, and casino gambling in Georgia. It shall be regulated by the Georgia Lottery Corp. or any successor entity. All pari-mutuel betting, casino gambling, or sports betting must take place at a racetrack or casino, (i.e.) no off-track or off-site pari-mutuel betting, casino gambling, or sports betting is permitted or authorized. The General Assembly is to create a Gaming Commission. An "Opportunity Fund" is created from which funds shall be disbursed for the provision of pre-kindergarten and postsecondary educational services to citizens of this state whose household income is below the median household income in this state as the General Assembly shall provide by law. Proceeds derived from the tax on such gambling shall first be used to maintain the Emergency Powers Fund at a level equal to 10 percent of prior year receipts of the general fund of the state treasury. Any remaining proceeds shall be split equally between the Opportunity Fund and the General Fund of the state treasury. No pari-mutuel betting, casino gambling, or sports betting shall take place in any county in this state unless the electors of such county voting in a referendum on such authorization approve such authorization. The Question on the Ballot shall be as follows: "Shall the Constitution of Georgia be amended so as to authorize pari-mutuel betting, casino gambling, and sports betting in this state under certain circumstances?"

Part 4: Resolutions Creating Study Commissions

SR 194 | Joint Study Committee on Transferring Oversight of Developmental Disabilities to the Department of Community Health; create

Sen. Gregory Kirk

Effective Date March 13, 2020

This Act creates a joint study committee on transferring oversight of developmental disabilities from the Georgia Department of Behavioral Health and Developmental Disabilities to the Department of Community Health. This committee would study the needs, problems, conditions, or issues in transferring the oversight and recommend any action or legislation which the committee deems necessary or appropriate.

SR 959 | Senate Systemic Inequalities Study Committee; create

Sen. Bruce Thompson

Effective Date June 25, 2020

This resolution creates the Senate Systemic Inequalities Study Committee to examine and identify areas where state policies can be revised to address identified systemic inequities suffered by identifiable groups and to recommend any needed action or legislation. The members of the committee would include the chairperson of the Senate Veterans, Military, and Homeland Security Committee and four members of the Senate, who shall be appointed by the President of the Senate. The committee will be abolished on December 1, 2020.

SR 1007 | Senate Law Enforcement Reform Study Committee; create

Sen. Bill Cowsert

Effective Date June 25, 2020

SR 1007 creates the Senate Law Enforcement Reform Study Committee. The Committee shall study areas where state laws need to be revised concerning law enforcement in the following areas: (1) Oversight; (2) Lethal and nonlethal use of force; (3) Practices which may need to be prohibited or more strictly regulated, including, but not limited to, the use of chokeholds and strangleholds, no knock warrants, and certain chemicals or projectiles in response to crowd control during demonstrations and protests; (4) Training and techniques for de-escalation; (5) Collection and reporting of data and information necessary to ensure equality under the law and the identification of patterns and practices which run counter to that bedrock idea; and (6) Shaping of policing and law enforcement for the future in a posture of equality in the enforcement of laws and administration of justice. The Committee shall be abolished December 15, 2020.

SR 1024 | Senate COAM Study Committee; create

Sen. John Kennedy

Effective Date June 25, 2020

SR 1024 creates a study committee relating to coin operated amusement machines (COAM). The study committee is to address measures to aid the Georgia Lottery Corporation (GLC) in the enforcement of its rules and regulations; measures to further the legislative intent of assisting in the collection of taxes and other revenue; and measures to address the problems facing local law enforcement and the GLC. The Committee shall consist of 5 Senators appointed by the President of the Senate and 4 citizens knowledgeable about the COAM industry and the CEO of the GLC or his or her designee. The Committee shall stand abolished on Dec. 1, 2020.

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