

**THE GOOD:****House Bill 24 – Evidence Code Rewrite**

The last major rewrite of the Georgia Evidence Code occurred in 1863. It was time for a comprehensive update. After several years of collaborative efforts with the State Bar of Georgia, we passed HB 24, which brings Georgia's rules of evidence into line with federal guidelines. These revisions will allow for a more streamlined system of entering evidence, resulting in greater efficiency for Georgia's courts and litigation parties.

House Bill 186 – Career Pathways for Students

HB 186 expands options for high school students to ensure readiness for college and/or their career. The State Board of Education, the Board of Regents of the University System of Georgia and the Board of Technical and Adult Education will develop policies to ensure that a student's core curriculum will be accepted at any institution of higher education beginning with students entering post-secondary schools in the fall of 2011.

House Bill 192 – Commission to Study QBE Formula

HB 192 establishes the State Education Finance Study Commission whose purpose is to evaluate the Quality Basic Education Formula and other public school funding mechanisms. Areas in which the commission shall study are: QBE formula, state and local funding partnerships, equalization, student transportation, state school funding, capital outlay, charter schools, career technical and agriculture education, dual enrollment, virtual schools, teacher pay, non-QBE grants and other Title 20 revisions. The commission will publish its recommendations by December 31, 2012, and will include a prioritization of all recommendations.

House Bill 200 – Anti-Human Trafficking

A tragic by-product of our boom state's growth is that Georgia has become a national hub for human trafficking in general and trafficking in young people for sex crimes in particular. The victims are coerced or deceived into sexual servitude by the use of drugs, physical violence, mental abuse and threats. HB 200 is the result of a cooperative effort among lawmakers, the Attorney General, the Georgia Commission on Family Violence, local prosecutors and law enforcement, social service agencies and a wide array of religious organizations. The bill clarifies what constitutes the offense of human trafficking, toughens penalties for offenders and provides a compassionate pathway out for victims caught in its dark web.

House Bill 265 –Criminal Justice and Corrections

The intent of this bill is to find solutions that will allow the state to ensure public safety while decreasing the cost of our corrections system. HB 265 creates two special bodies (the 2011 Special Council on Criminal Justice Reform for Georgians and the Special Joint Committee on Georgia Criminal Justice Reform) to study and reform Georgia's criminal justice system.

House Bills 385, 386, 387 & 388 – Tax Reform

Legislation that would have implemented only a few of the recommendations submitted by a special tax reform council failed to reach either the House or Senate floor for a vote. Under HB 388, the state income tax rate would have been reduced from 6 percent to 4.6 percent in fiscal year 2012 and to 4.55 percent in fiscal year 2013. Sales tax would have been exempted on the energy costs of manufacturing firms, but new taxes would have been imposed on auto repair service, person-to-person vehicle and boat sales and telecommunications services, including satellite TV subscriptions.

DID NOT PASS**House Bill 500 - Unemployment Benefits Extended**

HB 500 includes a provision needed to continue federally funded unemployment benefits for 22,000 Georgians each month. Georgia's unemployment currently receives \$29 million per month from the federal government. Federal authorizing legislation changed the qualifying formulas to determine which states meet the high unemployment threshold. By adopting this new formula before the end of the session, Georgia's unemployed will gain approximately \$175 million from July through December 2011. The latest version adopts a change to state law to match federal eligibility for extended jobless benefits. The benefits, which average about \$244 a week in the state, kick in for 20 weeks after a recipient has used up 79 weeks of unemployment. At issue is a technical change to Georgia code

required by the federal government in order for the state to continue to receive federal unemployment dollars. The federal government allows up to 99 weeks in unemployment benefits and has already appropriated that money to Georgia.

Senate Bill 10 – Sunday Sales of Alcohol

Perhaps the most publicized bill this session, SB 10 allows local communities to decide whether or not alcoholic beverages may be sold on Sunday. Communities will decide whether or not sales will be permitted through county or city referendums. SB 10 passed both chambers and was signed by Gov. Deal.

Senate Bill 36 – Prescription Database

Georgia faces a drug crisis in prescription drugs with more people dying in our state from overdoses in prescription drugs than from all illegal drugs combined. Doctors, particularly emergency room doctors, are hampered by their inability to determine what prescription drugs a patient has been previously prescribed. In addition, "pill mills" have been set up in Georgia by unscrupulous medical professionals for easy distribution of dangerous drugs. SB 36 sets up a state administered database to track the dispensing of prescription drugs. It can be accessed by doctors and pharmacists to assist patients. It can also be accessed by law enforcement through a subpoena issued by a court upon a showing to a judge of probable cause that drugs are being prescribed illegally. Also, tough penalties are created for illegally accessing the database.

Senate Bill 80 – DNA from Convicted Felons

DNA has proven to be a valuable tool in law enforcement in recent years. SB 80 requires that DNA be collected from all convicted felons in this state.

Senate Bill 88 – Child Car Safety

SB 88 requires the use of a child booster seat up to age 8, with an exemption for children who are taller than 4 feet, 9 inches or weigh more than 40 pounds.

Senate Bill 94 - Youth Runaway Safety Act

This legislation will protect homeless youth service providers from being prosecuted for interference with custody so long as they notify a child's parent or guardian within 72 hours of assisting the child. Hopefully, this bill will expand the number of shelters willing to serve homeless youth, including minors who have been sexually exploited.

Full-Day Pre-K - Preserved

Responding to the voices of educators, parents and lawmakers from across the state, Gov. Deal reversed course on his proposal to reduce the instruction day for Georgia's pre-kindergarten program from 6.5 hours to 4 hours. His new proposal, which became part of the 2012 state budget bill, restores the full-day program and instead shortens the Pre-K year from 180 days to 160. He also cut back on his original proposal to add 5,000 slots to Pre-K enrollment, instead recommending 2,000 new slots.

Georgia Family Connection Partnership

Developed at the recommendation of the Perdue administration, a proposal incorporated in the FY 2012 budget would effectively shift the role of GaFCP into the Governor's Office of Children and Families (GOFC). GaFCP is a 501 c (3) organization that provides leadership to the 150-county collaborative who work to promote better outcomes for the children and families across multiple sectors. Many questions remained unanswered with respect to the FY 2012 proposal. How will it affect the composition, stability and autonomy of county collaborative? How will it change their ability to leverage foundation and other private sector dollars? What will be the impact upon the quality of technical assistance available to counties? Who will produce Georgia's Kids Count data? In the end, no changes were made. GaFCP remains an independent 501 c (3).

No major changes were made to abortion laws.

HB 89 would ban abortions for 20 weeks, with an exception for the health of the mother, modeled after so-called "fetal pain" law in Nebraska. SB 210 would allow lawsuits for wrongful death against any doctor who performs an abortion without following state-stipulated actions, such as performing ultrasound for the woman or notifying parents of a minor getting an abortion. **THESE BILLS DID NOT PASS**

THE BAD:

House Bill 73 - Development Sales Tax Did Not Pass

HB 73 is a proposal to allow local communities to vote themselves a sales tax for economic development projects. The focus of HB 73, that became a part of HB 264, is as a flexible economic development tool for local communities, focused on local option and local control. Atlanta Mayor Kasim Reed expressed his support of the Bill in the Atlanta Journal Constitution, as has the Georgia Chamber of Commerce and the Tourism Industry. A coalition of cities, counties, and arts and cultural organizations, known as Georgia Communities for Growth, is pushing for a bill that would give communities unprecedented flexibility for a new revenue stream to fund Arts and Culture as well as other economic drivers. The House approved the HB 73 by a vote of 168-2. In the Senate, HB 264 was amended to include HB 73, which would have allowed local communities to vote themselves a sales tax (partial penny) for economic development projects. On the last day of the session, the House passed HB 264 without the language of HB 73.

House Bill 78 -The 2012 Budget

An \$18.3 billion state budget plan was approved for fiscal year 2012, which begins July 1. HB 78 reduces Medicaid reimbursement rates for physicians by 0.5 percent and incorporates a 20 percent increase in health insurance premiums for educators and other state employees in response to a \$273 million deficit in the State Health Benefits Plan. HB 78 now goes to the Governor, who can sign or veto the entire budget or individual line-item appropriations.

House Bill 325 - Expanded Private School Scholarships

HB 325 enhances provisions for the Student Scholarship Organization (SSO) Program. It requires student scholarship organizations to obligate at least 90 percent of annual revenue received from donations to scholarships or tuition grants. HB 325 expands the phrase "qualified school or program" to include private pre-K programs. Once a student is deemed eligible, s/he remains eligible until s/he graduates, reaches the age of 20, or returns to a public school. The maximum scholarship amount awarded to a student cannot exceed the total expenditure per student in public elementary and secondary education in Georgia. Furthermore, the SSO program is capped at \$50 million per year, but may be adjusted to reflect annual percentage change in inflation each year until 2018. Finally, SSOs are required to report the total number and dollar value of individual and corporate contributions, respectively, as well as total number and dollar value of scholarships awarded.

House Bill 326 - Changes to HOPE Scholarships

The Governor has already signed into law changes to the HOPE Scholarship program to help offset its financial deficit caused by college tuition increasing faster than Lottery revenues. Most HOPE recipients will see their benefits reduced to 90 percent of their tuition costs under HB 326. That percentage would increase or decrease in future years based on the rise or fall of Lottery proceeds. Students who come out of high school with a 3.7 grade point average (GPA) and at least a 1,200 Scholastic Aptitude Test score and are able to maintain a 3.3 GPA in college will retain a full HOPE Scholarship for tuition. Other changes include a low-interest loan program for students who need more financial aid, reduced sales commissions for Lottery retailers and limits on salary bonuses for Lottery employees and the extension of full HOPE Scholarships for the top two graduates from each high school in the state.

House Bill 402 - Expungement Change Did Not Pass

HB 402 was introduced in late February and was unanimously passed out of the House Judiciary Committee. Unfortunately, due to timing and other circumstances, HB 402 was unable to make it out of the Rules Committee for a vote on the House floor before the crossover day deadline. A new expungement bill (HB 663) has been introduced, incorporating many of the issues and concerns from various parties, including the prosecuting attorneys and the clerks of court, and will be considered next year.

Senate Bill 79 - Local Boards of Education

In 2010, the Georgia General Assembly passed a sweeping School Board Governance bill that recognized board members' fiduciary duty to their students, set up a model for best practices, created a tough code of ethics, and gave the State School Board and Governor the power to monitor school boards that lose accreditation and, if necessary, suspend board members from their position. However, this bill only affected board members elected after July 1, 2010, which excluded some school boards such as the Atlanta School Board. In recognition of the present situation with the Atlanta Board of Education, which was placed on accreditation probation in January of this year, I proposed an amendment to SB 79 to remove the effective date limitation so that the bill we passed in 2010 will apply to ABE as well. The reason is simple, the 49,000 students in the Atlanta Public School System deserve the same level of protection as the 1.6 million students in other parts of the state. The proponents of SB 79 hope that the ABE will make the progress necessary to avoid being suspended from their positions. However, hope is not a strategy and we must provide a safety net to protect Atlanta's students should the board return to the factional infighting that led to its probation. ABE faces many challenges in the next few months including selecting a new superintendent and confronting the standardized test score cheating scandal. SB 79 is a valuable tool to ensure that the board members continue to focus on the job they were elected to do.

THE UGLY:

House Bill 47 - Insurance Sold Across State Lines

HB 47 passed to allow insurance companies in Georgia to sell health insurance policies they currently offer in other states, even if those policies do not cover services required under Georgia law. For example, mandates such as mammograms, hospital stays after birth, Pap smears, cancer treatments for dependent children and other patient-protections would not be required for these out-of-state products. The bill was amended to give the Insurance Commissioner greater discretion in approving such plans.

House Bill 87 - Immigration Reform

HB 87 would require all businesses with at least 10 employees to use the federal government's E-Verify system to determine the work eligibility of all new hires. Similar to Arizona law, police would be empowered to detain people while their immigration status is checked. The bill would also increase the penalty for using fake identification to get a job to 15 years in prison and up to \$250,000 in fines. People who, while committing another offense, knowingly transport, harbor or encourage illegal immigrants to come to Georgia could face 12 months in prison and a \$1,000 fine. Supporters said the measure is necessary for the state to deal with a growing population of illegal immigrants that is overburdening schools, hospitals and other public services. Opponents said enactment of HB 87 would lead to more ethnic profiling of legal citizens, impose an unfunded mandate on local law enforcement agencies, bog down many small businesses with red tape and hurt Georgia's economy, especially the agriculture and tourism industries. The legislation would give police the authority to question suspects about their immigration status, including persons stopped for traffic violations. In addition, it creates the crime of harboring, which could apply to organizations providing services to immigrant communities. Undocumented victims of domestic violence may be reluctant to call the police for help if they fear that their status may be checked.

House Bill 179 – Billboards, More Cut Trees

HB 179 is an outdoor advertising measure that creates additional regulations for the construction, maintenance and dismantling of outdoor advertising signs, otherwise known as billboards. This legislation would permit the owner of a billboard to cut any trees or shrubbery within the line of sight from the roadway to the sign. It also directs the Department of Transportation to inventory signs that have expired permits and effectuate their removal.

LET ME HEAR FROM YOU!

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