



# LEGISLATIVE UPDATE

## 2/20/17

When I was a kid, my mother told me that I should be a physician, to which I replied, “No, mom. I want to be a doctor.” Years later, after subjecting myself to way too much book learnin’, I realized that the sight (and sometimes the mere thought) of needles made me pass out. Couple that with the remarkably long work hours that doctoring was notorious for, and I reconsidered my chosen profession. Three careers and a few decades later, here I am. I don’t have to worry about passing out (until Sine Die - the last day of the legislative session). Nor do I have to worry about getting chocolate or ketchup on that nice white coat. Oh – and I also don’t have to worry about killing somebody by grabbing the wrong medical chart. Phew. But, oh my goodness, the hours! What the heck was I thinking when I happily skipped into a career that prevents me from sleeping until ten, wearing a muumuu to work, and scheduling a daily massage with a guy named something like “Hans”? (I guess I could wear the muumuu if I really wanted to.) Anyway, this is the time of year when dedicated capitol folk like myself work pretty much around the clock to try to advance and improve our little piece of the map. We try to forget what could have been, and just try to focus on what could be.

All that to say that last week, a gazillion (give or take a few) bills were heard in committee; another gazillion were dropped in the hopper; the FY 2017 amended budget was voted out, landed on the governor’s desk and was signed; and the FY 2018 budget passed the House and moved to the Senate.

This week promises to be just as fun (if that’s what you call it), with the new 2017 Criminal Justice Reform bills being heard in committee on Wednesday (SB 174, SB 175, and SB 176), another hearing for one of the big education bills (HB 338) promised later in the week, and meetings on an array of others, covering everything from guns to sunscreen.

So starch up your muumuu, delay your massage and give the words and numbers below a glance. Also, please don’t forget about the advocacy asks at the bottom of the update. Your voice, whether squeaky, deep, scratchy or operatic, really counts.

Since this is a budget-heavy update, here, once again, you can “Get your acronym on” with this handy key.

[DBHDD](#) = Department of Behavioral Health and Developmental Disabilities

[DCS](#) = Department of Community Supervision

[DECAL](#) = Department of Early Care and Learning

[DHS](#) = Department of Human Services (which houses [DFCS](#) = Department of Family and Children Services, as well as [DCSS](#) = Division of Child Support Services)

[DJJ](#) = Department of Juvenile Justice

[DOD](#) – Department of Defense

[DOE](#) = Department of Education

[DPH](#) = Department of Public Health

[GBI](#) = Georgia Bureau of Investigation

[GDC](#) = Georgia Department of Corrections

[GOSA](#) = Governor's Office of Student Achievement

[TCSG](#) = Technical College System of Georgia

[USG](#) = University System of Georgia

### **Amended FY 2017 Budget – FINAL**

The FY 17 amended budget (which is sometimes referred to as “the Little Budget”) was signed by the Governor last week, which means its journey through the General Assembly has come to an end. Here are many of the kid-relevant points from the [FINAL FY 2017 Amended Budget](#):

#### **Child Health**

- Cut \$1 Million from Department of Public Health (DPH) Adolescent and Adult Health Promotion. (Senate cut \$1 Million and the conference committee agreed)
- Cut \$628,000 from the DPH budget for personnel to enhance coordination and communication among providers and stakeholders of services to families. (Senate cut \$628,000 and the conference committee agreed)
- \$500,000 Added for telehealth equipment and maintenance (DPH)
- \$150,000 Transferred from the Medicaid: Low-Income Medicaid program to evaluate cost-saving measures through accurate diagnosis of ADHD through NEBA (report back to the Georgia General Assembly by July 1, 2017). FYI, NEBA is a new kind of medical device that uses brainwaves (EEG) to help clinicians more accurately diagnose ADHD in children and adolescents (ages 6 through 17).

#### **Child Welfare**

- \$71,110 Redirected in existing funds for the new Wellspring Living residential treatment facility (DOE)
- \$13,460,920 Added for the Integrated Eligibility System information technology project which will provide a unified means for multiple agencies to determine eligibility for Georgians requesting public assistance like SNAP, energy assistance, etc.
- \$28.6 Million Added for growth in out-of-home care utilization
- \$0 Added to increase Division of Family and Children Services (DFCS) foster parent per diem rates by 57% effective April 1, 2017 (House added \$975,000 and the Senate increased that to \$2.6 million, but the conference committee eliminated the funds)
- \$0 Added to implement a \$1 per day increase for relative foster care providers effective April 1, 2017. (House and Senate added \$746,000, but the conference committee eliminated the funds)
- Budget Direction: Coordinate with the Governor's Office of Planning and Budget and the Department of Human Services to recommend and fund an increase in Child Placing Agencies (CPA) foster parent per diem rates. Additional note from the Conference Committee: Coordinate with the Governor's Office of Planning and Budget and the Department of Human Services to recommend an increase in foster parent per diem rates.)

#### **Juvenile Justice**

- \$0 Subtracted from Departmental Administration in the Department of Juvenile Justice. (House had removed \$50,000 from the department, but it was returned by the Senate and the conference committee agreed.)

#### **Education**

- \$2.4 Million Added to establish the Georgia Center for Early Language and Literacy at Georgia College and State University (USG)
- \$6.4 Million Added for increased student public school enrollment (The Governor requested \$85.5 Million. The House added \$6.4 Million, bringing the total to \$91.9 Million)
- \$9.9 Million Added for enrollment in charter system schools (House Added \$452,000 to the governor's request of \$9.5 Million, bringing the total

to \$9.9 Million.)

- \$9.1 Million Added for enrollment in State Commission Charter Schools
- Transferred \$2.5 Million from the Georgia Public Telecommunications Commission to Department of Education testing program to develop a formative assessment for the kindergarten through third-grade continuum of mathematics and reading skills in partnership with the Department of Education and the Governor's Office of Student Achievement to support flexible grouping and competency-based education pilots. Conference committee added the note: Upon consultation with districts that have vetted assessments for reliability and using a competitive bidding process, increase funds for research-based reading and math assessment tools that provide real-time data analysis on progress.) (Governor requested \$3.5 Million; House cut that by \$1 Million, and then the Senate transferred the remaining \$2.5 Million.)
- Added \$5 Million for career, technical, and agricultural education equipment grants to local school systems. (The Governor had no additional request; then the House added over \$3.5 Million and the Senate increased that to \$5.6 Million. The conference committee brought the total down to \$5 Million.)
- Cut \$500,000 from the governor's request for grants for film and audio-video equipment to local school systems. (There was \$2.5 Million in the original FY 17 budget; the House made no change; the Senate cut \$1.5 Million from that total in the amended budget, and the conference committee restored \$1 Million, leaving a total for FY 17 of \$2 Million)
- Cut \$2 Million from the Special Needs Scholarship. (The Governor requested an addition of \$6.5 Million; then the House cut a total of \$8.5 Million. Following that, the Senate restored a little less than a million, but the conference committee agreed on the original House cut, leaving the scholarship at a \$2 Million deficit.)
- \$1.8 Million Added to REACH Georgia Scholarship program for additional scholarships in participating school systems and to expand into 30 new school systems (The original FY 17 budget had \$2.75 Million. The governor added \$1.8 million and the House and Senate agreed, bringing the total REACH amount to \$4.55 Million for FY 17.)
- \$15 Million Added for Forestland Protection Act grant reimbursements to school districts and local municipalities and counties
- \$16.8 Million Added to Move on When Ready dual enrollment to meet the projected need
- \$833,000 Added for driver education and training to reflect the intent of [Joshua's Law](#)

### **FY 18 Budget – As amended by the House**

For those of you who want a glimpse into the future of the state, the FY 18 Budget is your crystal ball. For those of you who don't care about the future, you might as well stop reading now and go out and get yourself a latte.

This past Friday, the House passed its version of the [FY 2018 Budget](#). Below are some changes the House made to the governor's request. The Senate now has the bill in their mitts and will no doubt make some changes of their own. But for now, you can see how it stands so far.

#### **Child Health**

- \$1.1 Million Transferred from the Low-Income Medicaid program for increased reimbursement rates for select primary care codes, with rates effective on January 1, 2018. The increased reimbursement rate was also approved for Peachcare for Kids, which is currently completely federally funded.
- \$307,226 Used in existing state funds to match with federal funds for a 5% reimbursement rate increase for select dental codes (Medicaid-ABD), plus 5% Reimbursement rate increase approved for select dental codes in Peachcare for Kids.
- \$325,000 Added to establish an Adolescent to Adult Transition model to improve outcomes for adults with Autism Spectrum Disorder. (DPH)
- \$1 Million Added for an additional 15 environmental health specialist positions. (Note, this is in addition to \$1.5 Million the governor requested for a 5% increase for recruitment and retention of environmental health personnel) They inspect things like swimming pools and restaurants (DPH).

- \$150,000 Added and \$1.2 Million Redirected to create 97 new residency slots in primary care medicine. (Governor requested 126 slots and \$726,000 state dollars for the extra slots, but the House reduced the number of slots and left the redirected amount the same).
- \$153,000 Added for 10 slots in OB/GYN residency programs, with two slots each at Emory, Medical College of Georgia, Memorial University Medical Center, Morehouse, and Navicent Health Care Macon.
- \$360,000 Added for Memorial University Medical Center to partner with Gateway Behavioral Health to start a psychiatry residency program.
- \$500,000 Used for two Federally Qualified Health Center community start-up grants in Cook County and Lincoln County.
- \$315,000 Added for the Military Family Support Center. (DOD)
- \$716,000 Eliminated from one-time funds for the [Highland Rivers Health CSB Home Again](#) pilot program. (DBHDD)

### **Child Welfare**

- \$1.5 Million Added to DFCS for a \$5 per hour increase for Special Assistant Attorney Generals (SAAGs).
- \$10.7 Million Subtracted from the governor's request for an increased number of children in out-of-home care (foster care) (Governor requested \$30.9 Million. The house reduced that amount by \$10.7 Million, leaving a total request of \$20.2 Million)
- \$6.8 Million Added to the governor's request for an increase in foster parent per diem rates. (Governor requested \$3.9 Million, and the house increased that total to \$10.7 Million)
- \$14.9 Million Added for the first installment of a two-year plan to increase relative foster care provider per diem rates by \$10.
- \$5.3 Million Added for the first installment of a two-year plan to increase Child Placing Agencies' (CPA) foster parent per diem rates by \$10.
- \$500,000 Added to the Court Appointed Special Advocates (CASA) to enhance statewide capacity.
- \$238,500 Added to increase each county's Family Connection allocation from \$47,000 to \$50,000.
- \$600,000 Added for four scientist and two technician positions to address the backlog rape kits analyzed by the GBI.

### **Juvenile Justice**

- \$783,000 Added for 10 additional juvenile public defenders plus \$308,000 Added to annualize 15 juvenile public defenders.
- \$1.5 Million Subtracted for 15 additional assistant district attorneys to support Juvenile Courts. (Governor requested \$1.5 Million and the House eliminated all the funds)
- \$2.7 Million Subtracted from funds for the Grants to Counties for Juvenile Court Judges salary increase. (Governor requested \$3.5 Million. The House cut that by \$2.7 Million, leaving the total increase at \$796,000)
- \$122,000 Subtracted from funds for one director and two coordinator positions for the Juvenile Detention Alternative Initiative (JDAI). (Governor Requested \$281,000. The House reduced the amount by \$122,600, leaving a total of \$158,400)
- \$300,000 Eliminated from one-time funds for instrument development for DBHDD associated with juvenile code rewrite.

### **Education**

- \$1.3 Million Added for Positive Behavior and Intervention Support specialists to convert part-time staff to full-time staff (under Regional Educational Service Agencies) plus \$300,000 Added for statewide Positive Behavior and Intervention Support (PBIS) trainers (Under DOE Central Office).
- \$4.4 Million Removed for the Special Needs Scholarship. (Governor requested an addition of \$4.4 Million, but the House eliminated the amount)
- \$4.1 Million Added for school counselors plus \$445,000 Added for school counselors in districts that have a large concentration of military students.

- \$1.5 Million Subtracted to reflect a reduction in the number of state mandated tests due to SB 364 (2016 Session)
- \$1.47 Million Transferred from DOE to GOSA to provide one AP STEM exam for every student taking an AP STEM course.
- \$150,000 Added for the Young Farmer programs in Newton and Fannin counties. (DOE)
- \$125,000 Transferred to the Non-Quality Basic Education Formula Grants program for one program manager position to provide state-level support for the education component of Residential Treatment Facilities.
- \$25,000 Added for local Communities in Schools affiliates.
- Budget Note: Use \$1,500,000 in existing innovation grant funds for a competitive grant program that would provide certified school counselor-graduation specialists for the lowest-performing high schools in the state, giving a priority to those schools on the chronically failing schools list.
- Budget Note: Continue to provide \$600,000 in grants to local school systems to increase participation and achievement in AP STEM courses.
- \$175,000 Transferred in operating funds for the Inclusive Post-Secondary Education (IPSE) initiative to Vocational Rehabilitation and utilize (\$25,000) of existing funds to maintain the council's active participation in the [IPSE partnership](#). (DBHDD)



## CHILD WELFARE/VULNERABLE YOUTH

### [HB 86](#)

(Oliver-82nd) Adds acts involving trafficking a person for sexual servitude to the definition of sexual abuse in the code section delineating requirements for mandatory reporting of child abuse. STATUS: Recommended Do Pass by the House Juvenile Justice Committee. The bill now rests in House Rules Committee.

### [HB 124](#)

(Clark-98th) Moves section of law from the code section related to social services (Title 49) to one related to fraud (Title 16). The bill also defines "Food instrument" as a voucher, check, electronic benefits transfer card, coupon, or other document that is used to obtain public assistance, and defines "Public assistance" as "payment in or by money, medical care, remedial care, goods, or services to or for the benefit of needy persons." The bill also adds a provision to current law which makes it a misdemeanor to aid anyone who is committing public assistance fraud. STATUS: House Judiciary Non-Civil Committee. The bill will be heard in committee this Wednesday.

### [HB 159](#)

(Reeves-34th) Substantially revises general provisions applicable to adoptions, including provisions regarding the following: allowing a nonresident to allow an adoption of his or her child, adoption of foreign-born children, waiver to revoke a surrender of parental rights, the age for individuals to access the Adoption Reunion Registry, and the annulment of an adoption under certain circumstances. STATUS: Recommended Do Pass by the House Judiciary Committee. The bill now rests in House Rules Committee.

### [HB 212](#)

(Beskin-54th) Allows the court or jury to remove work related child care costs from the calculation of child support, and divide the work related child care costs pro rata, to be paid within time specified in the final child support order STATUS: House Judiciary Committee.

**HB 266**

(Kelley-16th) Increases the threshold value from \$15,000 to \$25,000 that a natural guardian may oversee for a minor without having to become a legally qualified conservator of the minor. STATUS: House Judiciary Committee.

**HB 279**

(Ballinger-23rd) Allows a petitioner who alleges to be a victim of family violence, to petition the court to file his or her petition to change his or her name or to change the name of his or her child under seal. If the court determines that the petitioner is a victim of family violence, the court may waive the requirements of publication, and when such petition is to change a child's name, the court may waive the requirements of parental consent. STATUS: House Judiciary Committee.

**HB 293**

(Silcox-57th) Establishes an effective date for any motion made, hearing or trial relating to the testimony of a child's description of sexual contact or physical abuse. STATUS: House Judiciary Non-Civil Committee. The bill will be heard in committee this Wednesday.

**HB 305**

(Beskin-54th) Adds stepparent and former stepparents to the list of third parties who may be awarded custody of a child. STATUS: Recommended Do Pass by the House Juvenile Justice Committee. The bill now rests in House Rules Committee.

**HB 308**

(Beskin-54th) Enacts provisions recommended by the Georgia Child Support Commission relating to child support and the enforcement of child support orders. STATUS: House Judiciary Committee.

**HB 330**

(Abrams-89th) Adds regional DFCS caseworkers or directors of a county or district DFCS as contact names provided in the notice to adult relatives of the alleged dependent child when conducting a diligent search for relatives as part of a dependency proceeding. STATUS: House Human Relations and Aging Committee. The bill will be heard in committee this Tuesday.

**HB 331**

(Abrams-89th) Creates a mechanism for a kinship caregiver to give legal consent in the form of an affidavit for a child residing with him/her to receive educational services and medical services directly related to academic enrollment and to participate in curricular or extracurricular activities for which parental consent is usually required. STATUS: House Human Relations and Aging Committee. The bill will be heard in committee this Tuesday.

**HB 341**

(Reeves-34th) Among other things, the bill adds patronizing and soliciting to the list of crimes which qualify as human trafficking offenses, revises provisions regarding the model notice for the human trafficking hotline, and clarifies provisions relating to the probation portion of a split sentence imposed for certain sexual offenses. STATUS: House Judiciary Non-Civil Committee.

**HB 344**

(Dempsey-13th) Allows certain parties in a case concerning a child support order to request a genetic paternity test from the Department of Human Services. STATUS: House Juvenile Justice Committee.

**HB 359**

(Fleming-121st) "Supporting and Strengthening Families Act"- Allows a parent to delegate caregiving authority for their child to someone who resides in this state and is the grandparent, step-grandparent, aunt, uncle, great aunt, great uncle, cousin, or sibling of such child or a fictive kin for a period not to exceed one year by executing a power of attorney without the approval of a court. The bill also states that when a power of attorney delegates caregiving authority to a grandparent of a child, it may have an unlimited duration. STATUS: House Judiciary Committee.

**SB 39**

(Unterman-45th) Increases the penalty provisions relating to pimping and pandering. The bill also requires registration on the State Sexual Offender Registry when an individual is convicted for the second time for pandering. STATUS: Senate Judiciary Committee.

**SB 130**

(Tillery-19th) Clarifies provisions relating to the waiver of the right to counsel for a party to a dependency proceeding who is not a child. STATUS: Recommended Do Pass by the Senate Judiciary Committee. The bill now rests in Senate Rules Committee.

**SB 132**

(Tillery-19th) Removes the statutory civil case filing and disposition forms and allows the Judicial Council of Georgia to promulgate such forms. The bill also revises provisions for transmittal of the forms. The bill also cleans up language regarding civil practice, courts, and general provisions for child custody proceedings so that it is aligned with the changes the bill makes. STATUS: Recommended Do Pass by the Senate Judiciary Committee. The bill now rests in Senate Rules Committee.

**SB 137**

(Kirk-13th) Increases the fee the Department of Human Services can charge for collecting child support payments. STATUS: Recommended Do Pass by the Senate Health and Human Services Committee. The bill now rests in Senate Rules Committee.

**SB 168**

(Miller-49th) Allows access to child abuse records in the Central Child Abuse Registry by the department or a county or other state or local agency investigating allegations of child abuse and to certain child-placing entities conducting foster and adoptive parent background checks. STATUS: Senate Health and Human Services Committee.

**SB 170**

(Hill-6th) Allows for the certification of volunteers to provide child care services for foster children and their families with limited immunity. The bill establishes the Georgia SERVES Act Advisory Committee to advise the Department of Human Services on establishing a uniform certification system and guidelines for individuals serving as volunteers for foster children and their families. STATUS: Senate Special Judiciary Committee.



## JUVENILE JUSTICE/EFFECTIVE SCHOOL DISCIPLINE

### **HB 5**

(Caldwell-20th) Change provisions relating to state compensation of juvenile court judges, including the amounts paid to counties by the state for such. STATUS: PASSED HOUSE. Awaits assignment to a Senate Committee.

### **HB 67**

(Boddie-62nd) Increases punishment for entering an automobile or other motor vehicle with the intent to commit a theft or felony, requiring a sentence of 1 to 15 years and a maximum fine \$100,000.00; the first year of the sentence can not be suspended, probated, deferred, or withheld and shall run consecutively to any other sentence imposed. Does not permit the judge to have discretion to impose a lesser punishment. STATUS: House Judiciary Non-Civil Committee. The bill will be heard in committee this Wednesday.

### **HB 116**

(Reeves-34th) Gives superior court exclusive jurisdiction for cases involving aggravated assault involving the use of a firearm and aggravated battery. The bill allows a superior court the discretion to transfer such cases back to juvenile court unless the victim was a police officers or over 65 years old. The bill also adds aggravated assault upon an emergency health worker as a class A designated felony. STATUS: House Judiciary Non-Civil Committee. The bill will be heard in committee this Wednesday.

### **HB 213**

(Golick-40th) Adds fentanyl to the list of controlled substances that are illegal to sell, manufacture, deliver, or possess. STATUS: House Judiciary Non-Civil Committee. The bill will be heard in committee this Tuesday.

### **HB 396**

(Reeves-34th) When a court imposes consecutive sentences for sexual offenses, the bill requires that the court impose a probated sentence of at least one year shall only apply to the final consecutive sentence imposed. STATUS: House Judiciary Non-Civil Committee.

### **SB 105**

(Jones-22nd) Makes possession of possession of two ounces or less of marijuana constitute a misdemeanor. Possession of half an ounce or less is punishable by a fine of \$300. STATUS: Senate Judiciary Committee. The bill will be heard in subcommittee this Tuesday.

### **SB 152**

(Jones-10th) Requires that students cannot be suspended or expelled without assignment to an alternative education program and that students who are subject to compulsory attendance shall not be assigned to an alternative education program for more than 2 semesters except for those who have committed certain serious offenses such as physical assault or battery of school personnel or other students, bullying, and unlawful use or possession of illegal drugs or alcohol. Those who are assigned to alternative education programs for longer than 2 semesters may request a hearing to return to a regular classroom after 2 semesters have passed. STATUS: Senate Education and Youth Committee.

**SB 154**

(Kirk-13th) Increases penalties for the offenses of aggravated assault and aggravated battery on a public safety officer engaged in his or her official duties, to jail time and a fine of \$5,000.00. STATUS: Senate Public Safety Committee.

**SB 160**

(Harper-7th) Grants the superior court exclusive original jurisdiction over the trial of any child aged 13-17 who is accused of aggravated assault or aggravated battery on a peace officer engaged in his or her official duties. STATUS: Senate Public Safety Committee.

**SB 174**

(Kennedy-18th) Enacts reforms recommended by the Georgia Council on Criminal Justice Reform. Highlights are as follows: Adds Division of Family and Children Services employee to the list of participants who are required in a planning group for family treatment court; clarifies and improves protocols involving family treatment courts; revises provisions concerning non-violent felonies, probation and validation of the Department of Corrections' Risk Needs Assessment. The bill emphasizes the use of evidence-based programs and permits the Board of the Department of Community Supervision (DCS), either acting alone or in cooperation with the State Board of the Technical College System of Georgia or other educational organizations and agencies, to provide educational programs for probationers to encourage gainful employment and discourage return to criminal activity. The board may also enter into agreements to attain program certification for its vocational and technical education programs. The DCS board will develop a Program and Treatment Completion Certificate that may be issued to probationers to symbolize a probationer's achievements toward successful reentry into society. The bill clarifies and revises provisions regarding probation, parole, conditional release, and fees. Provisions involving supervision are revised taking into account consideration of behavior of an offender while under supervision. STATUS: Senate Judiciary Committee. The bill will be heard in committee this Wednesday.

**SB 189**

(Tillery-19th) Bill regarding the Georgia Public Defender Council (GPDC), which, among other things, changes provisions relating to the legal defense of indigents, clarifies the authority and responsibilities of the GPDC and its director, creates more divisions within the council, and clarifies the obligation of the council and circuit public defender offices in representing individuals and providing services. As far as juveniles are concerned, the bill clarifies that the GPDC is statutorily required to provide representation only in delinquency cases. (Note, however, that GPDC offices can still provide representation in CHINS or dependency actions, but only through a contract with the county or juvenile court). STATUS: Senate Judiciary Committee. The bill will be heard in subcommittee this Tuesday.

**SR 146**

(Kennedy-18th) Constitutional amendment providing for certain rights for victims who have suffered or been harmed due to a criminal act by an adult or juvenile. STATUS: Senate Judiciary Committee. The bill will be heard in subcommittee this Tuesday.

**SB 175**

(Kennedy-18th) In any proceeding involving a child in need of services or a delinquent child or a child involved in a risk reduction program, a juvenile court may issue an order restraining or otherwise controlling the conduct of a child's parent, guardian, or legal custodian in order to promote treatment, rehabilitation, and welfare of the child. In doing so, the court must consider the best interests of the child, the risk to public safety the delinquent child poses, evidence of a repeated pattern of behavior by the child, and the extent to which enhanced involvement and supervision of the child may ameliorate public safety concerns. If a child is detained in a secure residential facility or non-secure residential facility and the court determines that such child is incompetent to proceed, within five days of such determination the court shall issue an order to release the child to a parent or guardian, or detain the child in the least restrictive setting, if the child is alleged to have committed a delinquent act and the court finds by clear and convincing evidence that the child's detention or care is required in order to reduce the likelihood that he or she may inflict serious bodily harm to others, or because he or she has a demonstrated a pattern of theft or destruction of property, or that detention is required to protect the property of others, or that detention is necessary to secure his or her presence in court to protect the jurisdiction and processes of the court. If a child is unrestorably incompetent to proceed, he or she shall not be detained in a secure residential facility or non-secure residential facility after a comprehensive services plan has been adopted. A child found incompetent but remediable cannot be detained longer than the disposition for the alleged delinquent or designated felony offense. STATUS: Senate Judiciary Committee. The bill will be heard in committee this Wednesday.

**CHILD HEALTH AND SAFETY****HB 28**

(Mitchell-88th) Requires testing for lead in drinking water in public and private schools and if found, for remediation plans or alternate sources of drinking water. Also requires the Department of Education to work with the department of Public Health to develop the rules and regulations regarding such. STATUS: House Education Committee. The bill will be heard in subcommittee this Wednesday.

**HB 65**

(Peake-141st) Adds Tourette's syndrome, autism spectrum disorder, intractable pain (and provides a definition), post-traumatic stress disorder, Alzheimer's disease, Human immunodeficiency virus (HIV) and acquired immune deficiency syndrome (AIDS) to the list of conditions treatable with Low THC oil. The bill also eliminates the one-year waiting period for new Georgia residents and physicians' quarterly reporting requirements. STATUS: House Judiciary Non-Civil Committee. The bill will be heard in committee this Tuesday.

**HB 198**

(Dempsey-13th) Requires local school systems to provide information to parents and guardians of students in grades 6-12 on influenza and its vaccine whenever other health information is provided. STATUS: PASSED HOUSE. Assigned to Senate Education and Youth Committee.

**[HB 154 & SB 12](#)**

(Cooper-43rd) and (Unterman-45th) Allows licensed dental hygienists in certain school settings to apply topical fluoride and perform the application of sealants and oral prophylaxis under general supervision, with written permission of the student's parent or guardian. They may also, without prior written permission of the student's parent or guardian, provide oral hygiene instruction and counseling. School settings shall include only schools that are Title I schools under the federal Elementary and Secondary Education Act, schools in which at least 65 % of the student population is eligible for free or reduced-price lunch under federal guidelines, Head Start programs, and Georgia's Pre-K Program. Licensed dental hygienists may also perform in other specified safety net setting such as nursing homes and hospitals. (FYI, 'General supervision' means that a licensed dentist has authorized appropriate duties of a licensed dental hygienist but does not require that a licensed dentist be present when such duties are performed.) A licensed dentist may only authorize up to four licensed dental hygienists to provide dental hygiene services in such settings. A hygienist cannot perform any dental hygiene services on a patient that has dental pain or clearly visible evidence of widespread dental disease. In such cases, the hygienist must immediately refer the patient to the authorizing licensed dentist for clinical examination and treatment. The licensed dental hygienist shall notate such patient's file and the patient shall not be eligible to receive dental hygiene services until a licensed dentist provides written authorization for such. STATUS: HB 154-PASSED HOUSE. Assigned to Senate Health and Human Services Committee. SB 12- PASSED SENATE. Assigned to House Health and Human Services Committee.

**[HB 200](#)**

(Newton-123rd) Requires local boards of education to adopt policies authorizing students to carry and self-administer sunscreen STATUS: House Education Committee. The bill will be heard in subcommittee this Wednesday.

**[HB 228 & SB 206](#)**

(Raffensperger-50th) and (Martin-9th) "Hearing Aid Coverage for Children Act." -Requires private health insurance plans to cover the costs for hearing aids for children under 19 years old. The cost cannot exceed \$3,000.00 per hearing aid. The plans must also cover replacement hearing aids every 48 months or sooner if the aid fails to work for certain reasons. STATUS: HB 228-House Insurance Committee. SB 206-Senate Hopper.

**[HB 246](#)**

(Cantrell-22nd) Eliminates the sunset provision for Georgia SHAPE (which is an annual fitness assessment program administered by public schools). STATUS: Recommended Do Pass by the House Education Committee. The bill now rests in House Rules Committee.

**[HB 273](#)**

(Douglas-78th) Requires each local board of education to schedule a daily, 30-minute recess for students in kindergarten and grades one through five. The recess must include supervised, unstructured activity time, preferably outdoors. Local boards of education must establish policies to ensure that recess is a safe experience and that recess is scheduled so that it provides a break during academic learning. The bill also stipulates that recess is not to be used as a punishment. STATUS: House Education Committee. The bill will be heard in subcommittee this Tuesday.

**HB 300**

(Duncan-26th) Transfers the state health care benefit plan from the Department of Community Health to the Department of Administrative Services, requires incentives for public employees to use federally qualified health centers, and provides for the identification of up to 100 potential new sites for federally qualified health centers. The bill also creates a task force to advise the department in identifying up to 100 additional new sites by the rapid deployment assessment team, in ways that opioid addiction could best be addressed through federally qualified health centers and in ways to encourage utilization of federally qualified health centers by veterans for their primary health care needs. The task force may be authorized to study and make recommendations on any other issues as deemed necessary by the commissioner. The bill also provides for the transfer of health care benefit plans for state employees and public school teachers and employees. STATUS: House Health and Human Services Committee.

**HB 360**

(Cooper-43rd) Allows prescribing or dispensing antibiotic drugs to the sexual partner or partners of a patient clinically diagnosed with chlamydia or gonorrhea without physical examination of the partner or partners. STATUS: House Health and Human Services Committee.

**HB 400**

(Evans-42nd) Requires that before a prescriber issues a prescription to a patient for an opioid, the prescriber must first attempt a non-opioid prescription to alleviate pain (this does not apply to a patient in hospice care). A prescriber cannot issue a prescription for an opioid for more than a seven-day supply and no refills are permitted. STATUS: House Judiciary Non-Civil Committee.

**HB 402 &  
SB 166**

(Cooper-43rd) and (Unterman-45th) Allows Georgia to join the interstate Nurse Licensure Compact, allowing licensed nurses to operate in states belonging to the compact. STATUS: HB 402-House Health and Human Services Committee. SB 166-Senate Health and Human Services Committee.

**SB 16**

(Watson-1st) Changes the definition of "low THC oil" from 5% to 3% by weight of tetrahydrocannabinol, tetrahydrocannabinolic acid, or a combination of tetrahydrocannabinol and tetrahydrocannabinolic acid. Also adds Autism Spectrum Disorder to the list of conditions which may be treated with low THC oil. STATUS: PASSED SENATE. Assigned to House Judiciary Non-Civil Committee.

**SB 118**

(Unterman-45th) Changes the age limit for coverage for autism spectrum disorders for an individual covered under a policy or contract from six years old or under to 21 years old or under. STATUS: Recommended Do Pass by the Senate Insurance and Labor Committee. The bill now rests in Senate Rules Committee.

**SB 81**

(Unterman-45th) "Jeffrey Dallas Gay, Jr., Act"-Among other things, this bill permanently increases access to Naloxone (a drug used to treat opioid overdoses) by allowing the state health officer to issue a standing order permitting certain persons, entities, or categories of persons or entities, to obtain opioid antagonists under such conditions as the state health officer may impose. The bill also changes from weekly to daily reporting by pharmacists on prescription information for controlled substances. Except in certain circumstances, a prescriber can not issue a prescription for a Schedule II, III, IV, or V controlled substance for a minor for more than a five-day supply at any time. The prescriber must discuss the risks associated with the use of the controlled substance, including the risk of addiction and overdose associated with such controlled substance and the dangers of taking it with alcohol, benzodiazepines, and other central nervous system depressants. Such consultation with a minor and the custodial parent, guardian, person having legal custody of the minor, or other person present at the time of such consultation shall include the medical need for the prescription. The bill requires the Department of Community Health to collect data and report back to leadership in the General Assembly on Neonatal Abstinence Syndrome. Additionally, the bill requires inspections for all licensed narcotic treatment programs in the state, as well as patient outcome data from narcotic treatment programs be reported to the Department of Community Health on a monthly basis. STATUS: Recommended Do Pass by the Senate Health and Human Services Committee. The bill now rests in Senate Rules Committee.

**SB 88**

(Mullis-53rd) Licenses and regulates narcotic treatment centers. It would create 49 regions across the state and only allow four centers in each region unless Department of Community Health (DCH) issues a waiver. If DCH receives more than four applications, it would use a scoring system to decide who gets licenses. DCH would set rules for safety, staff competency, and procedural guidelines, create an annual or biennial open enrollment period for narcotic treatment centers to apply for a license and create an applications review committee made up of DCH and Department of Behavioral Health and Developmental Disabilities (DBHDD) employees. The committee would review the qualifications of the proposed center and the availability of existing centers within 75 miles, the patient populations, whether or not the applicant has sought community input, and whether the applicant had had been cited for violations at other facilities. The center would have to register with all law enforcement within 25 miles and all drug courts within 75 miles. Centers would be subject to on site inspection every three years. Licenses would not be transferable for changes in ownership or location. Programs licensed prior to June 1, 2016 would not be covered. Programs licensed before June 30, 2017 would not be subject to the regional maximum, but any region with four programs would be considered full. People with criminal records would not be able to own treatment centers, and applicants must submit to a background check. It would prohibit centers from offering discounts or referral incentives. Centers would have to maintain records of all patients that DCH could access with identifying information removed. They would have to participate in the DBHDD opioid registry to prevent multiple enrollments. Centers would be required to have priority treatment for pregnant women. STATUS: Recommended Do Pass by the Senate Regulated Industries and Utilities Committee. The bill now rests in Senate Rules Committee.

**[SB 141](#)**

(Thompson-14th) Requires the owner of a carnival ride to submit an engineering evaluation with a carnival ride permit application the first time the owner applies. STATUS: Recommended Do Pass by the Senate Regulated Industries Committee. The bill now rests in Senate Rules Committee.

**[SB 188](#)**

(James-35th) Requires each local board of education to adopt a policy that prohibits school personnel from denying any student access to programs or services because the parent or guardian has refused to place the student on psychotropic medication; or compelling, attempting to compel, or requiring any specific actions by the parent or guardian in placing a student on psychotropic medication STATUS: Senate Education and Youth Committee.

**[SB 193](#)**

(Unterman-45th) Alters and clarifies provisions regarding the Positive Alternatives for Pregnancy and Parenting Grant Program, removing references to indigent women and stating that an agency using the grant shall not refer, encourage, or affirmatively counsel a person to have an abortion unless the person's attending physician diagnoses a condition which makes such abortion necessary to prevent a woman's death. The bill also states that the language of the article does not prohibit any direct client service provider from promoting or expending non-grant funds for a political or religious purpose. STATUS: Senate Health and Human Services Committee.

**[SB 201](#)**

(Miller-49th) "Family Care Act" - Requires an employer of ten or more individuals that provides sick leave to allow an employee to use such sick leave for the care of an immediate family member. An employer is not required to allow such leave for an immediate family member for more than five days of earned sick leave. STATUS: Senate Insurance and Labor Committee.

**[HR 240](#)**

(Cooper-43rd) Creates the Joint Study Committee on Reforming HIV-Related Criminal Laws. STATUS: House Insurance Committee.

**[HR 282](#)**

(Carson-46th) Creates the House Study Committee on Distracted Driving. STATUS: House Special Rules Committee.

**[SR 238](#)**

(James-35th) Creates the Senate Electroshock Therapy Study Committee. STATUS: Senate Health and Human Services Committee.



## EARLY CARE & LEARNING

### [HB 250](#)

(Ballinger-23rd) Allows an employee of an early care and education program who has received a satisfactory fingerprint records check determination within the previous 24 months to be exempt from submitting applications for an additional background check for purposes of providing care to children placed in a foster home. STATUS: Recommended Do Pass by the House Juvenile Justice Committee. The bill will be on the House floor for a vote this Tuesday. Committee.

### [HB 391](#)

(Clark-98th) Expands the locations where a newborn child can be left to include fire stations and police stations. The bill also allows the mother to decline to provide her name and address when a child is left in the physical custody of a medical facility, fire station, or police station. STATUS: House Juvenile Justice Committee.



## EDUCATION

### [HB 37](#)

(Ehrhart-36th) Prohibits private postsecondary institution in Georgia from enacting, adopting, implementing, or enforcing any sanctuary policy. Failure to obey results in the withholding of state funding or state administered federal funding (other than funds to provide services specified in subsection (d) of Code Section 50-36-1). This includes funds provided to the private postsecondary institution directly as well as funding for scholarships, loans, and grants for students. STATUS: Recommended Do Pass by the House Higher Education Committee. The bill now rests in House Rules Committee.

### [HB 114](#)

(Dickey-140th) Prohibits local school systems from excluding eligible "Move On When Ready" high school students taking one or more dual credit (post-secondary) courses from being eligible for valedictorian and salutatorian of their class. STATUS: Recommended Do Pass by the House Education Committee. The bill moves on to full committee.

### [HB 139](#)

(Belton-112th) Requires local boards of education and state charter schools to make readily accessible to the public a great deal of school site budget and expenditure information for each school unless specifically made confidential by law, including data on the types of students served. Local school districts are directed to provide financial info to state Department of Education which will disseminate the information. STATUS: PASSED HOUSE. Assigned to Senate Education and Youth Committee.

### [HB 148](#)

(Glanton-75th) Provides for unique identifiers for students who are children of military personnel. STATUS: Recommended Do Pass by the House Education Committee. The bill now rests in House Rules Committee.

### [HB 222](#)

(Blackmon-146th) Allows members of the Georgia National Guard or the armed forces of the United States located in Georgia to be classified as a legal residents of Georgia for the purposes of eligibility for the HOPE scholarship or grant. STATUS: Recommended Do Pass by the House Higher Education Committee. The bill now rests in House Rules Committee.

**[HB 217](#)**

(Carson-46th) Increases the amount of the aggregate cap on contributions to school scholarship organizations in order to receive income tax credits from \$58 million to \$180 Million by the end of 2021. The bill also limits the total amount of tax credits approved for C corporations, trusts, or other similar entities that qualify for the credit to 20% of total tax credits. STATUS: House Ways and Means Committee.

**[HB 224](#)**

(Belton-112th) Allows the parent of a military student to enroll the child in a public school located where the student resides in military base or off-base military housing. The parent is responsible for and cost of transportation of the student to and from the school. STATUS: Recommended Do Pass by the House Education Committee. The bill now rests in House Rules Committee.

**[HB 237](#)**

(Coleman-97th) Authorizes the Public Education Innovation Fund Foundation to receive private donations( tax deductible) to be used for grants to public schools. The bill caps the aggregate amount of tax credits allowed at \$15 million per tax year. STATUS: House Ways and Means Committee.

**[HB 280](#)**

(Ballinger-23rd) Authorizes the carrying and possession of handguns by weapons carry license holders on property owned by or leased to any public technical school, vocational school, college, or university, or other public institution of postsecondary education. Handguns may not be carried in certain locations on these properties, including buildings or property used for athletic sporting events or student housing, and preschool space. STATUS: House Public Safety and Homeland Security Committee. The bill will be heard in committee today.

**[HB 376](#)**

(Lopez-99th) Eliminates a provision making students ineligible for the HOPE scholarship seven years after high school graduation. STATUS: House Higher Education Committee.

**[HB 392](#)**

(Fleming-121st) Allows funding for students taking dual credit courses (Move on When Ready) at eligible postsecondary institutions which use nonstandard term systems to be eligible for payment for up to five nonstandard terms per academic year. STATUS: House Higher Education Committee.

**[HB 411](#)**

(Clark-98th) Establishes the Blue Star Family Scholarship Program for children of military service members. The program creates a savings account composed of state funds accrued on behalf of an eligible student and which may be used for qualifying educational expenses, including private participating schools and future postsecondary education expenses. STATUS: House Education Committee.

**[HB 423](#)**

(Stovall-74th) Requires local boards of education to make its unused facilities available to any state charter schools that are located within the local school system boundaries. STATUS: House Hopper.

**HB 338**

(Tanner-9th) Education bill to address struggling schools. Brief summary (Thanks to Angela Palm, GA School Board Association!) A Chief Turnaround Officer (CTO) would be appointed by the State Board and report directly to them. The CTO will recommend personnel to serve as turnaround coaches for State Board approval. The coaches will assist schools identified as in the greatest need of help with ongoing assistance and input. Coaches will be assigned to one or more schools and shall assist in creating local collaborations to address personal and community conditions impacting student achievement. The schools will be identified based on the number of years they have received "an unacceptable rating and any other factors deemed appropriate by the Chief Turnaround Officer." Local boards can amend their flexibility contracts to agree to receive assistance from the state. Otherwise, the State Board has up to 60 days to implement one or more of the interventions in current law. Local boards that have no flexibility contract can sign an intervention contract to agree to receive assistance or the State Board will immediately implement one or more of the interventions in current law. Within 90 days of entering into the contract, a turnaround coach, RESA personnel, and possibly a third party provider shall conduct a comprehensive evaluation, make recommendations, and help develop an intensive school improvement plan. After 2 years, if the school is not improving, there are ten possible interventions including continuing the implementation of the plan. Before the implementation of any intervention, the local board can request a hearing before the State Board to show why the proposed intervention should not be implemented or that an alternative is better. An Education Turnaround Advisory Council would report to the State Board their recommendations on the qualifications and method of identifying and selecting the CTO. They could also submit names of potential candidates for CTO and turnaround coaches. The Council would be made up of the executive directors or their designee(s) of GSBA, GSSA, PAGE, GAE, and the President of Georgia PTA. A Joint Study Committee on the Establishment of a State Accreditation Process is also created in the bill. The Committee shall also consider the possibility of establishing a school board review commission. After five or more consecutive years of one-half or more of a district's schools receiving an unacceptable rating, the school board can be removed using the same procedures as are currently in place using the accreditation status as the trigger. If the local board is under a contract amendment or intervention contract and is in substantial compliance with the contract, this is stayed. STATUS: House Education Committee.

**HB 415 &  
SB 203**

(Meadows-5th) and (Thompson-14th) Requires the State Board of Education to designate a nonprofit organization to govern high school athletics for public schools. The organization will not be considered a state agency and nonpublic school that wishes to compete in high school athletics with a public high school may join the organization. STATUS: HB 415-House Hopper. SB 203-Senate Hopper.

**HB 425**

(Chandler-105th) Encourages local school systems to allow the administration of standardized assessments in a paper-and-pencil format for any student whose parent or guardian requests it and to any student 18 years of age or older who requests it. The bill also discourages punitive actions for students refusing to participate in federal, state, or locally mandated standardized assessments. STATUS: House Hopper.

**HB 429**

(Teasley-37th) Allows a tax credit of 25% of up to \$1,000.00 of qualified education expenses per dependent child incurred during the tax year. STATUS: House Hopper.

**HB 430**

(Brockway-102nd) Implements recommendations from the Governor's Education Reform Commission with respect to charter schools. STATUS: House Hopper.

**HB 432**

(Dubnik-29th) Allows an institution that lacks accreditation by the Southern Association of Colleges and Schools to be approved for tuition equalization purposes, if previously deemed an approved school. STATUS: House Hopper.

**SB 3**

(Tippins-37th) Enacts the "Creating Opportunities Needed Now to Expand Credentialed Training (CONNECT) Act" which would provide for industry credentialing for students grades 6 through 12 who complete certain focused programs of study in work-based learning programs such as internships, apprenticeships, cooperative education, service learning, or employability skill development. The Georgia Department of Education would work with the Technical College System of Georgia and industry to develop such credentialing. STATUS: PASSED SENATE. Awaits assignment to a House Committee.

**SB 5**

(Cowsert-46th) Requires the lottery to return 26% of gross sales to the state in fiscal year 2018, 28% in 2019, and 30% in 2020. If ticket sales in any year drop by 5% or more, the percent return would be frozen and no further increase would be required. STATUS: Senate Higher Education Committee.

**SB 139**

(Hill-6th) Adds Leadership to the list of the GA Department of Education's " focused programs of study." STATUS: Senate Education and Youth Committee.

**SB 186**

(Tippins-37th) Clarifies language relating to the effect of dual credit courses on HOPE scholarship stating that students who earned a high school diploma through certain dual credit coursework are eligible for a HOPE grant toward an associate degree. STATUS: Senate Education and Youth Committee.

**SB 208**

(McKoon-29th) Provides that the award amount for HOPE scholarships shall be based on the previous year's average cost of tuition for institutions within the university system. The bill also clarifies that the HOPE amount would vary based on the amount of time a person spends as a student (half time) and that remedial and developmental classes would not be included under HOPE. STATUS: Senate Hopper.

**SB 209**

(McKoon-29th) Creates a Student Advisory Council and the Faculty Advisory Council to advise the Board of Regents of the University System of Georgia regarding issues of concern to students and faculty. STATUS: Senate Hopper.

**SB 211**

(Tippins-37th) Addresses assessments at various levels of K-12. It requires consideration of local reading programs when establishing a research based formative assessment with a summative component for grades one and two; a review and recommended solution for ongoing assessments in kindergarten through grade five in reading and mathematics and for the assessments in grades three through eight, and a comparability study to determine and establish the concordance of nationally recognized academic assessments with content standards and assessments in grades nine through 12. STATUS: Senate Hopper.

**SR 95**

(Black-8th) Constitutional Amendment to allow an agreement between a county school system and one or more independent school systems within the county to decide how net proceeds of the sales tax for educational purposes can be distributed. STATUS: PASSED SENATE. Assigned to House Ways & Means Committee.

**HR 316**

(Stovall-74th) Creates the House Study Committee on Stakeholder Engagement in School Redesign. STATUS: House Special Rules Committee.

**HR 318**

(Kirby-114th) Creates the House Study Committee on Inclusive Postsecondary Education. STATUS: House Special Rules Committee.

**HR 319**

(Epps-144th) A constitutional amendment authorizing local boards of education to impose, levy, and collect a 1% sales and use tax for maintenance and operation expenses of the local school system. STATUS: House Ways and Means Committee.

**MISCELLANEOUS****HB 9**

(Blackmon-146th) Prohibits any individual to, knowingly and without the consent of the person (16 years or older) observed, use or install a device for the purpose of videotaping, filming, photographing, or video recording under or through such person's clothing, for the purpose of viewing the body of or the undergarments worn by such person, under circumstances in which such person has a reasonable expectation of privacy. Dissemination of such material is also unlawful. STATUS: House Judiciary Non-Civil Committee.

**HB 121**

(Efstration-104th) Change provisions relating to minor or unborn beneficiaries of trusts, among other things. STATUS: Recommended Do Pass by the House Judiciary Committee. The bill now rests in House Rules Committee.

**HB 334**

(Waites-60th) Prohibits the issuance of a weapons carry license for any person against whom certain restraining orders or protective orders have been issued and makes it unlawful for any person convicted of an offense involving family violence to receive, possess, or transport any firearm. STATUS: House Public Safety and Homeland Security Committee.

**SB 45**

(Walker-20th) Prohibits any individual to, knowingly and without the consent of the person (16 years or older) observed, use or install a device for the purpose of videotaping, filming, photographing, or video recording under or through such person's clothing, for the purpose of viewing the body of or the undergarments worn by such person, under circumstances in which such person has a reasonable expectation of privacy. Dissemination of such material is also unlawful. First violation is a misdemeanor, and second violation is a felony, punishable by a sentence of 1-5 years, \$100,000 fine or both. STATUS: PASSED SENATE. Assigned to House Judiciary Non-Civil Committee.