The following contains Voices’ summary of key budget and legislative policies passed by Georgia’s House of Representatives and State Senate during the 2023 convening of Georgia’s General Assembly. This summary focuses primarily on those issues which are likely to affect children and families in this state.

Bills, budget line items (“Dollars”) and budget directions (“Directives”) are grouped all together by issue area.

Updated April 11, 2023
By the time Georgia’s 2023 legislative session gavelled out at 12:15 a.m., more than 900 bills and 760 resolutions had been created and given a bill number. Compared to years past, there were slightly more bills drafted, but significantly fewer resolutions. The vast majority were assigned to committees, but in the end, only a small percentage were vetted (“heard”) and even fewer passed. On any given year, only about a fifth of all legislation makes it to the governor’s desk, and many of those are bills dealing with local issues such as county taxes, school board membership and the like.
<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Budget Basics</td>
<td>4</td>
</tr>
<tr>
<td>State Workers</td>
<td>5</td>
</tr>
<tr>
<td>Behavioral Health</td>
<td>6</td>
</tr>
<tr>
<td>Child Welfare</td>
<td>9</td>
</tr>
<tr>
<td>Healthcare Systems</td>
<td>13</td>
</tr>
<tr>
<td>Maternal and Infant Health</td>
<td>17</td>
</tr>
<tr>
<td>Child Health Care</td>
<td>19</td>
</tr>
<tr>
<td>Supports for People with Disabilities (PWD)</td>
<td>20</td>
</tr>
<tr>
<td>Gender</td>
<td>22</td>
</tr>
<tr>
<td>Education: Pre-K through 12th Grade</td>
<td>23</td>
</tr>
<tr>
<td>General Education</td>
<td>24</td>
</tr>
<tr>
<td>Learning Loss and Literacy</td>
<td>25</td>
</tr>
<tr>
<td>Alternative Educational Settings</td>
<td>27</td>
</tr>
<tr>
<td>School &amp; Student Safety and Other Services</td>
<td>29</td>
</tr>
<tr>
<td>Higher Education</td>
<td>30</td>
</tr>
<tr>
<td>Public Safety and Justice</td>
<td>33</td>
</tr>
<tr>
<td>Other Topics</td>
<td>37</td>
</tr>
<tr>
<td>References</td>
<td>39</td>
</tr>
</tbody>
</table>
BUDGET BASICS

The Amended Fiscal Year 2023 (AFY23) budget (HB 18) passed and was signed early in the session. Fortunately, the Fiscal Year 2024 (FY24) budget (HB 19), garnered final approval from both chambers at approximately 11:45 p.m. on Sine Die. Legislative passage of the AFY23 $30.2 billion budget and the FY24 $32.4 billion budget fulfill Georgia’s constitutional mandate that the General Assembly maintain balanced budgets. While the AFY23 has been signed into law by Governor Kemp, the FY24 budget is currently under his review, and until signed remains susceptible to line-item vetoes as the governor might desire.

AMENDED FISCAL YEAR 2023 (AFY23)

$30.2 BILLION

STATUS: SIGNED BY THE GOVERNOR

FISCAL YEAR 2024 (FY24)

$32.4 BILLION

STATUS: SIGNED BY THE GOVERNOR
STATE WORKERS

For a number of years, executive and legislative budget writers have prioritized salary increases to mitigate agency recruitment and retention challenges. Governor Kemp’s first term focused on cost of living and base salary increases for most state employees, most notably teachers and non-certified school employees. Yet turnover rates remain high in key child-serving agencies, including the Division of Family and Children Services (DFCS) (55%) and the Department of Juvenile Justice (DJJ) (73%). And some lawmakers worry about the possibility of excessive education and other criteria which would deter applicants for certain state jobs. Accordingly, legislation was passed to that effect and budget writers wisely continued to include fiduciary incentives throughout the FY24 budget.

Bills

**Senate Bill 3 (Albers-56th)**

“Reducing Barriers to State Employment Act of 2023”

Requires the Department of Administrative Services to regularly assess and, when possible, reduce the requirements for jobs within state government. STATUS: PASSED

SENATE. PASSED HOUSE. SIGNED INTO LAW BY THE GOVERNOR.

Dollars

FY24

- **$2,000 cost-of-living adjustment** for all full-time, benefit-eligible state employees (effective July 1, 2023)

- **$2,000 increase** in the state base salary schedule for certified Pre-K teachers, assistant Pre-K teachers, certified public school teachers, and certified employees

- **$4,000 - $6,000 increase** in state base salaries for public safety officials

- **5.1% increase** in base salaries of school nutrition workers, school transportation workers, school nurses and Regional Education Service Agency (RESA) employees

- **$1,000 salary supplement** for all public school custodians. **Upon signing, Governor Kemp directed the agency or agencies involved to disregard this line item.**

- **$10.15 million added** to increase salaries for state psychiatric hospital staff. **Upon signing, Governor Kemp directed the agency or agencies involved to disregard this line item.**
Access to needed behavioral health services and supports has been a long-standing challenge for children and families in Georgia. In 2020, 45 percent of our kids aged 3–17 struggled to, or could not access needed mental health treatment. What’s more, the need for behavioral health support is increasing. According to the Georgia Department of Education Student Health Survey — an anonymous statewide survey administered by GaDOE — Georgia students in grades 6–12 reported feeling depressed, sad, or withdrawn at a 14 percent higher rate in 2020 than in 2019. Over the last two years, close to a quarter of students reported harming themselves on purpose and/or considered attempting suicide — 24 percent (91,617) in 2022 and 23 percent (53,649) in 2021. Since 2017, suicide has been the second-leading cause of death among youth aged 10–19 in Georgia, with rates rising among Black youth faster than any other racial/ethnic group.

In recent years, government stakeholders have worked to address the deficit in mental health care availability through strategy, legislation, and budget allocations resulting from the work by various task forces, study committees, and the governor’s Behavioral Health Reform and Innovation Commission (BHRIC). Lawmakers continued this trend in 2023, despite a myriad of political obstacles.

Bills

**House Bill 520 (Jones-25th)**
Drafted based on the 2022 Annual Report from Georgia’s Behavioral Health Reform and Innovation Commission, HB 520 passed the House with overwhelming support, much like its predecessor, the Mental Health Parity Act (“MHPA,”2022 HB 1013). Unfortunately, the bill itself **failed to achieve a vote of any sort in the Senate.** The bill does, *technically*, remain viable for movement next year. Other provisions resembling some of those found in HB 520, however, found ways into other legislation, which did pass both chambers. **STATUS: PASSED HOUSE. TABLED IN THE SENATE.**

**Senate Bill 23 (Kirkpatrick-23rd)**
Amends Georgia Code by revising committee names and authority titles while also repealing specific inactive authorities, committees, advisory councils, offices, and commissions. The bill specifies how assets of certain entities are devolved following repeal. The bill also defines the Georgia Data Analytic Center (GDAC) as an agent of all executive state agencies that shares and receives government information. Executive
state agencies shall cooperate with GDAC requests for receipt of or access to data unless an Office of Planning and Budget review upon consultation of the chairpersons of the Senate and House appropriations committees determines and explains that the request would result in a violation of law. Sharing of data to and from GDAC does not constitute a disclosure or release under law, and any confidential or privileged designation of government information shall be maintained when sharing with GDAC. **STATUS: PASSED SENATE. PASSED HOUSE. GOVERNOR VETOED.**

**House Bill 76 (Powell-33rd)**
Revises the requirements for an associate marriage and family therapist license to allow the Commission on Accreditation for Marriage and Family Therapy Education to determine the coursework requirements and the type, and minimum number of hours, of clinical experience applicants must have. The bill also revises the clinical experience requirements for those currently licensed as an associate marriage and family therapist, those with a qualifying master’s degree, and those with a qualifying doctorate degree. Other unrelated provisions were amended to the bill which relate to policies for bare knuckle boxing matches. **STATUS: PASSED HOUSE. PASSED SENATE. SIGNED INTO LAW BY THE GOVERNOR.**

**House Bill 414 (Blackmon-146th)**
Creates the Veterans Mental Health Services Program, a competitive grant program administered by the Department of Veterans Service. The grant program will provide behavioral health services to service members, veterans, or family members through non-profit community behavioral health programs. **STATUS: PASSED HOUSE. PASSED SENATE. SIGNED INTO LAW BY THE GOVERNOR.**

**Dollars**

**AFY23**

- **$600,000 Added** for one-time gap funding for Georgia psychiatric residential treatment facilities receiving less than $500 per patient per day while under current cost report reimbursement methodology. (See below for similar FY24 addition)

**FY24**

- **$2.25 Million Added** to support the national ‘988’ hotline. **Upon signing, Governor Kemp directed the agency or agencies involved to disregard this line item.**
- **$1 Million Added** for the Multi-Agency Treatment for Children (MATCH) team, which was created by last year’s mental health legislation (Mental Health Parity Act, HB 1013). **Upon signing, Governor Kemp directed the agency or agencies involved to disregard this line item.**
- **$1.4 Million Added** to replace about half of expiring federal COVID-19-related monies which support initiatives by the Georgia Mental Health Consumer Network
- Nearly **$27 million Added** to fund school counselors at the state-mandated ratio of one counselor to 450 students. (While this ratio is still nearly double the nationally recommended ratio (1:250), the commitment of funds is nevertheless significant.)
• $600,000 Added for one-time gap funding for Georgia psychiatric residential treatment facilities receiving less than $500 per patient per day while under current cost report reimbursement methodology. (Child and Adolescent Mental Health Services)

• $24.5 Million Added for crisis centers in Augusta, Dublin and Fulton County. Upon signing, Governor Kemp directed the agency or agencies involved to disregard this line item.

• $2.4 Million Added for addiction recovery resources. Upon signing the budget, Governor Kemp directed the agency thus: “The General Assembly seeks to direct the Department of Behavioral Health and Developmental Disabilities (DBHDD) in the Departmental Administration program to utilize opioid funds for an addiction treatment locator site. The final settlement agreement gave authority for directing trust funds to the trustee of the fund. Usage of the trust funds outside of the authority of the trustee are prohibited. Therefore, the agency is directed to disregard the language included in [this line item].”.

* Noteworthy is that while this report focuses on child policy improvements, wins for adult behavioral health are key when ramifications of unaddressed challenges of adult behavioral health are taken into account. 43% of children are in foster care in whole or in part as a result of caregiver struggles with addiction. Adverse Childhood Experiences, frequently driven by caregiver behavioral health challenges, can result in significant short- and long-term mental health challenges for children themselves.

Directives

FY24

“The Department of Community Health shall work with the Department of Human Services to submit a 1915(i)-State Plan Amendment (SPA) providing youth with behavioral and mental health conditions access to Home and Community Based Services.” Upon signing, Governor Kemp directed the agency or agencies involved to disregard this line item.

“The Department of Community Health shall submit a State Plan Amendment (SPA) to the Centers for Medicare and Medicaid Services (CMS) to change any rules, regulations, or policies necessary to allow for Medicaid reimbursement for services provided by licensed professional counselors, licensed marriage and family therapists, and certified peer support specialists in federally qualified health centers (FQHCs).”

“The Office of Health Strategy and Coordination is directed to coordinate and facilitate interagency cooperation in developing a 1915(i)-State Plan Amendment (SPA) to support youth with behavioral and mental health conditions.” Upon signing, Governor Kemp directed the agency or agencies involved to disregard this line item.

“Submit a State Plan Amendment to adjust psychiatric residential treatment facility (PRTF) rates up to 75% of Medicare Inpatient Facility Rates, contingent upon CMS approval and agreement by facilities to follow DCH defined payment policies that prioritize Georgia’s youth for placement.”

“The Department of Education is authorized to establish a pilot program consisting of a representative sample of schools and school systems to study whether the use of advanced technologies, capable of reliably detecting children at potential risk of harming themselves or others based on their internet use patterns, is effective at reducing rates of youth suicide and violence; provided, however, that such study is limited to internet use on school-issued devices.”
As of November 2022, there were about 11,438 children and youth in foster care in Georgia. Of the children removed from July 2021 through June 2022, approximately 49% are with foster families; 33% are in the care of their extended family or family friends (“Kinship Care”), and 4% are in congregate care (“group homes”).

In addition, anywhere from 50-70 individual children are confined to hotel rooms or Division of Family and Children’s Services (DFCS) offices with 24-hour oversight due to placement difficulties, usually as a result of the child’s challenging behaviors. This last category is referred to as “hotel ing” and is not only the most expensive type of placement for the state, but is also problematic for a child, as, while hoteled, there are no therapeutic, educational or restorative services provided. Children remain in hotels or offices until the agency (DFCS) is able to find a more appropriate setting for the child to stabilize and receive services.
Georgia struggles with a deficit of therapeutic placement options for youth, as well as access to various information and histories relevant to a child’s education, experiences and health. This confluence of crisis and expense caused lawmakers to put forth a number of policies in hopes of mitigating challenges in and around foster care.

**Bills**

**House Bill 460 (Ballinger-23rd)**
Provides a right to counsel for a child who is the subject of a legitimation petition (a court action to establish the legal rights between a child born out of wedlock and that child’s biological father) and a child who is party to a hearing to determine whether continuation or termination of a temporary guardianship is in the best interest of a child. A child receiving extended care youth services from DFCS is provided a right to counsel for all stages of dependency proceedings, and will be provided notice of their right to an attorney and be given the opportunity to use, waive the right, obtain an attorney of their choice, or obtain the court-appointed attorney in the court’s discretion. **STATUS: PASSED HOUSE. PASSED SENATE. SIGNED INTO LAW BY THE GOVERNOR.**

**Senate Bill 135 (Kirkpatrick-32nd)**
Clarifies that when genetic testing is required by court order, testing must be of a type reasonably relied upon by experts in that field and conducted by a laboratory accredited by certain entities. Results of genetic testing, including the statistical likelihood of the alleged parent’s parentage, are admitted into evidence without foundational testimony or other proof of accuracy, unless a party objects in writing at least 30 days prior to a hearing at which the results may be introduced into evidence. **STATUS: PASSED SENATE. PASSED HOUSE. SIGNED INTO LAW BY THE GOVERNOR.**

**Senate Bill 131 (Tillery-19th)**
Adds requirements to the process of serving individuals related to a child who was adjudicated as a dependent child and any other parties who appear to the court as proper or necessary to the proceeding. The bill also makes a conviction of a parent for murder or voluntary manslaughter of the other parent a mandatory basis for removing a child from the parent who was convicted and allows the court to exercise its discretion when determining the custody of a child in such cases. **STATUS: PASSED SENATE. PASSED HOUSE. SIGNED INTO LAW BY THE GOVERNOR.**

**Senate Bill 133 (Strickland-17th)**
Seeks to create a uniform process for juvenile courts regarding placement of a child into foster care through a Children in Need of Services (CHINS) proceeding or a delinquency proceeding. Once a child has been ordered into the custody of DFCS, the juvenile court must conduct a preliminary protective hearing within 72 hours after the placement. All parties to the CHINS or delinquency case must provide copies of medical, psychological, and educational assessments, and reports of the child or the child's parent or guardian to DFCS within 72 hours after the ordering of custody. **STATUS: PASSED SENATE. PASSED HOUSE. SIGNED INTO LAW BY THE GOVERNOR.**
**Senate Bill 134** (Cowser-46th)
Adds proceedings involving termination of parental rights to the list of proceedings in which minors are not required to be sworn in prior to offering testimony. In all dependency adjudications involving juveniles and involving injury or disease, a written medical report will be admissible into evidence without any hearsay objection, as long as applicable notice is provided to the adverse party at least five days prior to the adjudication hearing. **STATUS: PASSED SENATE. PASSED HOUSE. SIGNED INTO LAW BY THE GOVERNOR.**

**Senate Bill 216** (Brass-28th)
Amends references to “babysitter” in current law related to short-term babysitting of a child in foster care, to instead say “respite care”, which the bill defines as occasional or short-term relief for a caregiver by a person or entity. **STATUS: PASSED SENATE. PASSED HOUSE. SIGNED INTO LAW BY THE GOVERNOR.**

**Senate Resolution 282** (Kirkpatrick-32nd)
Creates the Senate Study Committee on Foster Care and Adoption. **STATUS: PASSED SENATE. As a Senate Study Committee, it does not need agreement from the House or the Governor.**

**Dollars**

**AFY23**
- **$10 Million Added** for alternative housing options for youth with complex needs

**FY24**
- **$5 Million Added** to provide alternative housing options for youth with complex needs
- **$15.22 Million Added** to provide state funds for loss of federal Foster Care Title IV-E funds to child-caring institutions for a portion of the year
- **$750,000 Added** to the Court Appointed Special Advocates (CASA) to enhance statewide capacity
- **$200,000 Added** to expand 2-1-1 in rural Georgia to further connect individuals and families to local community resources and services, such as housing, food, transportation, and health care. **Upon signing, Governor Kemp directed the agency or agencies involved to disregard this line item.**
Directives

(A number of budget directions in the Behavioral Health section of this update also support the policies noted in this Child Welfare section.)

FY24

“[Department of Community Health is directed to] Establish the Qualified Residential Treatment Program (QRTP) designation for non-family-based placements to serve children in a trauma-informed model of care designed to address the needs, including clinical needs, of children with serious emotional or behavioral disorders or disturbances, and request necessary approvals with Centers for Medicare & Medicaid Services (CMS).”

“Department of Human Services shall work with the Department of Community Health to transition Child Caring Institutions (CCIs) to Qualified Residential Treatment Programs (QRTPs).”

“The Office of Health Strategy and Coordination is directed to support the transition of Child Caring Institutions (CCIs) to Qualified Residential Treatment Programs (QRTPs).”

* For perspective, the state notes: ‘A Psychiatric Residential Treatment Facility (PRTF) and a Qualified Residential Treatment Program (QRTP) have different funding sources, provide different services and have different durations. Qualified Residential Treatment Programs are funded under Title IV-E and are a type of placement setting with independent access and court oversight requirements that limit their use to those needing highly restrictive settings for only as long as necessary. Psychiatric Residential Treatment Facilities are funded under Medicaid (Title XIX) and are a service type with access and duration determined by medical necessity criteria.’
With 176,000 uninsured kids under the age of 19, Georgia has the fourth-highest number of uninsured children by population of all 50 states and the District of Columbia. The absence of health insurance ultimately results in inconsistent care and can lead to poor lifelong health outcomes. What’s more, lack of health insurance for adults who care for children, whether parents or otherwise, also hinders health and financial stability of children and families. Georgia remains one of 10 states which has yet to fully expand Medicaid for adults with low income. The state instead passed its own partial Medicaid expansion in 2019, “Pathways to Coverage,” which is set to take effect in July 2023. This option includes a work requirement and premiums for some enrollees and establishes its own Georgia-controlled marketplace for private insurance, replacing the federal Health Insurance Marketplace that has been in place for a decade.

While so many Georgia children lack health insurance, the state nevertheless provides coverage for approximately 2.7 million children and some adults through Medicaid and PeachCare for Kids. In March of 2020, responding to the health and employment concerns related to Coronavirus pandemic, federal law encouraged, via an increase to their federal financial matching rate, states to allow those on or entering such public health insurance programs to remain on them without reassessing eligibility at certain intervals. In December 2022, the federal government passed a federal spending bill ending that policy starting on April 1, 2023. Thus states, including Georgia, began redetermining Medicaid eligibility for each individual currently on the program starting on that date.

Even prior to the pandemic, Georgia struggled with adequate health (and behavioral health) care workforce and access, especially in rural Georgia, though metro areas are challenged as well. 83 of 159 counties lack a pediatrician; 83 lack a family practice doctor and 18 have neither. Resource-driven hospital closures coupled with existing law controlling development of new hospital facilities (called “Certificate of Need” laws) also raise questions as to whether or not such development barriers curtail access.
This session, lawmakers set priorities around all of the issues named above, and, as in years past, legislative efforts continue to incentivize people to enter the healthcare workforce, stay in it, and stay in Georgia. Establishing and expanding various access points, such as Federally Qualified Health Centers (FQHCs), School Based Health Centers (SBHCs), and funds for clinical residencies are key. In addition, dollars for an array of medical education programs, plans for improving licensure, and reconfiguring scopes of practice are common conversations under the gold dome. Some of this year’s efforts follow.

**Bills**

**Senate Bill 65** (Watson-1st)
Allows the state to establish a state-based healthcare exchange. **STATUS: PASSED SENATE. PASSED HOUSE. SIGNED INTO LAW BY THE GOVERNOR.**

**Senate Bill 20** (Kirkpatrick-32nd) - “Surprise Billing Consumer Protection Act”
Requires insurers to contract with and maintain a sufficient and appropriate number of participating network providers. Additionally, insurers are prohibited from denying preauthorization of services that were rendered by an in-network provider because the referring provider is out-of-network. The bill gives the insurance commissioner authority to review network adequacy. **STATUS: PASSED SENATE. PASSED HOUSE. SIGNED INTO LAW BY THE GOVERNOR.**

**House Resolution 603** (Cooper-45th)
Creates the House Study Committee on Certificate of Need Modernization. **STATUS: PASSED HOUSE. As a House Study Committee, it does not need agreement from the House or the Governor.**

**Senate Resolution 279** (Dolezal-27th)
Creates the Senate Study Committee on Certificate of Need Reform. **STATUS: PASSED SENATE. As a Senate Study Committee, it does not need agreement from the House or the Governor.**

**Senate Resolution 371** (Hatchett-50th)
Creates the Senate Study Committee on Rural Medical Personnel Recruitment. **STATUS: PASSED SENATE. As a Senate Study Committee, it does not need agreement from the House or the Governor.**

**Senate Resolution 85** (Walker-20th)
Creates the Senate Occupational Licensing Study Committee. **STATUS: PASSED SENATE. As a Senate Study Committee, it does not need agreement from the House or the Governor.**
**AFY23**

- **$662,433 Added** for 80 additional Medicaid eligibility caseworkers to process Medicaid redetermination cases due to the Public Health Emergency (PHE) expiration

- **$5.77 Million Added** for a management consultant to oversee and ensure quality assurance for Medicaid redeterminations due to the PHE expiration

- **$4.5 Million Added** to continue the PHE-related PeachCare for Kids premium suspension through June 30, 2023

- **$105 Million Added** to implement a state-of-the-art electronic medical records system to support medical education and training at the Medical College of Georgia

- **$1.2 Million Added** for St. Francis Hospital to support the new internal medicine and psychiatric residency programs

- **$3.5 Million Added** for additional grants for nursing program expansions

**FY24**

- **$2.25 Million Added** for loan repayment programs for providers practicing in rural areas and educating future providers ($850,000 for a new mental health professionals’ program. Upon signing, Governor Kemp directed the agency or agencies involved to disregard this line item; $1.56 Million to increase the amount awarded to rural physicians; $440,000 for additional repayments for physician assistants and advanced practice registered nurses; and $250,000 for a new nursing faculty program)

- **$3.47 Million Added** for new undergraduate and graduate medical education (GME) ($2 million for 116 new residency slots in primary care medicine; $582,338 for child and adolescent psychiatry and maternal fetal medicine fellowships at the Medical College of Georgia. Upon signing, Governor Kemp directed the agency or agencies involved to disregard this line item; $240,000 for the start-up of a new rural OB/GYN training program; and $1 million to increase the medical school class size at the Morehouse School of Medicine)

- **$4 Million Added** for one-time grants of up to $1 million for hospitals with GME programs to fund medical education training equipment and infrastructure needs to support new and expanding residency programs, with priority given to new and rural sites and including Colquitt Regional Medical Center and Archbold Medical Center. Upon signing, Governor Kemp directed the agency thus: “The agency is authorized to develop a competitive grant application process and criteria for awards to identify graduate medical education programs in greatest need of infrastructure funding in accordance with the purpose of the
program and general law powers of the board.”

- **$225,000 Added** for three feasibility grants to assist hospitals in establishing or expanding GME programs

- **$500,000 Added** for two federally qualified health center start-up grants for behavioral health expansion at Christ Community Health Services of Augusta and a school-based health center in Emanuel County.

- **$11.15 Million Added** to annualize funds provided in AFY23 to support the staffing of 450 case managers, 75 supervisors, and one district manager for Medicaid redeterminations due to the PHE expiration

- **$129,196 Added** for one analyst and one full-time educator for the Georgia Board of Nursing to address licensure and complaint volume in the Secretary of State’s Office

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**Directives**

**AFY23**

“The Department shall change any rules, regulations, or policies necessary to allow Federally Qualified Health Centers (FQHCs) and Rural Health Centers (RHCs) to provide routine physical exams and preventative care for all Medicaid members.”
MATERNAL & INFANT HEALTH

Georgia’s pregnancy-related death rate and infant death rate are among the highest in the nation (25.1 maternal deaths per 100,000 births and six infant deaths per 1,000 live births)—due in large part to structural inequities in access to quality health care. Medicaid covers pregnant women and postpartum care with approximately 43,400 women in Georgia enrolled in 2021. Change to Georgia law in 2022 extended coverage from six months following pregnancy to 12 months following pregnancy. Hopes are that longer coverage will result in better health for both mother and baby. Yet workforce remains an issue. 82 of Georgia’s 159 counties had no OB-GYN practitioners, leaving many in rural areas without specialty care.

This year, lawmakers prioritized mother and infant care by funding certain health and developmental assessment policies, including a pilot to augment some of Georgia’s home visiting programs. These early intervention and family-centered visits by skilled professionals to the homes of pregnant women and new parents help families with guidance, resources, and skills to ensure both mother and child are healthy and can access resources they need. Other priorities are below.

Bills

**House Bill 129 (Hong-103rd)**
Expands Temporary Assistance for Needy Families (cash benefit) eligibility criteria to pregnant women and repeals a provision relating to elimination of increment in benefits.
**STATUS: PASSED HOUSE. PASSED SENATE. SIGNED INTO LAW BY THE GOVERNOR.**

**Senate Bill 46 (Hufstetler-52nd)**
Requires that a pregnant woman be tested for HIV and syphilis by their prenatal provider at their first prenatal visit, at 28-32 weeks gestation, and at delivery. The patient will have the option to opt out of such testing. **STATUS: PASSED SENATE. PASSED HOUSE. SIGNED INTO LAW BY THE GOVERNOR.**

**Senate Bill 106 (Walker-20th)**
Creates a Medicaid program to provide remote maternal health clinical services to women with high-risk pregnancies through the Department of Public Health’s pilot home visiting program. **STATUS: PASSED SENATE. PASSED HOUSE. SIGNED INTO LAW BY THE GOVERNOR.**
**Directives**

**AFY23**

“The Department of Community Health shall submit a State Plan Amendment* to the Centers for Medicare and Medicaid Services (CMS) to expand the Express Lane Eligibility program to include Childcare and Parental Services (CAPS), Refugee Cash Assistance, and the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC).”

* A SPA is a mechanism that states use to submit proposed changes to the state’s Medicaid plan to CMS for approval.

**FY24**

- **$1 Million Added** in matching funds to allow the Department of Early Care and Learning (DECAL) to draw additional federal Child Care and Development Funds (CCDF) to provide child care assistance to low income families

- **$584,061 Added** to remove the five-year Medicaid waiting period for pregnant women and children who are lawful permanent residents

- **$18.72 Million Added** to increase select primary care and OB/GYN codes to 2021-Medicare levels *Upon signing, Governor Kemp directed the agency or agencies involved to disregard this line item.*

- **$1.69 Million Added** for a pilot to provide home visiting in at-risk and underserved rural communities during pregnancy and early childhood to improve birth outcomes, reduce preterm deliveries, and decrease infant and maternal mortality *Upon signing, Governor Kemp directed the agency or agencies involved to disregard this line item.*

- **$804,842 Added** to increase reimbursement rates for speech language pathology, audiology, physical therapy, and occupational therapy providers in the Babies Can’t Wait program *Upon signing, Governor Kemp directed the agency or agencies involved to disregard this line item.*

- **$1 Million Added** to implement a remote maternal/fetal health monitoring program for Medicaid eligible high-risk pregnant mothers (The Department of Community Health (DCH) will work with Medicaid Care Management Organizations (CMOs) to develop a model for potential recipient program eligibility and requirements.)
What follows are a series of additional bills which illustrate the array of preventive and environmental child and family health policies which lawmakers addressed in 2023.

**Bills**

**House Bill 440 (Stoner-40th)**
Authors public and private schools to stock a supply of undesignated ready-to-use glucagon and permits prescribers to provide such medication to schools. (Glucagon is a hormone that your pancreas makes to help regulate your blood glucose (sugar) levels.)

STATUS: PASSED HOUSE. PASSED SENATE. SIGNED INTO LAW BY THE GOVERNOR.

**Senate Bill 45 (Anavitarte-45) - “A.J.’s Law”**
Requires a school nurse or other school employee to be trained in the proper protocols should a student experience an epileptic or other seizure while at school. The parent or guardian must annually supply the school with a seizure action plan which provides specific directions about what to do in emergency situations.

STATUS: PASSED SENATE. PASSED HOUSE. SIGNED INTO LAW BY THE GOVERNOR.

**Senate Bill 47 (Hufstetler-52nd)**
Adds the smoking of electronic smoking or vaping devices to the Georgia Smokefree Air Act of 2005.

STATUS: PASSED SENATE. PASSED HOUSE. SIGNED INTO LAW BY THE GOVERNOR.

**House Bill 196 (Powell-33rd)**
Provide that the Georgia Access to Medical Cannabis Commission shall be subject to the Administrative Procedure Act and laws governing open meetings and open records and sets rules around production licensure. The bill also includes provisions from Senate Bill 22 which regulate consumable hemp products and prohibits the sale of hemp products to individuals under the age of 21.

STATUS: PASSED HOUSE. PASSED SENATE. Did not secure agreement on final amendment on Sine Die, and therefore did not pass.

**Senate Bill 1 (Dolezal-27th)**
Removes the sunset on the prohibition that prevents state and local governments from requiring proof of COVID-19 vaccination as a condition of providing services, accessing a facility, issuing licenses or permits, performing duties, and other matters.

STATUS: PASSED SENATE. PASSED HOUSE. SIGNED INTO LAW BY THE GOVERNOR.
Years of advocacy for children and youth with disabilities have resulted in Medicaid supports that provide services designed to keep kids out of institutional settings and at home. For example, the Georgia Pediatric Program (GAPP) serves eligible children under the age of 21 with medically necessary skilled nursing services or personal care support. Additionally, New Options Waiver (NOW) Program and Comprehensive Supports Waiver Program (COMP) offer home- and community-based services for people with intellectual or developmental disabilities. Both waiver programs are designed to increase independence and quality of life and maintain community living for individuals with disabilities either on their own (if age 18 or older), in a family home, or with residential support and supervision. While NOW and COMP waivers are primarily for people 18 or older, the significant waiting list for these waivers remains a concern for families of younger children with disabilities, who ultimately will age into the need for such support.

This year, as last, lawmakers allocated state funds to support disability services and expand the number of NOW and COMP waivers available. They also prioritized higher education policy for people with disabilities, which is discussed in the higher education section of this report. (page 30)

**Bills**

There are no bills of note in this section. Instead, legislators included fiduciary allocations to support Georgians with disabilities.

**Dollars**

FY24

- **$10.95 Million Added** to annualize the cost of the 513 New Options Waiver (NOW) and Comprehensive Supports Waiver Program (COMP) slots for individuals with intellectual and developmental disabilities (Adult Developmental Disability Services) Upon signing, Governor Kemp directed the agency thus: “$771,514 of this appropriation would fund only administrative overhead costs rather than provide additional waiver slots. The Department has sufficient existing program funding to deploy the additional slots without additional administrative overhead. Therefore, the agency...
is directed to utilize the funds included in [this line item] for direct waiver expenses only.”

- **$9.4 Million Added** for 500 additional slots for the New Options Waiver (NOW) and Comprehensive Supports Waiver Program (COMP) for individuals with intellectual and developmental disabilities and provide administrative workload support (Adult Developmental Disability Services)

- **$10.51 Million Added** for a 4% rate increase for home and community-based service providers (through the Department of Community Health) **Upon signing, Governor Kemp directed the agency or agencies involved to disregard this line item.**

- **$854,167 Added** for a 5% rate increase for Georgia Pediatric Program (GAPP) providers **Upon signing, Governor Kemp directed the agency or agencies involved to disregard this line item.**

- **$7.24 Million Added** to increase reimbursement rates for speech-language pathology, audiology, physical therapy, and occupational therapy providers **Upon signing, Governor Kemp directed the agency or agencies involved to disregard this line item.**

- **$1.28 Million Added** for reimbursement of Occupational Therapy Assistants (OTAs) and Physical Therapy Assistants (PTAs) providing services for Medicaid members receiving Children’s Intervention Services (CIS) **Upon signing, Governor Kemp directed the agency or agencies involved to disregard this line item.**

- **$4.47 Million Added** to Preschool Disability Services

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**Directives**

**FY24**

“The Department [of Community Health] shall submit a State Plan Amendment (SPA) to the Centers for Medicare and Medicaid Services (CMS) to change any rules, regulations, or policies necessary to allow for reimbursement of Occupational Therapy Assistants (OTAs) and Physical Therapy Assistants (PTAs) providing services for Medicaid members receiving Children’s Intervention Services (CIS).” **Upon signing, Governor Kemp directed the agency or agencies involved to disregard this line item.**
Sex, gender, gender identity, gender expression and sexual orientation have been and continue to be topics which are often misunderstood and conflated in the public policy sector, as well as in some public rhetoric and media. An open letter to the Atlanta Journal Constitution (March 16, 2023) states, “Gender-affirming health care is supported by every leading medical and mental health association in the U.S. including the American Medical Association, the American Academy of Pediatrics and the American Psychological Association.” The article, signed by more than 500 medical providers, emphasizes the importance of allowing physicians to work with the parents, guardians and the youth to ensure that Medical Standards of Care are followed when asked to consult and provide professional care on such issues.

### Bills

**Senate Bill 140 (Summers-13th)**
Prohibits the use of sex reassignment surgeries and hormone replacement therapies on minors in a licensed institution for the treatment of gender dysphoria. Exceptions include treatment of sex development disorders, androgen insensitivity syndrome, and other medical conditions. Additionally, minors who began hormone replacement therapies before July 1, 2023 are exempt. Licensed physicians in violation will be held administratively responsible by the medical board. **STATUS: PASSED SENATE. PASSED HOUSE. SIGNED BY THE GOVERNOR AND IS NOW LAW.**

**Senate Bill 88 (Summers-13th)**
Prevents an adult acting in loco parentis from providing to or obtain from a child information of a sensitive nature (meaning sex ed or information regarding a child’s sexual orientation or gender identity, other than the child’s biological sex) without the express written permission of the child’s parent or legal guardian, including if a child indicates a desire to discuss information of a sensitive nature with an adult acting in loco parentis. The bill also prohibits an adult acting in loco parentis from engaging in instruction, education, or training of a child while dressed in a sexually provocative manner, applying current community standards, as determined by the school, social services agency, library, camp, or similar facility or program, without the express written permission of the child’s parent or legal guardian. In addition, any request to change a student’s official school record to reflect a change in the student’s gender shall be in writing and accompanied by a copy of the student’s amended birth certificate reflecting the change in gender and a written consent form signed by all of the child’s parents or legal guardians. **STATUS: TABLED in the Senate Education & Youth Committee. The bill, however, still remains viable for consideration in the 2024 session.**
Policy discussions regarding pre-K through 12th grade constitute a significant portion of each legislative session, and this year was no different. The AFY23 and FY24 budgets fully fund the Quality Basic Education (QBE) program*, totaling over $13 billion in state funds allocated for each year. According to the House Budget Office, the FY24 education appropriations represent the most state funds ever provided to K-12 education. Of interest, the QBE funding formula has been fully funded the last five out of six years.

In addition to rote budgetary topics covering-12 budgets and Georgia Lottery for Education dollars for Pre-K and higher education, lawmakers focused on an array of other policies affecting staff and kids at school and beyond. Learning loss, literacy, school safety, school accreditation and alternative education settings (e.g., Completion Special State Schools, Georgia Network for Educational and Therapeutic Support (GNETS), Dual Enrollment, state-supplemented private schools, and out-of-school programs like afterschool and summer enrichment) were all on the session docket this year.

Notably, while more funds (+$7.36 million) were allocated to the state’s Special Needs Scholarship, which allows eligible students with special needs to use state dollars to help pay for a private school education, the large “voucher bill” put forth this session failed but may be reconsidered next year. This bill, Senate Bill 233, “The Georgia Promise Scholarship Act” would greatly expand private school scholarship eligibility for children in certain low performing schools. For more please see the summary below.

A number of bills were offered this year that would have expanded gambling in Georgia, and subsequently sent much of the state’s proceeds to Georgia’s Pre-K program, higher education scholarships and grants (i.e., HOPE and Zell Miller awards). Only one of these bills managed to pass from one chamber to the other but failed to pass this year. This bill is noted below.

* The Quality Basic Education (QBE) formula was developed in 1985 to guide funding for public K-12 education.

Due to the somewhat disparate content in this part of the summary, we have approached the layout of this section a little differently. In order to display how certain legislative objectives work together, we have grouped bills and budget items by topic:

- General Education
- Learning Loss and Literacy
- Alternative Educational Settings
- School & Student Safety and Other Services
Bills

**House Bill 340 (Corbett-174th)**
Protecs planning periods for teachers. Teachers who are in the classroom more than 50% of a regular school day are required to have a duty-free planning period, with some exceptions related to safety. The bill also amends O.C.G.A. 48-7-29.21, relating to tax credits for qualified education donations for the purpose of awarding grants to public schools by extending the repeal date to December 31, 2026. Local school board members are prohibited from discussing personnel matters with superintendents or other school personnel other than a referral of a personnel matter to the superintendent. **STATUS: PASSED HOUSE. PASSED SENATE. SIGNED INTO LAW BY THE GOVERNOR.**

**Senate Bill 204 (Dolezal-27th)**
Requires accrediting agencies that operate in Georgia to focus on student achievement, academic success, and fiscal solvency of schools and school systems. The State Board of Education must establish evaluation criteria, procedures, and other requirements for recognized accrediting agencies. Defines an accrediting agency as a reliable authority as to the quality of education offered in Georgia secondary schools. The bill sets the standards and criteria accrediting agencies must meet by the State Board of Education to be recognized as an accrediting agency. The State Board of Education will have oversight authority of accrediting agencies and may determine if an agency is not in compliance with state standards. When disputes arise between an accrediting agency and a public secondary school, the school has the right to appeal to the state board. **STATUS: PASSED SENATE. PASSED HOUSE. SIGNED INTO LAW BY THE GOVERNOR.**

Dollars

**AFY23**

- **$128.2 Million Added** for the Quality Basic Education (QBE) midterm adjustment to reflect an increase in 12,939 students (or 0.75%) over last year
- **$16.7 Million Added** in growth for the state charter school supplement reflecting four additional schools
- **$5 Million Added** for reimbursable grants for paraprofessionals who are enrolled, on or after January 1, 2023, and earn a certificate through a Georgia Teacher Academy for Preparation and Pedagogy (GaTAPP) program
- **$3.5 Million Added** for the Professional Standards Commission to overhaul its educator certification and ethics system to provide better efficiency and improved security
- **$2.5 Million Added** for matching funds for school systems to implement character education programming
• **$3.3 Million Added** for heavy construction simulators in schools to allow high school students to graduate with a construction industry certificate and immediately enter the workforce

**FY24**

• **$13.1 Billion Added** to fully fund the Quality Basic Education (QBE)
• **$450,000 Eliminated** to reflect testing contract (i.e., fewer tests)
• **$400.9 Million Allocated** in Lottery Dollars for Georgia’s Pre-K Program
• **$14.04 Million Allocated** in Lottery Dollars for classroom operations and redirect existing funding to Pre-K lead teacher salaries.

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**LEARNING LOSS AND LITERACY**

**Bills**

**Senate Bill 211** (Hickman-4th)
Creates the Georgia Council on Literacy to conduct a comprehensive review of birth to postsecondary literacy programs for the purpose of improving literacy outcomes of Georgia students. The council is composed of 30 members, will meet at least four times per year, and will dissolve December 31, 2026. **STATUS: PASSED SENATE. PASSED HOUSE. SIGNED INTO LAW BY THE GOVERNOR.**

**House Bill 538** (Ballard-147th) “Georgia Early Literacy Act”
Requires public school teachers to receive training on developmentally appropriate (and approved) evidence-based literacy instruction. GaDOE, the state Board of Education and the Office of Student Achievement, shall establish such policies, rules, and regulations as necessary to implement uniform grade-appropriate metrics for measuring literacy, and approve high-quality instructional materials to be used for teaching students in K-3 grades to read. GaDOE shall, in consultation with the University System of Georgia, the Professional Standards Commission, the Office of Student Achievement, Georgia’s Regional Education Service Agencies, and literacy experts, develop or procure one or more training programs for kindergarten through third grade teachers on the science of reading, structured literacy, and foundational literacy skills that enable students to develop reading skills required to meet state standards in literacy. Each public school and local school system shall provide instructional support for kindergarten through third grade teachers. Any public school or local school system claiming that a lack of sufficient funding prevents them from providing instructional support shall promptly and in writing notify the GaDOE and shall describe all efforts they’ve made to secure sufficient funding. GaDOE shall provide technical assistance and other guidance to public schools and local schools systems in identifying local, state, federal, and private funding sources to provide instructional supports. Three times each school year each public school and local school system shall administer a universal reading screener to each student in kindergarten through third grade and report the results to parents and guardians and to GaDOE. Public schools and local school systems shall implement tiered reading
intervention plans for public school students in kindergarten through third grade who at any time during the school year exhibit a significant reading deficiency. The student shall receive intensive reading intervention until such student is no longer identified as exhibiting a significant reading deficiency. **STATUS: PASSED HOUSE. PASSED SENATE. SIGNED INTO LAW BY THE GOVERNOR.**

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**AFY23**

- **$0 Million in state dollars Added** for incentive grants to GaDOE for Learning Loss. See Budget Directions on following page.

- **$8 Million in Georgia Lottery dollars** was originally added for early reading education, but was ultimately redirected in the final budget to reflect an increase in the State Health Benefit Plan employer contribution rate for public Pre-K teachers effective January 1, 2023.

**FY24**

- **$250,000 Added** for the Literacy Lab’s Leading Men Fellowship program in the Governor’s Office of Student Achievement. **Upon signing, Governor Kemp directed the agency or agencies involved to disregard this line item.**

- **$1 Million Added** to provide personnel and operations for the Georgia Council on Literacy ($251,000) pursuant to SB211 (2023 Session) and to support implementation of effective methods which additionally includes digital learning-based curriculum for Pre-K through 5 ($749,000) in the Governor’s Office of Student Achievement

- **$3.5 Million Added** for Dyslexia Screening pursuant to SB48 (2019 Session) (GaDOE)

- **$1 Million Added** to Out-of-School Services in DFCS to bridge the education gap

- **$160,000 Added** to Out-of-School Services in DFCS for community center after school programs

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**Directives**

**AFY23**

The Conference Committee directed: **Utilize $977,508,409 in ‘American Recovery Plan (ARP) Act’ funds designated for learning loss.**
ALTERNATIVE EDUCATIONAL SETTINGS

Bills

**House Bill 87 (Erwin-32nd)**
Focuses on Mountain Education, Foothills, and Coastal Plains Charter Schools. (alternative schools for students who are on the verge of dropping out and need flexibility and night classes). The bill allows these schools to continue as “Completion Special State Schools” and transition beyond their charter contracts. However, it changes their geographical boundaries, creates additional zones to serve the rest of the state, and establishes a funding mechanism for these programs. The bill also defines eligible students for these schools and their attendance zones and encourages the development of new completion special schools. **STATUS: PASSED HOUSE. PASSED SENATE. SIGNED INTO LAW BY THE GOVERNOR.**

**Senate Bill 86 (Brass-28th)**
Allows eligible dual enrollment students to access HOPE grant funds for eligible career, technical, and agricultural education (CTAE) courses. The bill requires reporting of specified information relating to the dual enrollment program. **STATUS: PASSED SENATE. PASSED HOUSE. SIGNED INTO LAW BY THE GOVERNOR.**

**Senate Resolution 175 (Brass-28th)**
Creates the Joint Study Committee on Dual Enrollment for Highly Skilled Talent at Younger Ages. The bill also creates the Joint Study Committee on Service Delivery Strategy (SDS). **STATUS: PASSED SENATE. PASSED HOUSE. As a Joint Study Committee, and passed by both chambers, it does not need agreement from the House or the Governor.**

**Senate Bill 233 (Dolezal-27th)**
Creates the ‘Georgia Promise Scholarship Act’, which would provide $6,500 per eligible student to families for qualified education-related expenses outside of the public school system. Qualified education expenses include tuition at a participating school, tutoring, and purchase of curriculum, professional services, transportation, and other expenses authorized by the State Board of Education. Funds will go into an account controlled by a parent to be used for qualified education expenses. Participating students must take nationally norm-referenced tests that measure student academic progress in math and language arts annually. The bill stipulates reporting requirements participating schools must provide annually to the Georgia Student Finance Commission and the Department of Education. **STATUS: FAILED HOUSE. HOUSE APPROVED MOTION TO
AFY23

• $7.36 Million Added to reflect growth in the Special Needs Scholarship

FY24

• $43.87 Million Reduced for State Charter Supplement funds for Mountain Education (($18,543,435)) and Coastal Plains (($9,447,172)) and Foothills Charter High School (($15,874,465))

• $120,000 Added for a completion state special school program coordinator position pursuant to HB 87 (2023 Session).

• $27.75 Million Reduced in QBE formula funds due to expiration of state charter contracts for Mountain Education and Coastal Plains pursuant to SB 153 (2021 Session)

• $50,000 Added for one-time funding to conduct study and host meetings with House and Senate committees and stakeholders concerning Georgia Network for Educational and Therapeutic Support (GNETS) formula funding

• $400,000 Reduced from GNETS

• $4.71 Million Reduced for enrollment and Training and Experience decline in GNETS

Directives

AFY23

“The Department of Education is directed to re-evaluate, in consultation with stakeholders, the Georgia Network for Educational and Therapeutic Support (GNETS) program to provide recommendations to the Office of Planning and Budget, the House Budget and Research Office, and the Senate Budget and Evaluation Office by September 30, 2023.”
Bills

**House Bill 147 (Wade-9th) ‘Safe Schools Act’**
Requires the Professional Standards Commission (PSC) to consult with the Georgia Emergency Management and Homeland Security Agency (GEMA/HS), the Department of Juvenile Justice, and the Georgia Public Safety Training Center to create a school safety and anti-gang endorsement for eligible certificated professional personnel who volunteer to complete a training program approved by the PSC in multidisciplinary best practices for promoting and preserving safe schools, and for identifying and deterring youth gangs. The legislation adds GEMA/HS to those agencies to which the school must submit their school safety plan. Schools are required to conduct intruder alert drills by October 1 of each school year and report to GEMA/HS when the drill is completed. All students are required to participate, but each system may allow an option for a parent/legal guardian to elect, in writing, that the child is not participating. **STATUS: PASSED HOUSE. PASSED SENATE. SIGNED INTO LAW BY THE GOVERNOR.**

Dollars

**AFY23**
* $115.7 Million Added for security grants in the amount of $50,000 per school to local school systems for school security enhancements

**FY24**
* $6.33 Million Added for school nutrition for the cost of breakfast and lunch for reduce-paying students. *Upon signing, Governor Kemp directed the agency or agencies involved to disregard this line item.*
* $1.34 Million Added for pupil transportation based on an increase in FTEs
As in school year 2021-2022, Fall 2022 University System of Georgia (USG) enrollment declined again. Roughly 334,500 students attend the state’s 26 public colleges and universities. Even though enrollment grew by 1.2% at research universities, it fell in the system’s three other institutional sectors as follows: comprehensive universities by -3.7%, state universities by -5.7% and state colleges by -2.4%. This totals an overall -1.8% drop across the state.

So it is no surprise that incentivizing postsecondary education, as well as college completion remained a priority for lawmakers this year. Changes to HOPE eligibility and the relatively new College Completion Grant Program under the Georgia Student Finance Commission were made, and grants were established for people with disabilities to attend qualified postsecondary institutions. Other funding for higher education pertaining to healthcare and other workforce development has been noted above.

Regardless of some policy advances for students, the outcomes for USG as a whole were less clear. While the University System of Georgia (USG) received $105 Million in AFY23 to implement a new electronic medical records system to support medical education and training at the Medical College of Georgia (See the Healthcare Systems section above), the FY24 budget nevertheless reduced the overall USG teaching budget by $66 million. Also, a bill amended to prevent USG from raising tuition costs without the approval of the legislature was vetoed by Governor Kemp, who left decisions regarding tuition in the hands of the Board of Regents.

### Bills

**House Bill 607 (Pirkle-169th)**  
Changes the ACT score requirement for a Zell Miller Scholarship Scholar from 26 to a score equivalent to 1,200 on the SAT, as determined by the Georgia Student Finance Commission using nationally recognized standards. **STATUS: PASSED HOUSE. PASSED SENATE. SIGNED INTO LAW BY THE GOVERNOR.**

**House Bill 249 (Martin-49th)**  
Provides College Completion Grant eligibility to students who have completed 70 percent of a four-year program or 45 percent of a two-year program. The maximum award amount per eligible student is set at $3,500, with no single payment exceeding $2,500. The bill provides free tuition for specified training programs that relate to the operation of a commercial motor vehicle for qualified participants who are U.S. armed forces veterans. **STATUS: PASSED HOUSE. PASSED SENATE. GOVERNOR VETOED.**
**House Bill 319 (Martin-49th)**
Abolishes the Georgia Higher Education Assistance Corporation and transfers any obligations, liabilities, or assets to the Georgia Student Finance Authority. The bill prohibits tuition and fee increases of more than 3% unless a joint resolution is passed by the General Assembly. **STATUS: GOVERNOR VETOED.**

*This is Veto #1 of 2023. The Governor’s Veto statement reads, “House Bill 319 would require legislative approval for any year-over-year tuition increase exceeding 3% at any University System of Georgia institution. The Georgia Constitution makes plain the authority to govern, control, and manage the University System and all system institutions is vested in the Board of Regents. Ga. Const. art. VIII, § 4, ¶ I(b). Because of the constitutional reservation of authority in the Board of Regents, the legislation cannot be adopted without the approval of Georgians through exercise of their franchise. For these reasons, I VETO HOUSE BILL 319.”*

**Senate Bill 246 (Hodges-3rd)**
Provides for the establishment of Inclusive Postsecondary Education (IPSE) grants. The grants would be awarded to eligible Georgia students enrolled on or before July 1, 2028, in authorized IPSE programs at qualified postsecondary institutions in an amount equal to the current academic year undergraduate tuition at each student’s qualified institution. Eligible students may also receive an additional IPSE grant to cover certain fees. The bill authorizes the Georgia Board of Health Care Workforce to provide for the repayment of up to $100,000 in student loans for eligible recipients serving as faculty members in eligible postsecondary nursing programs in this state. (Contains provisions of HB 185.) **STATUS: PASSED SENATE. PASSED HOUSE. SIGNED INTO LAW BY THE GOVERNOR.**

**Dollars**

**AFY23**
- **$100,000 Added** for technology infrastructure and environmental adaptations for students enrolled in Inclusive Postsecondary Education (IPSE) programs (GA Council on Developmental Disabilities)

**FY24**
- **$66 Million Reduced** from the Teaching Division (which funds student instruction and to establish and operate other initiatives that promote, support, or extend student learning.)
- **$200,000 Added** to expand the Inclusive Postsecondary Education (IPSE) program. (DBHDD)
- **$955,830 Added** for IPSE grants to be awarded to eligible students enrolled in IPSE programs at postsecondary institutions across the state. (GSFC)
- **$16.77 Million Added** to increase the HOPE Private Zell award from $2,977 to $3,100 and adjust the HOPE Private award amount to 100% of the Zell award Upon signing the budget, Governor Kemp directed the agency thus: “In order to maintain
parity with the percentage increase provided to the HOPE Scholarships - Public Schools award increase provided for herein, the agency is instructed to disregard the language in line 333.2 and increase the HOPE Private award from $2,282 to $2,496 and HOPE Private Zell award from $2,977 to $2,985.

- **$1.45 Million Added** to meet the projected need for the HOPE Scholarship at private institutions
- **$46.98 Million Added** to meet the projected need for the HOPE Scholarships - Public Schools program at a factor rate of 100%
- **$8.23 Million Added** for the first year of a three-year phase-in for increased credit-hour earnings for the Aviation, Commercial Driver’s License, and Nursing programs to reflect the high-cost nature of providing these programs at the Technical College System of Georgia. **Upon signing, Governor Kemp directed the agency or agencies involved to disregard this line item.**
- **$3.23 Million Added** to meet the projected need for the HOPE Grant program at a factor rate of 100% and reduce out of pocket needs for students in Commercial Drivers’

**Directives**

**FY24**

“Utilize state and other funds to fully fund [REACH program] needs.”
In 2021, 107 children in Georgia died by homicide, making it the second-leading cause of death (not counting medical reasons) for children aged 0–17 in the state. What’s more, Georgia’s reported incidences of assault, rape, and murder worsened with stressful repercussions from the COVID-19 pandemic (though instances of violent crime appear to be starting to decline as of late). On the other hand, the vast majority of 17-year-olds who break the law commit non-violent misdemeanors, yet are processed through adult court, regardless of offense, and are left with a life-long criminal record and sometimes developmentally inappropriate punitive sanctions, as are meted out to other individuals in the adult corrections system.

Important to acknowledge is that the prefrontal cortex, which houses executive functioning skills that control impulses, judgment, and decision-making, is one of the last areas of the brain to develop, reaching maturity at approximately 25 years of age. In addition, causes for violence or other non-violent illegal acts can often be traced back to issues resulting from unaddressed trauma, Adverse Childhood Experiences (ACEs), and other challenges, including tenuous coping skills, addiction, lack of resources, negative social norms, lack of social connections or inadequate family support. Not surprisingly, young people often join gangs in search of stability not offered by family or community. Poverty, unaddressed trauma, family dysfunction, and education challenges also are factors to youth misbehavior, as well as the developmentally normal urge to be with and approved by peers.

This year, lawmakers continued to attempt to address gang-related behaviors, including tweaks to law and funding designed to help victims of human trafficking and sexual and family violence. First Lady Marty Kemp’s GRACE Commission has been a partner and policy-driver in the anti-human trafficking work since the start of the Governor’s first term in 2019.

Each year, lawmakers attempt (for better or worse) to deter or respond to crime with changes in law, usually pertaining to definitions of what constitutes a criminal offense, changes to enforcement, or punishment. Sometimes such legislation is backed by data, sometimes by a single or series of anecdotal experiences, sometimes by conflicts with existing state or federal law. Sometimes bills are proposed as a result of general perceptions about what is “just” or “fair”, or a what punishment seems like it will make people not misbehave or not misbehave again. See below for this session’s attempts to mitigate crime.
Bills

**House Bill 462** (Ballinger-23rd) “Raise the Age Act”
The bill increases the jurisdiction of the juvenile court to include children who are 17 years old and revises various references in the Code to reflect this change. The bill establishes an implementation committee, which consists of 12 members and is responsible for conferring with appropriate agencies and interested parties regarding standards and practices of other jurisdictions, the most recent national standards, and the interested parties’ views. A superior court will maintain jurisdiction of those who are 17 years old at the time of the alleged crime when those individuals are alleged to have committed criminal gang activity or an offense that would be a felony, if tried as an adult, for a second or subsequent time. Parts I and IV of the bill become effective upon the governor’s signature. Parts II and III of the bill become effective January 1, 2025, subject to appropriations. If the co-chairpersons of the implementation committee determine that money was not appropriated for that year, the determination will be made during the following years until January 1, 2030. If those funds are appropriated in one of the following years, it will become effective on January 1 of that fiscal year. **STATUS:** PASSED HOUSE. Failed to secure a vote in the Senate; did not pass. HB 462 does remain viable for action in the 2024 legislative session.

**House Bill 188** (Sainz-180th)
Changes the name of the Sexual Offender Registration Review Board to the Sexual Offender Risk Review Board (SORRB). The bill defines the term “sexual felony” to be a felony conviction of the following crimes: aggravated assault; kidnapping that involves a victim under the age of 14, except by a parent; sex trafficking; rape; aggravated sodomy; statutory rape; child molestation; aggravated child molestation; enticing a child for indecent purposes; improper sexual contact by employee or agent in the first or second degree or improper sexual contact by a foster parent in the first or second degree, unless the punishment was not subject to O.C.G.A. 17-10-6.2; incest; aggravated sexual battery; and sexual exploitation. Any person who was previously convicted of a sexual felony who is convicted of aggravated assault with the intent to commit any of the above listed sexual felonies is subject to imprisonment for life or a split sentence that is a term of imprisonment followed by probation for life that includes electronic monitoring as a condition of probation. Among other provisions, the bill also adds the crime of electronically furnishing obscene material to minors to the list of crimes defined as a “dangerous sexual offense” in certain circumstances and clarifies the procedure for when a sexual offender moves from another state or territory to Georgia, the risk assessment process for sexually dangerous predators, and the timelines for when risk assessment evaluations need to be made by SORRB. **STATUS:** PASSED HOUSE. PASSED SENATE. SIGNED INTO LAW BY THE GOVERNOR.

**Senate Bill 42** (Williams-25th)
Revises the penalty for businesses violating the requirement that businesses post signage making people aware of the human trafficking hotline. A law enforcement officer is required to notify a business of its noncompliance, and the owner is required to comply within 30 days of receipt of the notice or be fined between $500 and $1,000. Upon a second or subsequent offense, it is still a high and aggravated misdemeanor, but the bill clarifies that the fine is between $1,000 and $5,000. **STATUS:** PASSED SENATE. PASSED HOUSE. SIGNED INTO LAW BY THE GOVERNOR.
<table>
<thead>
<tr>
<th>Bill Number</th>
<th>Sponsor</th>
<th>Description</th>
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<tbody>
<tr>
<td>Senate Bill 272</td>
<td>Kennedy-18th</td>
<td>Reestablishes the Criminal Case Data Exchange Board to a board under the Judicial Council and its Administrative Office of the Courts. The board must fulfill multiple duties, including participation in the review and improvement of the state’s criminal case data exchange and management systems; make recommendations for the improvement of data sharing for the benefit of the public, employers, and law enforcement; provide regular advice and counsel to the Judicial Council of Georgia; regularly review and update uniform standards; and prepare a report by October 1 of each year. The board will be required to conduct a review with experts in the field of criminal justice on the feasibility of a system for tracking and analyzing criminal history data related to recidivism, criminal plea agreements, and immunity defenses. The feasibility study will include a review of a system to track charges pertaining to human trafficking, and whether those charges resulted in convictions or resulted in pleas of lesser or related charges. This review will be required to be completed by December 1, 2024, at which point the board will deliver it to the required parties in the legislative, executive, and judicial branches. STATUS: PASSED SENATE. PASSED HOUSE. SIGNED INTO LAW BY THE GOVERNOR.</td>
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<tr>
<td>Senate Bill 44</td>
<td>Hatchett-50th</td>
<td>Clarifies that it is unlawful for a person to indirectly through another person: cause, encourage, solicit, recruit, or coerce another to become a member of a criminal street gang; to participate in a criminal street gang; or to participate in criminal gang activity. The bill defines “dangerous weapon”, “firearm”, “hazardous object”, and “leader”. Increases certain gang related penalties and states that if a person recruits others to join a criminal street gang and the violation involves a person who is under 17 years old or a person who has a disability, then that person is subject to imprisonment of between 10 years and 20 years for a first offense, which must be served consecutively and with a mandatory minimum of 10 years. Upon a second or subsequent offense, the penalty is imprisonment of between 15 years and 25 years, which must be served consecutively and with a mandatory minimum of 15 years. Further details are provided in the legislation regarding judicial discretion and the like. The bill adds extra provisions regarding when a judge can issue a bond on a person’s own recognizance, or unsecured judicial release. STATUS: PASSED SENATE. PASSED HOUSE. SIGNED INTO LAW BY THE GOVERNOR.</td>
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<tr>
<td>Senate Bill 92</td>
<td>Robertson-29th</td>
<td>Creates the Prosecuting Attorneys Qualifications Commission (PAQC). The bill contains various grounds for discipline by the PAQC, including mental or physical incapacity; willful misconduct in office; willful and persistent failure to carry out duties; conviction of a crime involving moral turpitude; conduct prejudicial to the administration of justice; and knowingly authorizing or permitting an assistant DA or assistant SG to commit any act constituting a ground for removal. The PAQC is allowed to entertain a complaint on various grounds, including when a DA or SG has a stated policy that demonstrates that the DA or SG categorically refuses to prosecute any type of an offense or offenses. STATUS: PASSED SENATE. PASSED HOUSE. SIGNED INTO LAW BY THE GOVERNOR.</td>
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AFY23

- **$30.38 Million Added** for equipment, installation, and training associated with a new statewide public safety radio network to achieve statewide interoperability
- **$2.4 Million Added** to upgrade security at domestic violence shelters
- **$4.08 Million Added** in one-time funds for domestic violence shelters to offset loss of federal funds

FY24

- **$1.125 Million Added** for the Prosecuting Attorneys Qualifications Commission, pursuant to SB92 (2023 Session).
- **$1.25 Million Added** to deploy Formulytics in gang database statewide. **Upon signing the budget, Governor Kemp directed the agency thus:** "State vendors must be selected in accordance with state procurement regulations and cannot be specified through an appropriations act. Therefore, the agency is directed to disregard the language included in [this line item] and utilize the funds for a competitive grant to facilitate gang activity prosecution.”
- **$2.07 Million Added** for equipment, installation, and training associated with a new statewide public safety radio network to achieve statewide interoperability
- **$89,600 Added** to reflect FY 2022 collections from the Safe Harbor for Sexually Exploited Children Fund Commission
- **$3.38 Million Added** to assist in the rehabilitation of children, youth, and adult victims of sexual trafficking
- **$1.26 Million Added** for sexual assault nurse examiner (SANE) coordinators and improve access to SANE resources for sexual assault centers. **Upon signing, Governor Kemp directed the agency or agencies involved to disregard this line item.**
Other bills attempting to improve the lives of children and families emerged as well. A few bills addressing water safety passed (NOTE: drowning was the 5th leading cause of death in children ages 4-9, and the 6th leading cause of death for children ages 10-14 in 2021), as well as measures regarding youth employment. A bill helping ensure families access to safe and stable housing was left on the table of the Senate on the final day of the legislative session, and therefore did not pass.

**Bills**

**House Bill 402** (Hilton-48th) *‘Edna Mae McGovern Act’*
Requires each public school to provide parents or students over 18 years of age with information on water safety education. At the beginning of each school year, the school will provide information to promote safety in, on, and around bodies of water. This may include information on local water safety courses and swim lessons. **STATUS: PASSED HOUSE. PASSED SENATE. SIGNED INTO LAW BY THE GOVERNOR.**

**Senate Bill 107** (Burns-23rd) *“Izzy’s Law”*
Requires the Department of Public Health to develop a model safety plan for private swim instructors to utilize by January 1, 2024. The plan will include minimum standards for student-to-instructor ratios, secondary supervision recommendations, parent or legal guardian attendance, and use of cardiopulmonary resuscitation (CPR) certification. All private swim instructors are required to have an aquatic safety plan by April 1, 2024. **STATUS: PASSED SENATE. PASSED HOUSE. SIGNED INTO LAW BY THE GOVERNOR.**

**House Bill 121** (Anderson-10th)
Adds definitions for the terms “wakeboarding” and “wake surfing”, and placing restrictions on these activities. Except in certain circumstances, no person is to engage in either of these two defined activities between sunset and sunrise, within 200 feet of a shoreline or structure located on the water, or without wearing a personal flotation device approved by the U.S. Coast Guard. Language is added further defining multipurpose off-highway vehicles and regarding license plates for such vehicles. Such vehicles are permitted to operate on highways that are part of county road systems but are limited to crossing highways that are a part of a municipal street or state highway system. **STATUS: PASSED HOUSE. PASSED SENATE. SIGNED INTO LAW BY THE GOVERNOR.**
**Senate Bill 55** (Parent-42nd) ‘Georgia Lemonade Stand Act’
Prohibits the regulation of businesses of individuals under 18 years of age selling non-consumable goods, prepackaged foods, lemonade, or nonalcoholic beverages on private property that earn $5,000 or less annually. The youth must be enrolled in a public school, licensed private school, or licensed home-study program or a state approved adult education class if studying for a High School Equivalency (HSE) diploma; or have already obtained a high school diploma or a HSE diploma. **STATUS: PASSED SENATE. PASSED HOUSE. SIGNED INTO LAW BY THE GOVERNOR.**

**Senate Resolution 275** (Albers-56th)
Creates the Senate Study Committee on Expanding Georgia’s Workforce. **STATUS: PASSED SENATE.** As a Senate Study Committee, it does not need agreement from the House or the Governor.

**House Bill 404** (Carpenter-4th)
Requires that rental properties are fit for human habitation. The bill includes cooling as a utility that cannot be shut off prior to an eviction action. Landlords are prohibited from requiring a security deposit that exceeds two months’ rent. A tenant, when they fail to pay charges owed to landlord, is afforded a three business day written notice period prior to an eviction proceeding being filed. The eviction notice will be posted conspicuously on the property door in a sealed envelope and delivered via any methods agreed to in the rental agreement. **STATUS: PASSED HOUSE. Tabled in the Senate and therefore DID NOT PASS.**

**Senate Bill 62** (Summers-13th)
Prohibits local governments from adopting or enforcing any policies that would prohibit the enforcement of any ordinance that prohibits unauthorized public camping, sleeping, or obstruction of sidewalks. The bill prohibits hospitals and local government entities from dropping off homeless individuals outside of their area of operation or jurisdiction, subject to specified exceptions. The bill requires the state auditor to conduct a performance audit of homeless program spending in this state, including local government spending and the expenditure of federal funds. The audit must be provided to the governor, lieutenant governor, and speaker of the House of Representatives by December 31, 2023. **STATUS: PASSED SENATE. PASSED HOUSE. SIGNED INTO LAW BY THE GOVERNOR.**
REFERENCES


v Georgetown University Center for Children and Families analysis of the 2021 U.S. Census American Community Survey (ACS) Table HIC-5, Health Insurance Status and Type of Coverage by State - Children Under 19, Health Insurance Historical Tables.


ix Georgia Department of Community Health data. Received July 2022.


xi Georgia Vital Records; Georgia Department of Public Health, Office of Health Indicators for Planning; and Georgia Bureau of Investigation, Child Fatality Review Unit. Georgia Child Fatality 2021 Data. Professional Communication, Data Request.
