



The Legislature will convene tomorrow for Day 39. They are almost ready to wrap up the 2016 Legislative Session and head home to begin campaigning. There are still some lingering issues out there –

- Will the Governor sign HB 757 (RFRA) in spite of pressure from the business community?
- Will the Governor sign HB 859 (Campus Carry) as is or will he require the legislature address recently expressed concerns regarding campus daycares and dual enrollment students?
- What will happen with MARTA? Will the Senate agree to SB 369, the new version of the MARTA bill that the House has passed?

These issues among others are sure to make for an interesting and long Sine Die!

Below you will find the Senate Calendar for Day 39 & 40 and the House calendar for Day 39. The House will set its calendar for Day 40 tomorrow morning at 9 AM.

You will also find an explanation of HB 757 (RFRA) at the bottom for reference.

We will keep you posted to developments as the Session winds to a close.

LEGISLATIVE DAY 39 & 40

Bill #	Title	Sponsor
HB 0021	Transit authority; creation of; metropolitan areas; repeal a population provision	Carson, John 46th
HB 0051	Taxes; amount payable at redemption of property; change provisions	Benton, Tommy 31st
HB 0059	State tort claims; waiver of sovereign immunity for declaratory judgment or injunctive relief; provide	Willard, Wendell 51st
HB 0093	Motor vehicles; law enforcement retaining license plate data obtained from automated license plate recognition systems for certain periods; prohibit	Pezold, John 133rd
HB 0166	Motorcycle Mobility Safety Act; enact	Yates, John 73rd
HB 0193	Life Insurance Consumer Disclosure Model Act; enact	Rogers, Carl 29th

HB 0205	Drivers' licenses; require driver who refused blood alcohol concentration testing to install and maintain ignition interlock devices on vehicle; provisions	Rice, Tom 95th
HB 0212	Pain management clinics; health care professionals who must be on-site for the clinics to provide medical treatment or services; revise a provision	Weldon, Tom 3rd
HB 0216	Occupational diseases; define certain terms; provisions	Gravley, Micah 67th
HB 0304	Criminal procedure; fixing of sentence; clarify service of consecutive sentences	Hightower, Dustin 68th
HB 0364	Real estate transfer tax; change certain provisions	Knight, David 130th
HB 0402	Insurance; encourage employers to provide work based learning opportunities for students age 16 and older; provisions	Lumsden, Eddie 12th
HB 0408	Excise tax; rooms, lodging and accommodations; clarify application of certain provisions to certain municipalities	Willard, Wendell 51st
HB 0514	South Fulton, City of; Fulton County; incorporate	Bruce, Roger 61st
HB 0547	Estates; taxes and tax liens; change provisions	Fleming, Barry 121st
HB 0605	Georgia Judicial Retirement System; member who was serving in a full-time position on his or her retirement may use prior part-time service for vesting; provide	Weldon, Tom 3rd
HB 0614	Landon Dunson Act; enact	Stovall, Valencia 74th
HB 0654	Tattoo studios; post notification that certain tattoos could disqualify wearer from military service; require	Scott, Sandra 76th
HB 0659	Education; provide transparency of financial information of local school systems and schools; provisions	Belton, Dave 112th
HB 0690	Employees' Retirement System of Georgia; provide that certain law enforcement officers obtain creditable service in system under certain conditions; provisions	Carter, Amy 175th
HB 0738	Local government; county law libraries; revise uses of excess funds	Caldwell, Jr., Johnnie 131st

HB 0745	Public property; extend automatic repeals of certain provisions relating to writing off small amounts due to the state; provisions	Ehrhart, Earl 36th
HB 0763	Sales and use tax; exemption regarding certain food and food ingredients; remove sunset	Houston, Penny 170th
HB 0764	Motor vehicles; drivers to stop at crosswalks with pedestrian-activated rectangular rapid flash beacons; require	Powell, Alan 32nd
HB 0769	Ad valorem tax; certain watercraft held for sale or resale; make permanent an exemption	Hawkins, Lee 27th
HB 0772	Elections; advanced voting with regard to Saturday voting; revise period of time	Clark, Heath 147th
HB 0773	Georgia Housing and Finance Authority; outstanding bond limit; increase	Houston, Penny 170th
HB 0783	Controlled substances; Schedules I and IV; change certain provisions	Broadrick, Bruce 4th
HB 0792	Firearms; carrying, possession, and use of electroshock weapons by persons who are students or who are employed at a public institution; authorize	Brockway, Buzz 102nd
HB 0798	HOPE; home study students who receive certain scores on standardized college admission tests; provide eligibility	Chandler, Joyce 105th
HB 0802	Revenue and taxation; deduction from income for contributions to savings trust accounts; revise	Teasley, Sam 37th
HB 0806	Drivers' licenses; expiration of certain licenses and identification cards; provisions	Tanner, Kevin 9th
HB 0808	Courts; Judicial Qualifications Commission; create	Willard, Wendell 51st
HB 0818	Workers' compensation; insurance, awards, benefits and administration; change certain provisions	Shaw, Jason 176th
HB 0821	"Military Spouses and Veterans Licensure Act"; enact	Williams, Al 168th
HB 0822	Sales and use tax; energy used in agriculture; revise definition	Coomer, Christian 14th
HB 0838	Insurance; carriers that sell certain health plans through an agent shall compensate such agent a minimum of 5 percent of collected premiums; provide	Blackmon, Shaw 146th

HB 0856	Probate courts; bond required for judges; change provisions	Fleming, Barry 121st
HB 0862	Ad valorem tax; homestead exemption; clarify definition of disabled veteran	Knight, David 130th
HB 0866	Insurance; multiple employer self-insured health plans; exempt from premium taxes	Blackmon, Shaw 146th
HB 0869	Professions and businesses; responsibilities of brokers and qualifying brokers to review certain documents; change certain provisions	Powell, Alan 32nd
HB 0874	Courts; ability to prosecute street gang terrorism; improve	Reeves, Bert 34th
HB 0879	Elementary and secondary education; seal of biliteracy for high school graduates with a high level of proficiency in one or more foreign languages in addition to English; provide	Taylor, Tom 79th
HB 0882	Insurance; foreign and alien insurer deposit requirement of securities eligible for investment of capital funds in certain amounts; eliminate	Taylor, Darlene 173rd
HB 0883	Insurance; insurers rehabilitation and liquidation; change certain provisions	Taylor, Darlene 173rd
HB 0885	Health; certain counties to create a county board of health and wellness; repeal statute	Jones, Jan 47th
HB 0889	Professions and businesses; funeral establishments and crematories; authorize certain advertisements related to crematories and cremation services	Kidd, E. Culver "Rusty" 145th
HB 0895	Elementary and secondary education; finance directors of charter schools participate in initial and annual training; require	Mayo, Rahn 84th
HB 0897	Health; care and protection of indigent and elderly patients; provide for the establishment and operation of a drug repository program to accept and dispense unused prescription drugs	Price, Betty 48th
HB 0900	Crimes and offenses; electronic data base of prescription information; authorize the retention of data base information for 2 years	Cooper, Sharon 43rd
HB 0904	Labor and industrial relations; employment security; change certain contribution rates and credits	Strickland, Brian 111th
HB 0905	Courts; child abuse; change provisions	Ballinger, Mandi 23rd

HB 0911	Sales and use tax; agricultural machinery and equipment; provide exemption	Duncan, Geoff 26th
HB 0916	"The Pharmacy Audit Bill of Rights"; certain audits conducted by the Department of Community Health; remove exception; provisions	Hightower, Dustin 68th
HB 0922	Income tax credit; creating quality jobs; add definition of taxpayer	Williamson, Bruce 115th
HB 0926	Pharmacists and pharmacies; regulation of certain facilities and entities involved in the wholesale, manufacture, and distribution of drugs; provide	Broadrick, Bruce 4th
HB 0927	"Appellate Jurisdiction Reform Act of 2016"; enact	Coomer, Christian 14th
HB 0935	Ad valorem tax; properties eligible for a freeport exemption; add certain fulfillment centers	Harrell, Brett 106th
HB 0936	Income tax; wages necessary to qualify for a job tax credit; clarify certain terms	Harrell, Brett 106th
HB 0937	Sales and use tax; exemption for projects of regional significance; change sunset provision	Harrell, Brett 106th
HB 0941	Courts; review of incidents involving a peace officer's use of deadly force that results in death or serious bodily injury; provide for procedure	Golick, Rich 40th
HB 0943	Contracts; additional limitations on indemnification and duty to defeat clauses which are void and enforceable in contracts for engineering or architectural services; provide	Rogers, Carl 29th
HB 0944	Health; pronouncement of death of patients in nursing homes who are organ donors by a physician assistant or registered professional nurse; provide	Gilligan, Sheri 24th
HB 0949	Crimes and offenses; illegal use of financial transaction cards; revise provisions	Powell, Alan 32nd
HB 0954	"Uniform Adult Guardianship and Protective Proceedings Jurisdiction Act"; enact	Efstration, Chuck 104th
HB 0957	Probate courts; judges and clerks publicly post notice of the availability of the affidavit of indigence; require	Abrams, Stacey 89th
HB 0959	Education; K-12; update and clarify certain provisions	Beskin, Beth 54th

HB 0960	Tax and revenue; confidentiality of certain tax information; provisions	Kelley, Trey 16th
HB 0976	State records management; minimum retention periods for video recordings from law enforcement devices on or inside a vehicle; provide	Hitchens, Bill 161st
HB 0980	Municipal elections; reopening of qualifications under certain conditions; provide	Powell, Alan 32nd
HB 0987	Ad valorem tax; property; change certain definitions	McCall, Tom 33rd
HB 1004	Courts; maps, plats, and plans to be filed for record; provide requirements	Jasperse, Rick 11th
HB 1014	Income tax; exemption for donation of real property for conservation use; extend sunset date	Powell, Jay 171st
HB 1025	Courts; service of accusations of or citations for violations of ordinances under certain circumstances; change provisions	Taylor, Tom 79th
HB 1030	Georgia Seed Development Commission; change certain provisions	Watson, Sam 172nd
HB 1043	Vaccine protocol agreements; influenza; exempt activities conducted by a hospital or health system from certain requirements	Kelley, Trey 16th
HB 1060	Crimes and offenses; carrying and possession of firearms; confirm that the right of the people to keep and bear arms shall not be infringed	Jasperse, Rick 11th
HB 1070	Domestic relations; adoption; permit the department to use certain information in the records concerning the adopted child's biological parents	Dempsey, Katie 13th
HB 1072	Education; service cancelable loan fund; remove ineligibility for such loans for members of the Georgia National Guard also receiving HOPE	Coomer, Christian 14th
HB 1073	Juvenile Code; procedure in juvenile courts; change provisions	Strickland, Brian 111th
HB 1085	Social services; aging; transfer oversight of such services to the Department of Community Health	Dempsey, Katie 13th
HR 1052	Thomas William Poole Memorial Bridge; Schley County; dedicate	Cheokas, Mike 138th
HR 1113	Judicial Qualifications Commission; create - CA	Willard, Wendell 51st

HR 1254	Medicaid care management organizations; cover certain attention deficit hyperactivity disorder medications; encourage	Stephens, Mickey 165th
HR 1564	Public Health, Department of; sudden cardiac arrest prevention education courses; encourage	Clark, David 98th
SB 0018	Technical College System of Georgia; establish policies for granting academic credit for college level learning from military service, work experience	Harbison, Ed 15th
SB 0184	Dogs; provide breed-specific regulation shall be limited to enactment by general law	Black, Ellis 8th
SB 0230	'Uniform Emergency Volunteer Health Practitioners Act'; enactment	Hufstetler, Chuck 52nd
SB 0255	Garnishment Proceedings; modernize, reorganize, and provide constitutional protections	Stone, Jesse 23rd
SB 0271	Mental Health; provide reasonable standards for providing patients notice; admission to an emergency receiving facility	Burke, Dean 11th
SB 0275	Local Government; governing body shall not adopt policy that has effect of preventing free exercise of the right of freedom of speech by the members	Williams, Michael 27th
SB 0329	Education; expand provisions relating to awarding of high school diplomas based on certain dual credit coursework	Tippins, Lindsey 37th
SB 0346	'Environmental Policy Act'; exempt projects for construction/improvement of public roads from environmental effects reports	Beach, Brandon 21st
SB 0383	Public Roads; Roadside Enhancement and Beautification Council; provide for purpose	Ginn, Frank 47th
SB 0389	Social Services; temporary assistance for needy families; provide for exception to lifetime maximum assistance	Hill, Hunter 6th
SB 0417	'Georgia Film and Television Trail Act'; create; provide definitions; purpose	Mullis, Jeff 53rd
SB 0420	Local Government; require referendum approval prior to the expenditure of public funds; establishment of a fixed guideway transit	Tippins, Lindsey 37th

AN OVERVIEW OF 757

HB 757 is a reaction to the recent U.S. Supreme Court ruling on same sex marriage, and many believe it presents a public relations issue for the state and its business community in terms of holding and attracting economic development. In drilling down into the bill, very little is actually changed by it in Georgia in terms of the present rights of citizens.

- *Protection of Ministers, Clerics, other Religious Practitioners, and Individuals of Faith in Regards to Compelling Their Participation in Same Sex Marriage Ceremonies*
 - In reality, this is already the law on both federal and local levels as existing anti-discrimination laws generally have carve outs affecting religious organizations in areas of faith.

- *Protection of Businesses that Close on Saturday or Sunday*
 - No business or industry shall be required by local ordinance or regulation to operate on a designated religious day of rest.
 - In Georgia there exist no present local laws or regulations that require the opening of a business on a Saturday or Sunday.

- *Protection of Faith Based Organizations in Same Sex Marriage Ceremonies*
 - No faith based organization shall be compelled to provide goods, services, or rent a location to conduct a marriage ceremony that violates its faith.
 - This is a codification of existing general law that already protects faith based organizations from participating in activities in opposition to their faith.

- *Protection of Faith Based Organizations in Regards to Employment Laws*
 - No faith based organization shall be required to hire or retain an individual whose religious beliefs or practices run counter to beliefs of the faith based organization except as may be required by federal or Constitutional law.
 - On first blush this provision of the bill may appear troubling to individuals concerned about discrimination in employment. However, the bill expressly recognizes federal anti-discrimination employment law. Under federal law and regulations, faith based organizations are already exempted in regards to employees in positions where one's faith is an integral part of his or her job.

- *Strict Scrutiny Standard in Government Actions affecting Religious Liberty*
 - Requires that Georgia courts shall insure that any infringement of religion by the government takes place only when there is "a compelling governmental interest," and the government utilizes the "least restrictive means of achieving that compelling governmental interest."

- Recognizes that federal and state anti-discrimination laws are a compelling government interest.
 - Of concern to some is the fact that county or city local ordinances were not specifically recognized as well. No local anti-discrimination ordinance or state law which has ever been examined under the strict scrutiny standard in other states has ever been struck down.
- States that this “strict scrutiny” standard cannot be used as a basis for government officials to use their religious beliefs as grounds for refusing to perform their governmental duties. In other words, a government employee cannot pick and choose which laws to follow.
- Recognizes that maintaining safety and good order in penal institutions is a compelling state interest and that religious rights may be curtailed in such situations.
- States that the “strict scrutiny” standard in regards to religious freedom applies to government action only and cannot be used as a basis for employee claims against private employers for alleged religious persecution.