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## Chief Justice Delivers State-of-the-Judiciary Address; House Works on FY18 Budget

Georgia Supreme Court Chief Justice P. Harris Hines delivered the [State-of-the-Judiciary address](#) to a joint session of the General Assembly on Jan. 25, and the House passed the Amended FY17 budget on Jan. 26.

### New Judiciary Appointees

In his State-of-the-Judiciary address, Hines introduced three new Georgia Supreme Court justices: Michael Boggs, Nels Peterson, and Britt Grant. Gov. Nathan Deal appointed Boggs to succeed retired Justice Hugh Thompson, while he appointed Peterson and Grant to fill new seats created by an expansion of the high court from seven to nine justices this year. Hines also introduced three new Georgia Court of Appeals judges appointed by Deal: Judges Clyde Reese, Charlie Bethel, and Tripp Self.

### State of the Judiciary

Hines applauded the work of the Georgia Council on Criminal Justice Reform, noting that Council-led efforts have reduced the prison population, as well as spending, through specialty courts and other measures. Hines also called for support from the Council to shift low-level probationers off supervision rolls, noting that Georgia has four times the national average of adults on probation per capita. Hines further noted that “half [of probationers] are on probation for misdemeanors, including such infractions as not having enough money to pay a \$100 fine for a broken tail light.”

Hines highlighted the importance of making the courts more accessible to individuals who cannot afford an attorney but who earn too much to qualify for legal aid, as well as an effective juvenile court system with “independent, full-time juvenile court judges.” The chief justice stated, “Whether we’re talking about criminal justice reform or the efficiency of our courts, how we deal with our youngest, most vulnerable

citizens—whether as victims or as fresh, new lawbreakers—must be carefully, compassionately, and skillfully handled.”

Hines also expressed his gratitude for the work of the Committee on Justice for Children and Georgia Division of Family and Children Services (DFCS) Director Bobby Cagle, and reiterated a judicial branch budget request that would “institutionalize [a] successful computer exchange project” that allows “every juvenile court judge [to] see information about foster care children.” According to Hines, “Today’s abused and neglected children could easily become tomorrow’s juvenile and adult offenders. Our No. 1 criminal justice reform must be to ensure, to the best of our ability, that every child is loved, guided, protected, and supported, not by the State, but by at least one committed adult, preferably more.”

## Budget

The House passed its version of the Amended FY17 budget on Thursday last week. The Senate is expected to begin work on its version of the Amended FY17 budget this week, and the House will begin work on the FY18 budget.

The House made few changes to the Amended FY17 budget. Highlights include:

### **Department of Community Health (DCH)**

A transfer of \$150,000 from the Low-Income Medicaid program to evaluate cost-saving measures through accurate diagnosis of ADHD through the use of NEBA, a medical device that uses brainwaves to help clinicians more accurately diagnose ADHD in children and adolescents. A report will be due to the Georgia General Assembly by July 1, 2017.

### **Department of Education (GaDOE)**

\$200,000 to complete a waterline infrastructure project at Camp John Hope in Fort Valley—a Future Farmers of America (FFA) and Family, Career, and Community Leaders of America (FCCLA) Center.

### **Department of Human Services (DHS)**

- An additional \$974,712 to increase the DFCS foster care per diem rates by 57 percent, effective April 1, 2017. This funding would move up the implementation date of the increase, which is included in Deal’s FY18 budget recommendations.
- \$746,243 to implement a \$1-per-day increase for relative foster care providers, effective April 1, 2017.

## Schedule

Legislators were in session Monday through Thursday last week, and they are [scheduled](#) to be in session Monday through Thursday again this week.

## Legislation

The following bills related to children and families have been introduced this session.



## HEALTHY CHILDREN

**HB 65** (Rep. Allen Peake, 141st) expands the number of diagnoses that legally can be treated with cannabis oil. The additional eligible diagnoses are specifically identified in the bill: Tourette's syndrome, autism spectrum disorder, post-traumatic stress disorder, Alzheimer's disease, HIV, and intractable pain that has not responded to medical or surgical measures for more than three months.

**Status:** The bill is assigned to the House Judiciary Non-Civil Committee.

**HR 36** (Rep. Allen Peake, 141st) proposes a state constitutional amendment to allow the production and sale of medical cannabis in Georgia. Fees and taxes will be dedicated to a fund to support drug treatment programs. The bill would require statewide passage by voters.

**Status:** The bill is assigned to the House Judiciary Non-Civil Committee.

**SB 29** (Sen. Vincent Fort, 39th) requires all child-care centers and schools to test drinking water for lead contamination.

**Status:** The bill is assigned to the Senate Health and Human Services Committee.



## CHILDREN PRIMED FOR SCHOOL

**SB 24** (Sen. Joshua McKoon, 29th) exempts from licensure requirements nursery schools, kindergarten programs, or other educational programs for children under age 7 that operate no more than four hours per day, five days per week.

**Status:** The bill is assigned to the Senate Education and Youth Committee. A hearing is scheduled for Monday, Jan. 30, at 2 p.m. in Room 307 of the Coverdell Legislative Office Building. No vote will be taken.



## CHILDREN SUCCEEDING IN SCHOOL

**HB 77** (Rep. Dar'shun Kendrick, 93rd) instructs the GaDOE, in consultation with the Department of Behavioral Health and Developmental Disabilities (DBHDD) and mental health experts, to provide local school systems with a list of training materials for mental health awareness, behavioral disabilities, and learning disabilities. The materials must be provided no later than July 1, 2018.

**Status:** The bill is assigned to the House Education Committee.

**HB 114** (Rep. Robert Dickey, 140th) prohibits local school systems from excluding students in dual credit courses (the Move-on-When-Ready program) from valedictorian or salutatorian determinations.

**Status:** The bill is assigned to the House Education Committee.

**SB 5** (Sen. Bill Cowsert, 46th) clarifies the percentage of lottery proceeds to be transferred each year to the Lottery for Education Account, so that in 2018, net proceeds must equal at least 26 percent of lottery proceeds in 2018; at least 28 percent in 2009; and 30 percent in 2020.

**Status:** The bill is assigned to the Senate Higher Education Committee.



## STABLE, SELF-SUFFICIENT, PRODUCTIVE FAMILIES

**HB 124** (Rep. David Clark, 98th) revises Georgia law related to fraud in obtaining public assistance, food stamps, or Medicaid to include those who knowingly or intentionally aid or abet a recipient in obtaining or attempting to obtain a benefit to which he or she is not entitled.

**Status:** The bill is assigned to the House Judiciary Non-Civil Committee.

**SB 3** (Sen. Lindsey Tippins, 37th), the Creating Opportunities Needed Now to Expand Credentialed Training (CONNECT) Act, directs the State Board of the Technical College System of Georgia, in consultation with industry representatives, to annually identify fields of study in industries that address a critical workforce need and are linked to occupations in the skilled-trade industry or an emerging technology. Under the bill, the State Board of Education must also include industry credentialing when developing policies and guidelines for awarding high-school credit.

**Status:** The bill is assigned to the Senate Education and Youth Committee.

**SB 28** (Sen. Vincent Fort, 39th) increases the state minimum wage from \$5.15 to \$15 per hour.

**Status:** The bill is assigned to the Senate Insurance and Labor Committee.

**SR 73** (Sen. Horacena Tate, 38th) proposes a state constitutional amendment to create a Family Medical Leave Fund—a trust fund for individuals who need to take leave from work due to sickness or injury of themselves or a family member, or for the birth, adoption, or foster care placement of a child.

**Status:** The resolution is assigned to the Senate Health and Human Services Committee.



## THRIVING COMMUNITIES

**HB 37** (Rep. Earl Ehrhart, 36th) prohibits private postsecondary institutions in Georgia from adopting sanctuary policies for undocumented immigrant students and requires that state funding and state-administered federal funding be withheld from institutions in violation of the prohibition.

**Status:** The bill is assigned to the House Higher Education Committee, and a hearing is scheduled for Wednesday, Feb. 1, at 3 p.m. in Capitol Room 403.

**HB 86** (Rep. Mary Margaret Oliver, 82nd) expands the definition of sexual abuse to include acts involving trafficking a person for sexual servitude.

**Status:** The bill is assigned to the House Juvenile Justice Committee.

**HB 116** (Rep. Bert Reeves, 34th) adds aggravated assault with a firearm to the list of juvenile offenses (ages 13 to 17) for which superior courts will have original jurisdiction.

**Status:** The bill is assigned to the House Judiciary Non-Civil Committee.

**SB 4** (Sen. Renee Unterman, 45th) establishes the Georgia Mental Health Treatment Task Force to examine the current mental health landscape and the effectiveness of mental health services and programs.

**Status:** The bill is assigned to the Senate Health and Human Services Committee.