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May 11, 2017

2017 Session Wrap-Up

May 9 was the final day for Gov. Nathan Deal to sign or veto legislation passed during the 2017 session. Bills passed by the General Assembly that were neither signed nor vetoed by Deal automatically became new laws that will go into effect upon a date stipulated in each bill, or on July 1, 2017, if a date is not specified in the bill. Because 2017 was the first year of a new two-year session, bills that weren't passed by the General Assembly are eligible to be passed in 2018.

Deal [vetoed nine bills](#), including [HB 359](#) (Rep. Barry Fleming, 121st), the Supporting and Strengthening Families Act, which would have allowed a parent to delegate caregiving authority for their child to another individual for up to one year through a power of attorney. Among the legislation signed by Deal were [HB 280](#) (Rep. Mandi Ballinger, 23rd), this year's Campus Carry bill, as well as bills that address education and child health issues.

Campus Carry

Deal's signing of HB 280 this year was somewhat expected despite him vetoing [similar legislation](#) in 2016. In his [2016 veto statement](#), Deal acknowledged that colleges historically have "been treated as sanctuaries of learning where firearms have not been allowed," as well as concerns from some parents and students that adequate security is not always provided on college campuses and their surrounding areas.

In 2016, Deal also relayed to the General Assembly concern that the bill allowed firearms in campus preschool and child care facilities. In his [signing statement](#), Deal explained that HB 280 addresses his past concerns by prohibiting the carrying of a concealed weapon into the following areas of a college campus:

- Buildings or property used for athletic sporting events;
- Student housing, including dormitories and fraternity or sorority houses;
- Any preschool or child care space;

- Any room or space used for classes in which high-school students are enrolled through a dual-enrollment program;
- Any faculty, staff, or administrative offices; and
- Rooms where disciplinary proceedings are conducted.

Deal further stated a reason for signing HB 280 is that he was “troubled by the vulnerability of those individuals that were unprotected as they made their way to and from a college campus.”

Child Welfare and Adoption Reform

In his veto statement regarding HB 359 ([Veto Number 4](#)), Deal stated concerns that the bill “creates a parallel and unchecked system to our Department of Family and Children Services (DFCS), unintentionally placing children at risk.” The bill would have allowed parents to go around the existing legal adoption and child welfare system, with no judicial oversight.

Deal also referenced the General Assembly’s failure to pass [HB 159](#) (Rep. Bert Reeves, 34th), a comprehensive rewrite of the adoption code. The House passed HB 159, and the Senate Judiciary Committee passed an amended version of the bill with language permitting private adoption agencies receiving state funds to refuse to place children with same-sex parents. The Senate took no further action on that bill, but the House added the original language from HB 159 to [SB 130](#) (Sen. Blake Tillery, 19th), which originally dealt with juveniles’ waiver of the right to counsel, and sent that bill back to the Senate. During the final moments of the 2017 session, the Senate voted down the amendments to SB 130 and recommitted the bill to the Senate Judiciary Committee.

Education

Deal signed two bills aimed at addressing Georgia’s low-performing schools. [HB 338](#) (Rep. Kevin Tanner, 9th) creates a comprehensive intervention strategy for chronically underperforming schools, while [HB 237](#) (Rep. Brooks Coleman, 97th) provides a financial source for the reforms by authorizing the Public Education Innovation Fund Foundation to receive private donations to be used for public school grants to improve student achievement.

Deal vetoed [HB 425](#) (Rep. Joyce Chandler, 105th), which created procedures for students to opt out of statewide testing and to allow the administration of such testing in a paper-and-pencil format. In his veto statement ([Veto Number 5](#)), Deal stated that local school systems already have the flexibility to determine opt-out procedures and stated that he opposes encouraging the administration of assessments in paper-and-pencil format due to concerns about getting test data to school districts as quickly as possible.

Budget

Deal signed the [FY18 budget](#) with no line-item vetoes, but with [one instruction](#) to disregard language related to a budget item for the training and employment of veterans.

Legislation

Here are the bills and resolutions tracked by Georgia Family Connection Partnership (GaFCP) during the 2017 session that the General Assembly passed and the governor signed or vetoed. For a comprehensive list of bills tracked by GaFCP this session, visit the [2017 Legislation](#) page.



HB 65 (Rep. Allen Peake, 141st) expands the number of diagnoses that legally can be treated with cannabis oil to include Tourette's syndrome, autism spectrum disorder, epidermolysis bullosa, Alzheimer's disease, HIV, AIDS, and peripheral neuropathy. The bill also states that cancer and other currently covered diseases may be treated beyond just the end stages.

Status: The House passed the bill on March 1. It was then assigned to the Senate Health and Human Services Committee, which took no action on the bill. However, most of the language from HB 65 was added to **SB 16** (Sen. Ben Watson, 1st), another bill dealing with the use of cannabis oil, specifically to treat autism spectrum disorder. After passing the Senate, SB 16 was assigned to the House Judiciary Committee, which stripped the original language, substituted language from HB 65, and passed it on March 20. The full House passed the substitute version of SB 16 on March 28, and the Senate agreed to the House changes. Deal signed the bill, and it will become effective July 1, 2017.

HB 198 (Rep. Katie Dempsey, 13th) requires that information about influenza and the influenza vaccine be included in resources regarding immunizations, infectious disease, or other school health issues that are provided to parents of students in grades 6-12 by local boards of education.

Status: The House passed the bill on Feb. 16. The Senate amended the bill by adding language from **SB 245** (Sen. Butch Miller, 49th), relating to cardiopulmonary resuscitation and use of automated external defibrillators in schools, and passed the bill on March 30. Deal signed the bill, and it will become effective July 1, 2017.

HB 241 (Rep. Lee Hawkins, 27th) adds Krabbe disease to the list of metabolic and genetic conditions for which newborns may be screened. Krabbe disease is a rare, often fatal, degenerative disorder that affects the myelin sheath of the nervous system. Under the bill, screening for Krabbe disease will be conducted separately at the option of—and paid for by—the parents.

Status: The House passed the bill on Feb. 24, and the Senate passed it on March 24. Deal signed the bill, and it will become effective July 1, 2017.

SB 16 (Sen. Ben Watson, 1st) adds autism spectrum disorder as a diagnosis eligible for treatment with cannabis oil and lowers the maximum percent of THC permitted for medical treatment from 5 to 3 percent.

Status: The Senate passed the bill on Feb. 16. It was then assigned to the House Judiciary Committee, which stripped the bill of its original language and substituted in the language from **HB 65**. The full House passed the substitute version of SB 16 on March 28, and the Senate agreed to the House changes. Deal signed the bill, and it will become effective July 1, 2017.

SB 206 (Sen. P.K. Martin, 9th) requires health insurance plans to cover one hearing aid per impaired ear, not to exceed \$3,000 per hearing aid, for individuals under age 19.

Status: The Senate passed the bill on March 3. The House Insurance Committee passed a substitute version, which states that insurers are exempt from providing this benefit if an actuarial analysis—to be completed no more frequently than one time per year—determines that the costs associated with this coverage exceed 1 percent of the premium’s charge over the experience period by the insurer. The law will also not apply to policies offered by an employer with 10 or fewer employees. The House passed the bill on March 20, and the Senate agreed to the House changes on March 30. Deal signed the bill, and it will apply to health benefit policies beginning Jan. 1, 2018.



CHILDREN SUCCEEDING IN SCHOOL

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. This shall not apply to a high-school student who moves into the local school system after his or her sophomore year and has not taken any courses on-site at the participating high school.

Status: The House passed the bill on March 1, and the Senate Education and Youth Committee passed it on March 15. The bill did not get out of the Senate Rules Committee, but language from HB 114 was added to **SB 211** (Sen. Lindsey Tippins, 37th), which requires the State Board of Education to adopt research-based student assessment programs. Deal signed the amended version of SB 211, and it became effective on April 27.

HB 237 (Rep. Brooks Coleman, 97th) authorizes the Public Education Innovation Fund Foundation to receive private donations used for public-school grants for the implementation of academic and organizational innovations to improve student achievement.

Status: The House passed the bill on Feb. 24. The Senate Finance Committee passed a substitute version of the bill on March 22, adding a \$5-million-per-year cap to the tax credits that foundation donors can receive, and a Dec. 31, 2020, sunset date. The Senate passed the substitute bill, and the House agreed to the Senate’s changes on the final day of the session. Deal signed the bill on April 27, and it became effective on that date. HB 237 will apply to the tax year beginning Jan. 1, 2018.

HB 338 (Rep. Kevin Tanner, 9th) provides a comprehensive intervention strategy for chronically underperforming schools and offers an alternative to the Opportunity School District plan that Georgia voters didn’t approve in Nov. 2016.

Status: The House passed the bill on March 1, and the Senate passed it on March 24 after making some changes. Retitling it “The First Priority Act—Helping Turnaround Schools Put Students First,” the Senate also clarified the financing of the legislation so that the State Board of Education is responsible for ensuring “that all necessary department resources and supports are made available.” The House agreed to the Senate’s changes on March 28. Deal signed the bill, and it will become effective July 1, 2017.

HB 425 (Rep. Joyce Chandler, 105th) creates procedures for students to opt out of statewide testing and to allow the administration of such testing in a paper-and-pencil format.

Status: Deal vetoed the bill, stating that local school systems already have the flexibility to determine opt-out procedures and that he opposes encouraging the administration of assessments in paper-and-pencil format due to concerns about getting test data to school districts as quickly as possible.

SB 149 (Sen. Emanuel Jones, 10th) details training requirements for school resource officers (SROs). The Georgia Peace Officer Standards and Training Council shall maintain a 40-hour training course for SROs.

Status: The Senate passed the bill on March 3. The House Committee on Public Safety and Homeland Security passed a substitute version on March 20, stating that it is a best practice for SROs to complete a training course approved by the Georgia Peace Officer Standards and Training Council and that the council shall maintain a 40-hour training course for SROs. The substitute version also included language from [HB 350](#) (Rep. Alan Powell), which adds tobacco to the list of items that a person is prohibited from bringing within guard lines at penal institutions. The House passed the substitute version on March 24. The Senate agreed to the House changes on March 30. Deal did not sign or veto the bill, so it will become effective July 1, 2017.

[SB 186](#) (Rep. Lindsey Tippins, 37th) clarifies that students who earn a high-school diploma through dual-credit coursework are eligible for a HOPE grant toward an associate degree at a Georgia technical college.

Status: The Senate passed a substitute version of the bill on March 1. The bill was assigned to the House Higher Education Committee, which passed the bill on March 16. While on the House floor for debate on March 24, the bill was amended to include language from [HB 331](#) (Rep. Stacey Abrams, 89th), which authorizes a kinship caregiver, on behalf of a child living with the caregiver, to give legal consent for the child to receive educational and medical services and to participate in school activities. The House passed SB 186 as amended, and the Senate agreed to the House changes. Deal signed the bill, and it will become effective July 1, 2017.

[SB 211](#) (Sen. Lindsey Tippins, 37th) requires the State Board of Education to adopt research-based student assessment programs that are selected after consulting with local school systems, and to conduct a comparability study to determine whether nationally recognized academic assessments, such as the SAT and ACT, are in alignment with state content standards in grades 9-12. The bill also directs the State Board of Education's existing assessment workgroup to pursue maximum flexibility for state and local assessments under federal law. Reports are due to the Governor, Lieutenant Governor, State School Superintendent, and House and Senate Education Committee chairs by Friday, Sept. 1.

Status: The Senate passed the bill on March 3. The House amended the bill by adding language from [HB 114](#) (Rep. Robert Dickey, 140th) which prohibits local school systems from excluding students in dual-credit courses (the Move-on-When-Ready program) from valedictorian or salutatorian determinations. The House passed the bill as amended and the Senate agreed to the House changes. Deal signed SB 211, and it became effective on the date that he signed it—April 27, 2017.



STABLE, SELF-SUFFICIENT, PRODUCTIVE FAMILIES

[HB 331](#) (Rep. Stacey Abrams, 89th) authorizes a kinship caregiver, on behalf of a child residing with the caregiver, to give legal consent for the child to receive educational and medical services and to participate in school activities.

Status: The House passed the bill on March 1, and it is now assigned to the Senate Health and Human Services Committee. Language from HB 331 was added to [SB 186](#) (Sen. Lindsey Tippins, 37th) when the bill was on the House floor for a vote. The House passed SB 186 as amended, and the Senate agreed to the House changes. Deal signed the bill, and it will become effective July 1, 2017.

[HB 359](#) (Rep. Barry Fleming, 121st) allows a parent to delegate caregiving authority for their child to an individual who resides in Georgia and is a relative or fictive kin for one year or less by executing a power of attorney.

Status: The House passed the bill on March 3, and the Senate passed it on March 15. Deal vetoed the bill, stating that it “creates a parallel and unchecked system to our Department of Family and Children Services (DFCS).”

SB 201 (Sen. Butch Miller, 49th) requires employers to allow employees who earn sick leave to use up to five days of accrued leave to care for immediate family members—including an employee’s child, spouse, grandchild, grandparent, or parent.

Status: The Senate passed the bill on Feb. 27, and the House Industry and Labor Committee passed it on March 14. The bill was then amended in the House Rules Committee to be repealed on July 1, 2020, unless it’s later extended by the Georgia General Assembly. The House passed the bill as amended on March 22, and the Senate agreed to the changes on March 30. Deal signed the bill, and it will become effective July 1, 2017.



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 House passed the bill on Feb. 22, and the Senate passed it on March 28. Deal signed the bill, and it will become effective July 1, 2017.

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 House passed the bill on Feb. 22, and the Senate passed it on March 14. Deal signed the bill on May 8, and it became effective at that time.

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 have original jurisdiction.

Status: The House passed the bill on Feb. 27. The bill was passed by the Senate Public Safety Committee but did not get out of the Senate Rules Committee. Language from the bill was added to **SB 160** (Sen. Tyler Harper, 7th), the Senate version of HB 116 with the same language. SB 160 passed the Senate and House. Deal signed the bill, and it will become effective July 1, 2017.

HB 250 (Rep. Mandi Ballinger, 23rd) provides that an employee of an early care or education program who has received a satisfactory fingerprint and record check within the previous 12 months is exempt from an additional background check for purposes of providing short-term care for a child in the custody of the Department of Human Services.

Status: The House passed the bill on Feb. 21, and the Senate passed it on March 28. Deal signed the bill on May 8, and it became effective at that time.

HB 280 (Rep. Mandi Ballinger, 23rd), known as the Campus Carry Bill, allows any weapons carry license holder to carry concealed guns on public university campuses, except for into dormitories, athletic events, and preschool or daycare centers.

Status: The House passed the bill on March 3, and the Senate passed a substitute version of the bill on March 28. Leaders in the House and Senate appointed a conference committee to reach agreement on a final version of the bill, which happened on the 40th day. The final version stipulates exceptions to

locations concealed weapons are allowed on public postsecondary campuses, and also outlines penalties for violating restrictions. Deal signed the bill, and it will become effective July 1, 2017.

HB 391 (Rep. David Clark, 98th) expands the locations where a mother may leave a newborn child without risk of prosecution to include fire and police stations.

Status: The House passed the bill on March 3, and the Senate passed it on March 20. Deal signed the bill, and it will become effective July 1, 2017.