



# CONNECTED to Public Policy



Integrating State Policy with Local Solutions

Dec. 19, 2017

## 2018 Legislative Preview

The 2018 session of the Georgia General Assembly begins Monday, Jan. 8, and will be the second year of a two-year session. Bills that were introduced but not passed in 2017 will carry over and be eligible for action in 2018.

All state House and Senate seats and statewide offices will be up for election in 2018. Accordingly, the legislative session is likely to finish quickly because members of the Georgia legislature cannot solicit or receive campaign contributions during the session.

Hot topics expected during the 2018 session include health care, transportation, and rural development. There are renewed efforts to consider Medicaid expansion to help address continued closings of rural hospitals and the opioid crisis in Georgia. Worsening traffic conditions in metro Atlanta are raising concerns about the impact on efforts to bring new businesses to the region, and some leaders are mentioning rapid transit as one potential solution. Conversely, a lack of development in more rural areas is becoming a major concern, as economic conditions in many parts of Georgia are declining.

### New Legislators

2017 was not an election year, but there will be new faces at the Georgia General Assembly in January. A few legislators resigned their positions this year, and special elections were held to fill those seats.

#### New State Representatives

Teri Anulewicz (D-Dist. 42, Smyrna)  
Kasey Carpenter (R-Dist. 4, Dalton)  
Deborah Gonzalez (D-Dist. 117, Athens)  
Marc Morris (R-Dist. 26, Cumming)  
Bee Nguyen (D-Dist. 89, Atlanta)  
Kim Schofield (D-Dist. 60, Atlanta)  
Jonathan Wallace (D-Dist. 119, Watkinsville)

## New State Senators

Jen Jordan (D-Dist. 6, Atlanta)

Kay Kirkpatrick (R-Dist. 32, Marietta)

Nikema Williams (D-Dist. 39, Atlanta)

Two House seats and one Senate seat are vacant and will be filled by a special election on Tuesday, Jan. 9:

- House District 111 is open, as Rep. Brian Strickland is running for a vacancy in Senate District 17.
- House District 175 is open, as Rep. Amy Carter is now serving as executive director of advancement for the Technical College System of Georgia (TCSG).
- Senate District 17 is open, as Sen. Rick Jeffares is running for Lieutenant Governor.

## Legislative Study Committees

Since the close of the 2017 session, several legislative study committees examined issues related to Georgia's children and families.

### School Nutrition

**HR 57** created a 15-member House Study Committee on Elementary and Secondary School Nutrition Programs. The committee, chaired by Rep. Amy Carter (Dist. 175), met four times since the close of the 2017 session. A report—if one was made—was due by Dec. 1, but has not yet been released.

### Civics Education

**HR 634** created the House Study Committee on Civics Education in Georgia. The committee, chaired by Rep. Christian Coomer (Dist. 14), has not yet released a report if one was made.

### Distracted Driving

**HR 282** created the House Study Committee on Distracted Driving. The committee, chaired by Rep. John Carson (Dist. 46), has not yet released a report if one was made.

### Rural Development

**HR 389** created a 15-member House Rural Development Council, co-chaired by Rep. Terry England (Dist. 116) and Rep. Jay Powell (Dist. 171). The council held a series of two-day meetings throughout the state and studied challenges faced by Georgia's rural areas, including loss of population, lack of access to health care, diminished quality of educational opportunities, and scarcity of employment opportunities. An initial report is due by Sunday, Dec. 31. The council will continue its work throughout 2018 and is expected to dissolve on Dec. 31, 2018.

## Legislation

### Pre-filed Legislation

One bill related to children and families has been pre-filed for the 2018 session; however, it must be officially introduced during the upcoming session to become active legislation.

**HB 655** (Rep. Rick Williams, 145th) requires every public school to post the toll-free number for reporting child abuse or neglect that is operated by the Division of Family and Children Services (DFCS) of the Department of Human Services (DHS).

## Carry-Over Legislation



**HB 163** (Rep. Betty Price, 48th) prohibits school bus drivers from using a cell phone unless it's used to allow live communication between the driver and school or public safety officials. The bill also stipulates that drivers must use hands-free technology.

**Status:** The bill is assigned to the Public Safety and Homeland Security Committee.

**HB 200** (Rep. Mark Newton, 123rd) requires local boards of education to adopt policies authorizing students to carry and self-administer sunscreen.

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

**HB 246** (Rep. Wes Cantrell, 22nd) repeals the sunset provision on an annual fitness assessment program approved and funded by the State Board of Education for students in grades 1-12.

**Status:** The House passed the bill on Feb. 23, and it is assigned to the Senate Education and Youth Committee.

**HB 273** (Rep. Demetrius Douglas, 78th) requires each local board of education to schedule a daily recess for students in grades K-5, beginning in the 2017-18 school year, provided that recess will not be required on any day when a student has had physical education or structured activity time.

**Status:** The House passed the bill. The Senate Education and Youth Committee passed a substitute version of the bill on March 24, which clarifies that recess for grades K-5 will be scheduled every day unless reasonable circumstances impede such recess. The most recent version of the bill is assigned to the Senate Education and Youth Committee.

**HB 274** (Rep. Sandra Scott, 76th) makes it a misdemeanor to smoke inside a motor vehicle when a person under the age of 14 is present.

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

**HR 1** (Rep. Keisha Waites, 60th) proposes a constitutional amendment to dedicate existing fees and assessments to fund driver education and training courses for ninth- through 12th-graders in public schools.

**Status:** The bill is assigned to the House Public Safety and Homeland Security 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.

**HR 446** (Rep. William Boddie, 62nd) creates the Johnny Tolbert, III House Study Committee on Heatstroke. The bill is named for a 12-year-old who died from heatstroke during football practice in 2016.

**Status:** The resolution is assigned to the House Health and Human Services Committee, which discussed it on March 21.

**SB 29** (Sen. Vincent Fort, 39th) requires testing of drinking water in all child care learning centers as well as public and private primary and secondary schools. Remediation where necessary is required. **HB 28** (Rep. Billy Mitchell, 88th) is a similar bill that requires all public and private schools to test drinking water for lead contamination.

**Status of SB 29:** The Senate passed the bill, and it is assigned to the House Natural Resources and Environment Committee.

**Status of HB 28:** The bill is assigned to the House Education Committee.

**SB 118** (Sen. Renee Unterman, 45th) increases the age for health insurance coverage for individuals with autism spectrum disorder from 6 to 21.

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

**SB 98** (Sen. Elena Parent, 42nd) allows capital outlay funds to be used on educational facilities for school systems' voluntary pre-K programs in addition to the construction of K-12 classrooms for which the funds may currently be used.

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



## CHILDREN SUCCEEDING IN SCHOOL

**HB 16** (Rep. Keisha Waites, 60th) requires local boards of education to collect data on instances of bullying and harassment and to provide the data to the Georgia Department of Education (GaDOE) via an existing annual report on disciplinary and placement actions.

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

**HB 23** (Rep. Billy Mitchell, 88th) discourages charter schools from including an exemption of required statewide assessments in their charter petition.

**Status:** The bill was assigned to the House Education Committee. The committee took no action on the bill, so it did not cross.

**HB 24** (Rep. Billy Mitchell, 88th) directs the State Board of Education to establish an incentive pay program to retain and employ quality teachers in schools with high percentages of children from low-income families.

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

**HB 77** (Rep. Dar'shun Kendrick, 93rd) instructs 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. A related resolution, [HR 354](#) (Rep. Dar'shun Kendrick, 93rd), urges GaDOE, in consultation with DBHDD, to develop and provide a list of training materials on mental health issues to local school systems.

**Status of HB 77:** The bill is assigned to the House Education Committee

**Status of HR 354:** The resolution is assigned to the House Education Committee.

[HB 170](#) (Rep. Sheila Jones, 53rd), the Student Online Personal Information Protection Act, prohibits operators of educational websites or services from using a student's personal information to engage in targeted advertising or selling a student's information.

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

[HB 178](#) (Rep. Dave Belton, 112th) stipulates that, subject to funding by the General Assembly, local school systems must provide counselors for students whose parents are on active military duty or were killed or severely injured while on military duty. The bill specifies that there must be one counselor for every 200 military students; that the counselors must spend at least 50 percent of their time advising military students and families; and that funding for the positions will be supplemental to funds already earned by school systems for counselors.

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

[HB 223](#) (Rep. Keisha Waites, 60th) requires local schools to provide driver education as an elective course for students in grades 9-12 and increases the age for receiving a Class D driver's license from 16 to 17. The bill also repeals a sunset date of June 30, 2019, for collecting additional penalties for traffic violations that fund retirement for various public safety officers such as firefighters.

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

[HB 229](#) (Rep. Matt Dollar, 45th) prevents the amount of tuition and fees charged to a student for an academic year from exceeding those from the previous year, adjusted to the rate of inflation. Specified committees of the General Assembly may waive the requirement in any given academic year. Implementation of the bill requires Georgia voters to pass a constitutional amendment, which is proposed via [HR 159](#) (Rep. Matt Dollar, 45th).

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

[HB 297](#) (Rep. Debra Bazemore, 63rd) revises school safety plan requirements for early care and education programs by expanding the list of emergency situations that must be included. The bill also details new steps programs must take in developing and implementing their plans.

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

[HB 376](#) (Rep. Brenda Lopez, 99th) expands eligibility for the HOPE Scholarship by eliminating the provision that states students are ineligible seven years after high-school graduation or its equivalent.

**Status:** The bill is assigned to the House Higher 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 net proceeds must equal at least 26.5 percent of lottery proceeds in 2018; at least 27.5 percent in 2019; and 28.5 percent in 2020.

**Status:** The Senate passed a substitute version of the bill on Feb. 28, which amends the required lottery proceeds targets. The House Appropriations Committee passed a substitute version on March 24, which states that net proceeds from the lottery shall not be less than 25 percent. Beginning in 2018, for every

fiscal year where net sales revenue exceeds the previous year by 5 percent, the net proceeds will be increased by 0.5 percent. The bill is assigned to the House Appropriations Committee.

**SB 77** (Sen. Vincent Fort, 39th) increases the age for mandatory school attendance from 16 to 17.

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

**SB 83** (Sen. Lester Jackson, 2nd) increases the age for mandatory school attendance from 16 to 17.5. The bill also increases the age of eligibility for adult literacy programs from 16 to 17.5 and moves oversight and control from the Board of Regents of the University System of Georgia (USG) to TCSG.

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

**SB 150** (Sen. Emanuel Jones, 10th) requires a code of conduct for law enforcement officers assigned to or employed by a local school system, beginning in the 2017-18 school year. School systems must provide students with a School Resource Officer Student Reference Guide to enhance personal relationships and understanding between law enforcement officers, students, and staff. The guides must be developed by law enforcement agencies in cooperation with the local boards of education.

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

**SB 243** (Sen. Jeff Mullis, 53rd) creates a pilot program for developing and implementing agricultural education in elementary schools that will begin in the 2018-19 school year. GaDOE is authorized through its Agricultural Education Program to select six public elementary schools for the pilot, with one school in each of six existing regions.

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



## STABLE, SELF-SUFFICIENT, PRODUCTIVE FAMILIES

**HB 52** (Rep. Mary Margaret Oliver, 82nd) provides Temporary Assistance for Needy Families (TANF) for children living with a legal custodian. TANF benefits are currently available only if the child is living with a parent, relative, or legal guardian.

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

**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 House passed the bill on March 1, and it is assigned to the Senate Health and Human Services Committee.

**HB 159** (Rep. Bert Reeves, 34th), a comprehensive revision of Georgia's adoption code, lowers the age one can access the adoption reunion registry from 21 to 18, eases foreign adoption procedures, and permits nonresidents to grant adoption of his or her child.

**Status:** The House passed the bill. The Senate Judiciary Committee passed a substitute version that includes language allowing private agencies receiving state funds to refuse to place children with same-sex parents. The bill was sent to the Senate Rules Committee and recommitted to the Senate Judiciary Committee, which took no further action on the bill. However, the House Judiciary Committee incorporated the original language from HB 159 into **SB 130** (Sen. Blake Tillery, 19th). The full House passed the amended version of SB 130, and it was returned to the Senate, which voted to recommit it to

the Senate Judiciary Committee. This ended the bill's chance of passing during the 2017 session. The bill is assigned to the Senate Judiciary Committee.

**HB 242** (Rep. Brian Prince, 127th) requires child welfare agencies to notify the applicable military family advocacy program in the event of an abuse allegation that relates to a child with an active-duty military parent or guardian.

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

**HB 267** (Rep. Kimberly Alexander, 66th) requires all employers to implement a sick-leave policy that allows employees to earn and accrue at least 56 hours of paid sick leave per year.

**Status:** The bill is assigned to the House Industry and Labor Committee.

**HB 305** (Rep. Beth Beskin, 54th) adds stepparents and former stepparents to the list of third parties who may be awarded custody of a child in certain circumstances when it's determined by a court to be in the best interest of the child.

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

**HB 307** (Rep. Sandra Scott, 76th) requires that students from a foster home or homeless situation be classified as in-state for tuition purposes within the USG and TCSG. The bill also stipulates that state-funded foster care assistance will not be counted as income for purposes of calculating financial aid.

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

**HB 330** (Rep. Stacey Abrams, 89th) adds regional DFCS caseworkers as well as county and district DFCS directors as contact names in notices sent to adult relatives of a child removed from parental custody to explain options a relative has to participate in the care and placement of the child. The notices must also include information about financial assistance options for the relative.

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

**HB 521** (Rep. Erica Thomas, 39th) increases the state minimum wage from \$5.15 to \$10.10. **HB 315** (Rep. Dewey McClain, 100th) and **SB 28** (Sen. Vincent Fort, 39th) are similar bills that increase the minimum wage to \$15.

**Status of HB 521:** The bill is assigned to the House Industry and Labor Committee.

**Status of HB 315:** The bill is assigned to the House Industry and Labor Committee.

**Status of SB 28:** The bill is assigned to the Senate Insurance and Labor Committee.

**SB 3** (Sen. Lindsey Tippins, 37th), the Creating Opportunities Needed Now to Expand Credentialed Training (CONNECT) Act, directs the TCSG State Board, 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. The State Board of Education must also include industry credentialing when developing policies and guidelines for awarding high-school credit.

**Status:** The Senate passed the bill. The House Education Committee passed a substitute version, which directs GaDOE to develop industry-required content standards after consultation with Georgia industries and in collaboration with USG and TCSG to ensure alignment with postsecondary opportunities for a variety of focused programs of study. The House passed a substitute version. A House-Senate conference committee was appointed, but they ultimately did not agree on a final version. SB 3 remains in conference committee so the bill is still alive, but the conference committee would have to meet and make a final recommendation to each chamber.

**SB 97** (Sen. Elena Parent, 42nd) requires an amendment to the Georgia child care plan to extend the length of time child care subsidies are offered to parents attending a job training or educational program, increasing it from up to 12 months to up to 24 months.

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

**SB 131** (Sen. Blake Tillery, 19th) requires adoption proceedings to be stayed while a termination of parental rights appeal is pending.

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

**SB 170** (Sen. Hunter Hill, 6th) establishes the Georgia SERVES volunteer program and allows placement of a child in the temporary care of a Georgia SERVES volunteer to increase the number of volunteers helping with the foster care system. The DHS is directed to establish a uniform certification system and guidelines for SERVES volunteers. There will be two certification levels: Level I for household support, babysitting, and mentoring in the foster child's home; and Level II to include Level I support and provide babysitting and mentoring in the volunteer's own home for up to 72 hours at a time.

**Status:** The Senate passed the bill. The House Juvenile Justice Committee passed a substitute version, which directed DFCS to adopt policies and procedures to establish a uniform system for approving volunteers. The bill was ultimately withdrawn and is assigned to the House Juvenile Justice 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 2** (Rep. Jason Spencer, 180th) extends by two additional years (until July 1, 2019) a window of opportunity for plaintiffs of any age to file civil actions related to childhood sexual abuse. Until **HB 17** (Rep. Sandra Scott, 76th), the Hidden Predator Act, was passed in 2015, adult victims were unable to file civil action suits due to expired statutes of limitations.

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

**HB 32** (Rep. Joyce Chandler, 105th) amends the definition of sexual assault to include sexual contact between an employee or agent of a school with a student enrolled in the same school. Current law only applies to teachers, principals, assistant principals, or other administrators. The bill also expands the definition to include sexual contact between employees or agents of a correctional facility, juvenile detention facility, facility providing services to a person with a disability, or facility providing child welfare and youth services and a person in custody of any such facility. The law currently only applies to employees and agents of the specific facility in which the person is in custody.

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

**HB 53** (Rep. Mary Margaret Oliver, 82nd) expands the jurisdiction of juvenile court to include children who are under 18, instead of under 17, when they are alleged to have committed a delinquent act.

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



**HB 259** (Rep. Alan Powell, 32nd) adds aggravated assault or battery 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 Juvenile Justice Committee.

**HB 293** (Rep. Deborah Silcox, 52nd) allows a court to admit hearsay evidence from a child under 17 years old that describes sexual contact or physical abuse, provided that notice is given to the accused prior to trial and the child testifies at the trial.

**Status:** The House passed the bill, and it is assigned to the Senate Judiciary Committee.

**HB 494** (Rep. Katie Dempsey, 13th) expands the definition of “crimes” to be included in background checks of early care and learning center employees to include battery of an unborn child, assault by an HIV- or hepatitis-infected person upon a minor, cruelty to children, sexual exploitation of children, and driving while under the influence of alcohol or drugs and endangering a child. The bill also clarifies that previous record checks will be invalid if they are more than one year old or if the person has been separated from employment with an early care or education program for more than 180 days.

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

**HB 513** (Rep. Pam Dickerson, 113th) requires the Department of Community Health to develop a sign to be posted at all medical facilities to inform the public that such facilities are authorized locations to leave a newborn child.

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

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

**Status:** The Senate passed the bill. The House passed a substitute version which creates the Georgia Mental Health Task Force that will perform an examination of the current landscape of mental health services in the state, develop a plan for the appropriate distribution of funds, and explore the option of a Medicaid waiver targeted at mental illness and substance abuse disorders. The House passed SB 4, but the House and Senate did not agree. The House and Senate could appoint a conference committee to finalize the bill, and both would then have to vote to adopt the conference committee report.