



# CONNECTED to Public Policy



Integrating State Policy with Local Solutions

March 6, 2018

## 2018 Crossover Day Report

February 28 was the 28th legislative day of the 2018 session and the last day for bills to cross from one chamber to the other in their original form. Bills that did not pass at least one chamber are not eligible to move forward in their original form, but it is possible for language from bills that did not cross to be added to bills that did. In addition, some resolutions are not required to pass both chambers, such as those that create House or Senate study committees.

Because this is the second of a two-year session, bills that do not pass this year will not carry over into the 2019 session.

### Budget

The House passed the Amended FY18 budget on March 1 as agreed upon by the House and Senate. It was immediately transmitted to the Senate, which was scheduled to vote on it on Monday, March 5. Details of the final agreement will be available once the Senate has voted.

### Schedule

Legislators were in session Monday, Wednesday, and Thursday last week and are scheduled to be in session Monday, Wednesday, and Friday this week.

The General Assembly previously passed an [adjournment resolution](#) setting the legislative calendar for the rest of the 2018 session. Sine Die, the final day of the session, is scheduled for Thursday, March 29. Legislators can change the schedule by passing another adjournment resolution.

# Legislation

## Bills That Crossed



**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 physical education or structured activity time. Local boards will establish written policies to ensure that recess is a safe experience for students, is scheduled so that it provides a break during academic learning and is not withheld as punishment.

**Status:** The House passed the bill on March 3, 2017. The Senate Education and Youth Committee passed a substitute version of the bill in 2017 clarifying that recess for grades K – 5 will be scheduled every day unless reasonable circumstances impede such recess, but it didn't receive a vote in the Senate in 2017. The Senate passed the bill on March 1, 2018. It is now with Gov. Nathan Deal, who can sign the bill or do nothing, either of which will make it law, or veto it.

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

**Status:** The House passed the bill on Feb. 8, and it is now assigned to the Senate Education and Youth Committee.

**HB 743** (Rep. David Clark, 98th) requires the Georgia Department of Education to develop and provide guidelines and other relevant materials to inform students participating in interscholastic athletic activities about the nature and warning signs of sudden cardiac arrest.

**Status:** The House passed the bill on Feb. 22, and it is now assigned to the Senate Education and Youth Committee.

**HB 764** (Rep. David Clark, 98th) adds post-traumatic stress disorder and chronic pain to the list of diagnoses allowed to be treated with THC oil.

**Status:** The House passed the bill on Feb. 28, and it is now assigned to the Senate Health and Human Services Committee.

**HB 844** (Rep. Penny Houston, 170th) expands the membership of the Georgia Commission on Hearing Impaired and Deaf Persons and creates a statewide coordinated longitudinal data management system for all children who are deaf or hard of hearing.

**Status:** The House passed the bill on Feb. 28, and it is now assigned to the Senate Health and Human Services Committee.

**SB 118** (Sen. Renee Unterman, 45th), known as Ava’s Law, increases the age for health insurance coverage for individuals with autism spectrum disorder from 6 to 12 and establishes a yearly cap of \$30,000 for coverage of applied behavior analysis treatment. **Status:** The Senate passed the bill on Feb. 8, and it is now assigned to the House Insurance Committee.



## CHILDREN SUCCEEDING IN SCHOOL

**HB 713** (Rep. Joyce Chandler, 105th) revises the eligibility requirement for the HOPE Scholarship so that students who are home-schooled or have graduated from a non-eligible high school and score in the 91st percentile or higher on the ACT or SAT are eligible for the scholarship. Currently, those students must score in the 93rd percentile to be eligible.

**Status:** The House passed the bill on Feb. 28, and it is now assigned to the Senate Higher Education Committee.

**HB 740** (Rep. Randy Nix, 69th) prohibits schools from suspending students in pre-school through third grade from school for more than five days without first entering the student into the Response to Intervention (RTI) program, a four-tier model for identifying and addressing students’ academic and behavioral needs.

**Status:** The House passed the bill on Feb. 14, and it is now assigned to the Senate Education and Youth Committee. The Committee was scheduled to hold a hearing on the bill on March 5.

**HB 763** (Rep. Randy Nix, 69th) expands the duties of the School Attendance Protocol Committee to include reviewing and making policy recommendations regarding school climate to promote positive gains in student achievement scores and student and teacher morale while decreasing student suspensions, dropouts, and other negative aspects of the school environment.

**Status:** The House passed the bill on Feb. 15, and it is now assigned to the Senate Education and Youth Committee. The Committee was scheduled to hold a hearing on the bill on March 5.

**HB 852** (Rep. Michael Smith, 41st) allows for a student to remain enrolled in a public school through the end of the school year after the student moves to a different attendance zone.

**Status:** The House passed the bill on Feb. 28, and it is now assigned to the Senate Education and Youth Committee.

**SB 362** (Sen. Lindsey Tippins, 37th) provides for the establishment of an innovative assessment pilot program in up to 10 school systems. The bill seeks to provide real-time feedback on student performance during the school year when problems can still be addressed.

**Status:** The Senate passed the bill on Feb. 15, and it is now assigned to the House Education Committee.

**SB 401** (Sen. Lindsey Tippins, 37th) requires consideration of students' individual graduation plans during eighth grade when scheduling courses in ninth grade and expands the role of school counselors to include career-oriented aptitude and career-interest guidance. The bill also directs the Georgia Department of Education to review each school counselor's role, workload, and program service delivery in grades 6 – 12 and to provide a report to the State Board of Education and General Assembly by Dec. 31, 2018.

**Status:** The bill was amended to include language requiring all postsecondary institutions with dual-enrollment students to provide enrollment and student record data to the Governor's Office of Student Achievement. The Senate passed the bill on Feb. 28, and it is now assigned to the House Education Committee.

**SB 405** (Sen. Fran Millar, 40th) provides for grants of \$1,500 per semester to low-income students enrolled in a University System of Georgia institution. The students must meet one of three criteria: earned SAT scores of at least 480 on reading and 530 on math; passed an end-of-pathway assessment under the Carl Perkins Vocational and Technical Education Act; or completed a work-based learning experience.

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



## STABLE, SELF-SUFFICIENT, PRODUCTIVE FAMILIES

**HB 668** (Rep. Betty Price, 48th) allows a petition for guardianship to be filed for a proposed ward that is 17 years old if the petitioner has a good faith reason to believe that the child will need a guardian upon turning 18.

**Status:** The House passed the bill on Feb. 13, and it is now assigned to the Senate Judiciary Committee.

**HB 927** (Rep. Chad Nimmer, 178th) requires the Division of Family and Children Services to provide certain information to a caregiver, foster parent, pre-adoptive parent, or relative no later than 30 days after placement of a child. This information includes the child's most recent physical and dental exams; any available information on the child's known medical conditions and medications; and recommendations from the child's most recent developmental assessment, trauma assessment, and psychological evaluation.

**Status:** The House passed the bill on Feb. 28, and it is now assigned to the Senate Health and Human Services Committee.

**HB 982** (Rep. Chad Nimmer, 178th) allows a court to excuse the Division of Family and Children Services from continuing its "diligent search" for relatives or fictive kin after six months, if the child is living with a foster parent in a stable home environment.

**Status:** The House passed the bill on Feb. 28, and it is now assigned to the Senate Health and Human Services 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 was introduced in 2017 and was assigned to the Senate Judiciary Committee. The Senate passed the bill on Jan. 30, 2018 and the House passed it on March 1. The bill is now with the governor, who can sign the bill or do nothing, either of which will make it law, or veto it.



## THRIVING COMMUNITIES

**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 was introduced in 2017. The House passed it on Feb. 28, 2018, and it is now assigned to the Senate Health and Human Services Committee.

**HB 605** (Rep. Jason Spencer, 180th), the Hidden Predator Act of 2018, allows plaintiffs of any age to file a civil action for injuries resulting from childhood sexual abuse for a period of two years—from July 1, 2018, to June 30, 2020.

**Status:** The House passed the bill on Feb. 28, and it is now assigned to the Senate Judiciary Committee.

**HB 673** (Rep. John Carson, 46th) requires drivers to use hands-free technology with wireless communication devices while operating a motor vehicle.

**Status:** The House passed the bill on Feb. 28, and it is now assigned to the Senate Judiciary Committee.

**HB 732** (Rep. Deborah Silcox, 52nd) expands the scope of the law that criminalizes sex trafficking to include the act of patronizing an individual for sexually explicit conduct. **SB 335** (Sen. Renee Unterman, 45th) is a companion bill introduced in the Senate.

**Status of HB 732:** The House passed the bill on Feb. 23, and it is now assigned to the Senate Judiciary Committee.

**Status of SB 335:** The Senate passed the bill on Feb. 28, and it is now assigned to the House Judiciary Non-Civil Committee.

**HB 769** (Rep. Rick Jasperse, 11th) implements recommendations from the House Rural Development Council relating to health care, including establishing micro-hospitals, which would have between two to seven beds and provide 24-hour services in counties with fewer than 50,000 residents, as well as a Rural Center for Health Care Innovation and Sustainability within the Department of Community Health's State Office of Rural Health.

**Status:** The House passed the bill on Feb. 21, and it is now assigned to the Senate Health and Human Services Committee.

**HB 918** (Rep. Chuck Efstoration, 104th) addresses the state tax code and state revenue projections in response to federal tax reform legislation that Congress passed late last year.

**Status:** The House passed the bill on Feb. 22. The Senate passed an amended version of the bill on March 1, and the House agreed to the Senate's changes the same day. The governor signed the bill on March 2.

**HB 920** (Rep. Katie Dempsey, 13th) creates a limited exception to the confidentiality of adoption records, allowing the Division of Family and Children Services to share with the Office of the Child Advocate information concerning an adopted child when the child dies, suffers a near fatality, or is an alleged victim of child abuse or neglect.

**Status:** The House passed the bill on Feb. 28, and it is now assigned to the Senate Health and Human Services Committee.

**HB 972** (Rep. Wendell Willard, 51st) allows the Division of Family and Children Services to offer extended care youth services to foster youth between the ages of 18 – 21, and amends current law to require a transition plan be completed for every foster child in the 90-day period prior to him or her turning 18.

**Status:** The House passed the bill on Feb. 28, and it is now assigned to the Senate Health and Human Services Committee.

**SB 337** (Sen. Renee Unterman, 45th) updates current law related to the admissibility of a child's out-of-court statements describing sexual contact or physical abuse, specifying that the code section applies to any motion made, or hearing or trial commenced, on or after the effective date of the subsection.

**Status:** The Senate passed the bill on Feb. 26, and it is now assigned to the House Judiciary Committee.

**SB 352** (Rep. Renee Unterman, 45th) establishes a Commission on Substance Abuse and Recovery.

**Status:** The Senate passed the bill on Feb. 7, and it is now assigned to the House Health and Human Services Committee.

**SB 357** (Sen. Dean Burke, 11th), "The Health Act," forms a Health Coordination and Innovation Council of the State of Georgia, establishes a Health System Innovation Center, and creates the position of director of health care policy and strategic planning who reports directly to the governor. The bill establishes the Center as a research organization that will utilize Georgia's academic, public health policy, data, and workforce resources to develop new approaches for financing and delivering health care.

**Status:** The Senate passed the bill on Feb. 7, and it is now assigned to the House Health and Human Services Committee.

**SB 375** (Sen. William Ligon, 3rd) creates the "Keep Faith in Adoption and Foster Care Act," which allows a child-placing agency to decline to accept a referral for foster care or adoption services under a contract with the state based on the child-placing agency's sincerely held religious beliefs, and bars the state from taking adverse action against the agency.

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

## Bills That Did Not Cross



### HEALTHY CHILDREN

**HB 669** (Rep. Robert Trammell, 132nd), the “Expand Medicaid Now Act,” requires the appropriation of state dollars to draw down additional federal dollars for Medicaid.

**Status:** The bill was assigned to the House Appropriations Committee, which took no action on the bill.

**HB 983** (Rep. Betty Price, 48th) amends written Division of Family and Children Services’ protocol that outlines procedures to be used in child abuse cases to require a medical review and evaluation upon a third allegation of child abuse.

**Status:** The bill was assigned to the House Juvenile Justice Committee, which took no action on the bill.

**SB 326** (Sen. Donzella James, 35th) creates the “Sheltering Adolescent from Destructive Environments (Sade’s) Law,” which requires law enforcement personnel, hospitals, the Department of Juvenile Justice, and others to verify that a person is an adult blood relative, stepparent, or has legal custody when releasing a child to his or her custody.

**Status:** The bill was assigned to the Senate Judiciary Committee, which took no action on the bill.



### CHILDREN SUCCEEDING IN SCHOOL

**HB 722** (Rep. David Casas, 107th) expands the list of postsecondary institutions in which students can enroll for Georgia’s Move on When Ready (dual-enrollment) program.

**Status:** The House Education Committee passed the bill on Feb. 6. It was not voted out of the House Rules Committee, so it did not cross.

**HB 778** (Rep. Terry England, 116th) transfers the administration of the Career, Technical, and Agricultural Education (CTAE) program from the Georgia Department of Education to the Technical College System of Georgia.

**Status:** The bill was pulled by its sponsor. England said he pulled the bill due to anxiety about the change and frustration with rumors but noted that the issue will be revisited during House Rural Development Council meetings this summer.

**HB 926** (Rep. Beth Beskin, 54th) requires each local school system to provide Georgia Department of Education (GaDOE) annual statistics and data on students' health and physical education. GaDOE also is required to complete a report on student health and physical education and publish the report on the GaDOE website.

**Status:** The bill was assigned to the House Education Committee, which discussed it. While no vote was taken, Chairman Brooks Coleman stated his intention to create a study committee on the issue.

**HB 928** (Rep. Rick Williams, 145th) extends HOPE Scholarship eligibility from seven years to 15 years from a student's graduation from high school or equivalent. An exception is also provided for military service years, which do not count toward the 15-year period.

**Status:** The House Higher Education Committee passed the bill. It was not voted out of the House Rules Committee, so it did not cross.

**HB 932** (Rep. Tommy Benton, 31st) raises the age of mandatory school attendance from 16 to 17 years.

**Status:** A subcommittee discussed the bill and forwarded it to the full Education Committee. The committee took no action on the bill, so it did not cross.

**HB 955** (Rep. Spencer Frye, 118th) stipulates that the HOPE grant will cover a student's full cost of tuition.

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

**HB 963** (Rep. Buzz Brockway, 102nd) amends current law related to focused programs of study so that the State Workforce Development Board, in consultation with the Georgia Department of Education (GaDOE) and the Technical College System of Georgia, will develop an annual list of high-wage and high-demand industry credentials and state licenses. The bill also requires GaDOE to distribute the information annually to all Georgia middle and high schools.

**Status:** The House Education Committee passed the bill on Feb. 23. It was not voted out of the House Rules Committee, so it did not cross.



## STABLE, SELF-SUFFICIENT, PRODUCTIVE FAMILIES

**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 was introduced in 2017 and was assigned to the Senate Education and Youth Committee, which took no action during that session. The committee held a hearing on the bill on Feb. 12, but took no action.



## THRIVING COMMUNITIES

**HB 672** (Rep. Erica Thomas, 39th) permits the use of speed detection devices by law enforcement personnel employed to patrol public schools only when sheriffs or local governing authorities approve of such devices and apply to the Department of Public Safety for a permit to use the devices.

**Status:** The House Motor Vehicles Committee passed a substitute version of the bill on Feb. 6. It was not voted out of the House Rules Committee, so it did not cross.

**HB 746** (Rep. Scott Holcomb, 81st) prescribes uniform statewide policies and procedures related to law enforcement's contact with sexual assault victims.

**Status:** The bill was assigned to the House Judiciary Non-Civil Committee, which took no action on the bill, so it did not cross.

**HB 762** (Rep. Wes Cantrell, 22nd) provides for age-appropriate sex abuse and assault awareness and prevention education in grades K – 9.

**Status:** The House Education Committee passed the bill on Feb. 15. The House Rules Committee took no action on the bill, so it did not cross.

**HB 802** (Rep. Wendell Willard, 51st) revises sentencing and paroling options for defendants who commit crimes at less than 18 years of age. The bill eliminates the death penalty and life without parole for these defendants and instructs the court to consider mitigating factors or circumstances that the court deems relevant. The bill also provides for retroactive parole consideration for inmates serving sentences for crimes committed when he or she was under 18.

**Status:** The bill was assigned to the House Judiciary Non-Civil Committee. A subcommittee held a hearing on the bill but took no action.

**HB 837** (Rep. Mary Margaret Oliver, 82nd) provides for statewide uniformity in policies and procedures concerning law enforcement contact with victims of sexual assault.

**Status:** The bill was assigned to the House Judiciary Non-Civil Committee, which took no action.

**HB 868** (Rep. Kim Schofield, 60th) amends the Low THC Oil Patient Registry by adding the diagnosis of lupus as an eligible condition.

**Status:** The bill was assigned to the House Judiciary Non-Civil Committee, which took no action.

**HB 958** (Rep. Dave Belton, 112th) requires the Department of Community Health to develop signs to be posted at certain medical facilities to indicate locations where a newborn child may be left and the mother can avoid criminal prosecution.

**Status:** The bill was assigned to the House Health and Human Services Committee, which took no action.

**HB 966** (Rep. Mary Margaret Oliver, 82nd) limits the use of restraints on a child in court.

**Status:** The bill was assigned to the House Juvenile Justice Committee, which took no action.

**SB 470** (Sen. Josh McKoon, 29th) requires the commissioner of public safety to assign at least one member of the Georgia State Patrol to every public school, subject to the appropriation of required funds.

**Status:** The bill was assigned to the Senate Public Safety Committee, which took no action.

**SB 476** (Sen. William Ligon, 3rd) provides superior court with exclusive original jurisdiction over the trial of a child age 13 – 17 who is charged with aggravated assault with a firearm.

**Status:** The bill was assigned to the Senate Judiciary Committee, which took no action.