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April 4, 2018

FY19 Budget Sent to Deal with Restored Family Connection Funds; Distracted Driving and Child Welfare Bills Pass by Sine Die

The 2018 session of the Georgia General Assembly ended on March 29, with both chambers working a few minutes past midnight on Sine Die. Gov. Nathan Deal now has 40 days from the close of session—until Tuesday, May 8—to sign or veto bills and to veto line items in the FY19 budget. Deal’s office publishes a [running list](#) of legislation that he signs, and any veto statements will likely be issued via a [press release](#) by May 8.

The fates of many bills weren’t decided until the final moments, as legislators hurried to act on issues before the session closed. Bills were amended, language from bills was added to other legislation, and conference committees worked to reconcile differences between House and Senate versions of bills.

The 2018 session was the second year of a two-year session, so bills that failed to pass are dead and not eligible for passage in 2019 unless they are reintroduced and assigned a new bill number.

The FY19 budget passed on the last day of the session. The final version includes \$238,500 to bring each Georgia Family Connection Collaborative’s appropriation back to \$50,000, as well as \$50,000 for Georgia Family Connection Partnership to provide technical assistance to the network.

Education Funding

Deal surprised Georgians on March 27 when he [announced](#) the addition of \$167 million to his FY19 budget recommendation for K – 12 education. The money ensures that Georgia is fully funding the Quality

Basic Education (QBE) formula. Deal inherited a \$1 billion austerity cut to education funding when he took office, and he began restoring education spending as soon as state revenue began increasing. Deal's final spending recommendation is possible because strong growth increased FY19 state revenue estimates by more than \$194 million over initial projections.

Hidden Predator Act

When first introduced, [HB 605](#) (Rep. Jason Spencer, 180th), the Hidden Predator Act of 2018, allowed plaintiffs of any age to file a civil suit for injuries resulting from childhood sexual abuse for a period of two years—from July 1, 2018, to June 30, 2020. Extensive work was done on the bill in the House Judiciary Committee in response to expressed concerns.

The Senate Judiciary Committee further amended HB 605. The Senate passed its version of the bill, which allowed plaintiffs between the ages of 23 and 30 to bring civil action for damages suffered as a result of childhood sexual abuse on or after July 1, 2018. That version also gave plaintiffs under age 31 a window of opportunity to bring civil action, but added requirements to file suit: he or she must provide clear and convincing evidence and is required to file an affidavit from an expert supporting their claim of damage or harm.

The House disagreed with the Senate's version and appointed conference committee members to work on a compromise version; however, the Senate didn't appoint conference committee members. HB 605 didn't pass because the House and Senate didn't agree on the final language.

The House Judiciary Non-Civil Committee replaced original language from [SB 335](#) (Sen. Renee Unterman, 45th)—a bill that that increased penalties for individuals convicted of sex trafficking—with language from HB 605. The substitute version of SB 335 didn't reach the House floor for a vote.

Distracted Driving Legislation

[HB 673](#) (Rep. John Carson, 46th), the distracted driving bill, generated much discussion. The original version of the bill, which required drivers to use hands-free technology with wireless phones while operating a vehicle, was amended in the House Judiciary Non-Civil Committee and again on the House floor prior to passing.

The bill was then assigned to the Senate Judiciary Committee, where opponents expressed concerns about government overreach. Strong support from law enforcement and highway safety officials along with an endorsement by Deal created new momentum for the bill, and the Senate passed a substitute version. Both chambers passed HB 673 after further amendment discussion, and it is now with Deal for his review.

In the final version of the bill, prohibited activities include:

- holding or supporting a cell phone;
- writing, sending, or reading text messages or emails;
- reaching for a device if no longer in a seated, driving position or restrained by a seatbelt; and
- watching or recording a video.

Actions allowed by the bill are:

- speaking or texting while using hands-free technology;
- using a GPS system or mapping app;

- using an earpiece to talk on the phone; and
- handling a cell phone to report a traffic accident, medical emergency, or hazardous road condition.

Child Welfare Legislation

HB 927 (Rep. Chad Nimmer, 178th) requires the Division of Family and Children Services (DFCS) 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.

HB 927 did not pass. However, the Senate Health and Human Services Committee added language from HB 927 to **HB 972** (Rep. Wendell Willard, 51st) after the House passed the bill on Feb. 28. HB 972 allows DFCS 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. While the Senate passed the amended version of HB 972, the House didn’t agree to the Senate version, so HB 972 did not pass.

Ultimately, the entire contents of HB 972, including the language from HB 927, were added into **HB 920** (Rep. Katie Dempsey, 13th). HB 920 creates a limited exception to the confidentiality of adoption records, allowing DFCS 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. In its final version, the House and the Senate agreed to a version of HB 920 that included its original language, as well as language from HB 972 and HB 927. The bill is now with the governor for his review.

Budget

House and Senate budget conferees reached agreement on a final version of the FY19 budget on March 27, and the House and Senate voted to approve the FY19 budget on March 29—the last day of the session.

Highlights of the final FY19 budget include:

Criminal Justice Coordinating Council: Family Violence

The House and Senate added \$165,000 to increase funds for grants to 22 Sexual Assault Centers.

Department of Behavioral Health and Developmental Disabilities

- The House and Senate agreed to add \$4 million to create a substance abuse and recovery block grant program.
- The House and Senate agreed to add \$250,000 in Adult Addictive Diseases Services to establish a Neonatal Intensive Care Unit Peer Recovery Coaching Program.
- The House and Senate agreed to add \$1.4 million for the development and statewide availability of a mental health crisis services and suicide prevention mobile application in coordination with the Georgia Crisis and Access hotline.

Department of Community Affairs

- The governor's budget cut \$25,000 in one-time funds for Second Harvest of South Georgia. The House and Senate agreed to restore the funds.
- The House and Senate included \$25,000 for the Clayton County Food Pantry.

Department of Community Health

- The House and Senate included \$300,000 for start-up of a Rural Health Systems Innovation Center, and the conference committee added language stating that the site will be chosen through a request-for-proposal process with criteria that may include a school of medicine, a history of understanding rural assets and resources, and a demonstration of commitment to a long-term relationship with rural communities.
- The House and Senate agreed to include \$1.5 million for start-up of a new Health Coordination and Innovation Council.
- The House and Senate agreed to increase funds for Federally Qualified Health Center start-up grants for a primary care center in Bryan County and behavioral health services in Early and Emanuel counties.
- The House and Senate added \$335,188 (total funds: \$1,042,250) for a \$250 add-on payment for newborn delivery in rural counties with a population less than 35,000.

Department of Education

- The governor's budget reduced funds for school nurses by \$580,542. The House and Senate disagreed with the reduction and added \$51,233 to increase funds for school nurses.
- The House and Senate added \$436,000 to purchase and staff a mobile audiology clinic to provide audiological care to children in rural Georgia. The bonds package also includes \$425,000 in five-year bonds to purchase a mobile audiology unit.
- The House and Senate agreed to add \$227,570 for the Turnaround Schools Rural Character Education Grant for soft skills training and character education development for schools under the supervision of the Chief Turnaround Officer (CTO) with priority given to rural school districts.
- The House and Senate added \$266,371 for personnel and operations for two transformation specialists in the CTO program.
- The House and Senate transferred \$700,000 from the School Improvement program for five district effectiveness specialists.
- The House and Senate agreed to increase funding in the pupil transportation formula to reflect a per-student increase for new full-time equivalent enrollment by \$903,377.

- The House added \$10 million for an annual allotment for school bus replacement. The Senate reduced the funding to \$5 million and added \$5 million in bonds for new buses. The House-Senate conference committee provided \$15 million in bond funds for school bus replacement.
- The governor raised the FY19 revenue estimate to add \$166,769,846 to fully fund the QBE program.

Department of Human Services

- The House added \$490,000 to increase funds for child advocacy centers to provide an increase in equipment and therapeutic, medical, and outreach services. The Senate increased the funding to \$980,000.
- The governor's budget included funds for a \$2.50 increase for relative foster care and child placement agency foster parent per diem rates. The House increased the per diem rates by \$3.75, and the Senate increased the rates by \$3.85. During the 2017 session, a commitment was made to increase these rates by \$5 in 2017 and an additional \$5 in 2018. The conference committee added the funds to fulfill this commitment.
- The House and Senate added \$238,500 to Family Connection to restore each county's allocation to \$50,000, as well as \$50,000 to support Georgia Family Connection Partnership technical assistance for the counties.

Governor's Office of Student Achievement

The Senate added \$481,788 in state funds (total funds: \$796,788) for an AmeriCorps program to be established at the Commodore Conyers College and Career Academy, in conjunction with Dougherty County Schools and Albany State University, to provide direct math assistance to students in grades 4 – 8 at low-performing schools in Dougherty County identified by the CTO. The House agreed. The conference committee added language requiring a report at the end of the 2018 – 2019 and 2019 – 2020 school years to the House and Senate Appropriations and the House Education and Senate Education and Youth committees.

Student Finance Commission

- The governor's budget included \$34 million in additional dual-enrollment funding to meet the projected need. The House and Senate reduced the funding to \$26.7 million.
- The conference committee added language implementing a 15-credit hour per-student per-semester cap and requiring ongoing professional development for adjunct faculty teaching dual-enrollment classes.
- The conference committee also directed the Georgia Student Finance Committee to develop a list of approved dual-enrollment courses that prioritize courses leading to a degree or in-demand certificate or diploma and report findings to the House and Senate Appropriations Committees by Dec. 1, 2018, to be implemented in FY20.

Study Committees

Both the House and Senate passed resolutions creating study committees that will look at issues during the interim; however, those committees are subject to appointments made by House and Senate leadership. In past years, the House Speaker and Lt. Gov. have allowed a limited number of these study committees to move forward.

- **HR 1414** (Rep. Rick Jasperse, 11th) creates the House Study Committee on School Security.
- **SR 489** (Sen. William T. Ligon, Jr., 3rd) creates the Senate Study Committee on Prescribing Patterns for Antidepressants and Other Psychotropic Medications. This study will focus on both children and adults.
- **SR 761** (Sen. Fran Millar, 40th) creates the Senate Study Committee on Dyslexia, a learning disability which is neurological in origin and impacts one in five individuals. The study will look at early remediation with evidence-based intervention and the impacts of dyslexia on education.
- **SR 935** (Sen. John Albers, 56th) creates the Senate School Safety Study Committee to help curb incidents of violence in schools and ensure that policies, plans, and procedures are in place to make effective responses.
- **SR 1068** (Sen. Steve Gooch, 51st) creates the Senate Study Committee on Evaluating the School Year Calendar of Georgia Public Schools.