



LEGISLATIVE ALERT # 2

2/23/2018

| Active Bills-New In 2018 | | | | | |
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| ACTIVE BILL # | */** | STATUS-ASSIGNED TO | AUTHORS | TITLE AND/OR SUMMARY <small>For the Most Current Version Click on the Link and Scroll Down to the Bill</small> | GACP COMMENTS |
| HB 149 | ** | Senate Public Safety 2/8/18 | Powell (32) Lumsden (12) Collins (68) Jasperse (11) | Bill provides for comprehensive regulation of trauma scene cleanup services, as well as licensing, registration and qualifications of providers; rules and regulations; and penalties for providers. http://www.legis.ga.gov/Legislation/en-US/display/20172018/HB/149 | 2nd year bill that was recommitted by the Senate Public Safety Committee. An overdue bill. GACP members should consider embracing the bill's concept. |
| HB 505 | * | House Judiciary 3/1/17 | Turner (21) Caldwell (20) Cantrell (22) Tarvin (2) Pezold (133) | Bill to amend civil forfeiture procedures to require criminal procedures be completed prior to civil forfeiture proceedings being held. http://www.legis.ga.gov/Legislation/en-US/display/20172018/HB/505 | This bill will require seized assets seized to be held until the criminal charges result in guilty plea, conviction, or acquittal. If the defendant is acquitted or charges are dismissed, the civil asset forfeiture proceeding will be closed and seized property returned. Proponents for this bill allege persons found innocent of criminal charges are having their property and money seized and forfeited to law enforcement. They feel the standard of guilty beyond a reasonable doubt should be fulfilled prior to beginning any proceedings to forfeit the property. Agencies will be required to hold and maintain any property (i.e. cars, weapons, houses) until the criminal proceedings are complete. |
| HB 635 | ** | Senate Rules Committee 2/20/18 | Cooper (43) Benton (31) Jones (53) Broadrick (4) Reeves (34) | Elder Abuse Bill Act provides for at-risk adult protective investigative/coordinating teams in each judicial circuit. http://www.legis.ga.gov/legislation/en-US/Display/20172018/HB/635 | Establishes investigative and coordination teams for the abuse, neglect, exploitation of disable and elderly in each judicial circuit. A very good bill to protect our elderly. |

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| HB660 | * | House Judiciary Non-Civil 1/23/18 | Hanson (80) Smyre (135) Willard (51) Drumer (85) | Hate Crime Bill Provides for additional punishment and additional torts for persons convicted of committing a crime that targeted victims for their race, color religion, national origin, sexual orientation, gender, gender identity, or physical disability. http://www.legis.ga.gov/legislation/en-US/Display/20172018/HB/660 | Designates punishment for any crime committed based on victim's protected status. Also requires training for officers as well as reporting to and by GCIC. This is a very good bill. GACP supports its passage. Note there are three hate crime bills. This is the only bill GACP supports. |
| HB 663 | * | House Judiciary Non-Civil 1/10/18 | Bennett (94) Smyre (135) Hugley (136) Beverly (143) | Hate Crime Bill Provides for additional punishment for persons convicted of committing a crime because of the individual's race, religion, gender, gender identity, sexual orientation, national origin, or physical disability; See (SB316) http://www.legis.ga.gov/legislation/en-US/Display/20172018/HB/66 | Designates punishment for six specific crimes committed against a victim because of protected status. This bill lacks important elements such as training for officers or reporting requirement to GCIC. |
| HB672 | ** | House Rules 2/6/18 | Thomas (39) Epps (144) Powell (32) Trammell (132) Beverly (143) | Provides for officers employed by local boards of education to operate speed detection devices in school zones Requires all speed detection devices to be calibrated annually, in same manner as radars http://www.legis.ga.gov/Legislation/en-US/display/20172018/HB/672 | Requires departments to conduct annual calibration of lasers. . |

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| HB 673 | * | House Rules Committee 2/20/18 | Carson (46) Lumsden (12) Golick (40) Trammell (132) Smith (134) Hitchens (161) | Distracted Driver Bill Prohibits drivers from using wireless phones in a manner that distract a driver http://www.legis.ga.gov/legislation/en-US/Display/20172018/HB/673 | Prohibits texting and reading hand-held devices. Also provides for tiered administrative fines to be levied by in addition to that provided by local courts. This is a very good bill and has been embraced by the GACP via a GACP Resolution. |
| HB 703 | ** | House Rules Committee 2/15/18 | Hitchens (161) Lott (122) Powell (32) Frazier (126) Welch (110) | Creates the Office of Public Safety Support within the Georgia Department of Public Safety to respond to and provide counseling services for public safety officers involved in incidents including death and other tragedies. http://www.legis.ga.gov/Legislation/en-US/display/20172018/HB/703 | This program will support the peer support legislation that was passed last year. The association is very supportive of this legislation. |
| HB737 | ** | House Rules Committee 2/5/18 | Cox (108) Hitchens (161) Petrea (166) Powell (32) | Provides for court ordered blood tests of 'source individuals' when law enforcement officers have significant exposure to HIV, hepatitis B, hepatitis C. http://www.legis.ga.gov/Legislation/en-US/display/20172018/HB/737 | This is a very good officer safety bill. |

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| HB746 | * | House Judiciary Non-Civil 1/29/18 | Holcomb (81) Nguyen (89) Paris (142) Oliver (82) Gardner (57) | Requires all law enforcement agencies to provide policies for sexual assault victims; one officer to be trained in trauma & victim response; If agency cannot provide this, they must request GBI to investigate; provides victims right to consult with sexual assault victim advocate prior to forensic exam or law enforcement interview ; right to request the kit not be tested until a later time; agency must certify they are in compliance once a year. http://www.legis.ga.gov/Legislation/en-US/display/20172018/HB/746 | Bill is not perfected yet and may not move before cross-over day. GACP staff working with author to address needs with model policy. |
| HB 751 | ** | Senate Public Safety 2/14/18 | Powell (32) Rogers (10) Rhodes (120) Efrstration (104) Jasperse (11) | Establishes the Georgia Emergency Communications Authority, with the primary purpose being to administer, collect, audit, and remit 911 revenues as well as study, evaluate, recommend technology standards for 911 systems; identify changes to make 911 systems more effective and efficient, identify training needs, recommend minimum standards for public safety answering points. http://www.legis.ga.gov/Legislation/en-US/display/20172018/HB/751 | Over the last three years, "911" bills have been introduced and failed. Last year, the Governor vetoed the 911 bill for good reason. This bill is well-written and hopefully will pass. |
| HB779 | ** | House Pubic Safety/ Homeland Security 2/1/18 | Powell (32) Rogers (10) Rhodes (120) Jasperse (11) | Provides for establishment of Homeland Security Division within Georgia Emergency Management and Homeland Security; Revises duties of GBI Director regarding Georgia Information Sharing and Analysis Center. http://www.legis.ga.gov/Legislation/en-US/display/20172018/HB/779 | A very needed bill which will allow the GBI and GEMA professionals to work hand in hand. |

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| HB813 | ** | House Judicial Non-Civil 2/6/18 | Coomer (14) Caldwell (131) Turner (21) Boddie (62) Powell (171) | Provides for evidence from similar conviction for DUI to be admissible. Changes statute from commission of the charge to conviction. http://www.legis.ga.gov/Legislation/en-US/display/20172018/HB/813 | |
| HB825 | ** | House Rules Committee 2/25/18 | Williams (145) Collins (68) Gravley (67) Bentley (139) Hitchens (161) | Authorizes the Chief medical examiner to inter unidentified human remains after officers have exhausted all efforts to identify the remains. Also authorizes the medical examiner to disinter the remains when it is determined further information can be obtained or testing may result in the identification. http://www.legis.ga.gov/Legislation/en-US/display/20172018/HB/825 | This is a good Bill. Enables the crime lab to bury the remains for unidentified bodies currently being maintained in the morgue. |
| HB826 | ** | House Rules Committee 2/14/18 | Caulbe (11) Welch (110) Rutledge (109) | Allows alarm companies to immediately dispatch law enforcement to a location without first or second verification when the customer has entered an agreement to have no alarm verification be made. http://www.legis.ga.gov/Legislation/en-US/display/20172018/HB/826 | Modification was made to limit to banking institutions, or wholesaler or retailers of pharmaceuticals or firearms. These facilities would still be held accountable for false alarms under the local community's ordinances. |

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| HB 837 | ** | House Judicial Non-Civil 2/7/18 | Oliver (82) Cooper (43) Brenner (85) Dempsey (13) Holcomb (81) | Requires all law enforcement agencies to provide policies for sexual assault victims; one officer to be trained in trauma & victim response; If agency cannot provide this, they must request GBI to investigate; provides victims right to consult with sexual assault victim advocate prior to forensic exam or law enforcement interview ; right to request the kit not be tested until a later time; agency must certify they are in compliance once a year. http://www.legis.ga.gov/Legislation/en-US/display/20172018/HB/837 | Similar to HB 746 |
| HB 860 | * | House Judicial Non-Civil 2/12/18 | Dunahoo (30) Dubnick (29) Hawkins (27) Bar (103) Chandler (105) | Provides criminal responsibility social hosts when alcohol is served to persons under 21 years of age. Provides protections when individual took reasonable actions to prevent the violations or took immediate and effective actions to stop the violations as soon as it was discovered. http://www.legis.ga.gov/Legislation/en-US/display/20172018/HB/860 | |
| HB 865 | * | House Judicial Non-Civil 2/12/18 | Paris (142) Trammell (132) Thomas (39) Mitchell (88) Jackson 964) | Provides for possession of marijuana up to two ounces is a misdemeanor. Limits punishment for possession of one half ounce and less to \$350 fine and one-half ounce to two ounces is 12 months incarceration and \$1,000 fine or 12 months community service. http://www.legis.ga.gov/Legislation/en-US/display/20172018/HB/865 | |

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| HB 867 | ** | House Rules Committee 2/15/18 | Hitchens (161) Lumsden (12) Williams (145) Petrea (166) Tanner (9) | Provides for quorum for POST Council meetings to increase from seven to eleven members. Allows investigators to retain their weapons upon retirement; Eliminates requirement for persons who fail the academy entrance exam to wait 30 days before they retake the exam; Eliminates the code section relating to training and certification of police chaplains. http://www.legis.ga.gov/Legislation/en-US/display/20172018/HB/867 | |
| HB889 | ** | House Rules Committee 2/15/18 | Gravely (67) Hitchens (161) Powell (32) Lumsden (12) Ridley (6) | Georgia State Indemnification Fund; provides for public safety personnel to indemnification payment in some instances of heart attack, stroke or vascular rupture resulting in certain disabilities and death. http://www.legis.ga.gov/Legislation/en-US/display/20172018/HB/889 | Allows for indemnification for job related instances. Good bill for our personnel. |
| HB890 | ** | House Rules Committee 2/15/18 | Fleming (121) Burns (159) Coomer (14) Kelley (16) Reeves (34) | Makes it a misdemeanor for persons who have shoplifted to unlawfully use an emergency exit door. http://www.legis.ga.gov/Legislation/en-US/display/20172018/HB/890 | |

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| HB910 | * | House Judicial Non-Civil 2/14/18 | Rakestraw (19) Powell (32) Efstration (104) Reeves (34) Teasley (37) | Creates a new Code section prohibiting "Sexual Extortion" http://www.legis.ga.gov/Legislation/en-US/display/20172018/HB/910 | |
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| SB99 | * | House Judiciary Non-Civil | Parent (42) Harper (7) Jones (22) Jones (10) Rhett (33) Fort (39) | Bill changes the provisions relating to retention of person's involuntary hospitalization records in the National Instant Criminal Background Check System. Currently, Georgia purges those records after five years. http://www.legis.ga.gov/Legislation/en-US/display/20172018/SB/99 | This bill will likely be given closer review in the coming weeks. |
| SB228 | ** | Senate Rules Committee 2/22/18 | McKoon (29) | Criminal offense and minimum fines for improper operation of an authorized emergency or law enforcement vehicle. http://www.legis.ga.gov/Legislation/en-US/display/20172018/SB/228 | We are working with the Bill's author on the language to better resolve his original concerns. |
| SB257 | ** | House Agriculture and Consumer Affairs 2/5/18 | Heath (31) | Provide for consultation with veterinarian employed or approved by Dept. of Agriculture prior to filing criminal charges for cruelty to animals in certain instances http://www.legis.ga.gov/Legislation/en-US/display/20172018/SB/257 | Officers are required to consult with designated veterinarians regarding conduct involving animal husbandry of cattle, swine, goats, or sheep to confirm whether or not such conduct is in accordance with customary and standard practice, prior to filing cruelty to animal charges. |

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| SB316 | * | Senate Public Safety | Jackson (2nd) Jones (10th) Anderson (43rd) James (35th) Rhett (33) | Hate Crime Bill Provides for additional punishment for persons convicted of committing a crime because of the individuals race, color, religion, gender, disability, sexual orientation, gender identity or expression, national origin, or ethnicity. See (HB 663) http://www.legis.ga.gov/legislation/en-US/Display/20172018/SB/316 | Designates punishment for six specific crimes committed against a victim because of protected status. This bill mirrors HB663 and lacks training for officers or reporting requirements to GCIC. |
| SB 319 | ** | Senate Public Safety Senate Passed/ Adopted by Substitute 2/21/18 | Albers (56) Mullis (53) Gooch (51) Miller (49) | Consolidation of Fire Safety Services in Georgia Act establishes the Department of Fire Safety. Unifies all fire related services of the State under the newly established position of Commissioner of Fire Safety, and Fire Safety Board; transfers duties of Commissioner of Insurance as the Safety Fire Commissioner; GA. Firefighter Standards and Training Council, and Operation and Maintenance of the Georgia Fire Academy from the Board of Public Safety. http://www.legis.ga.gov/Legislation/en-US/display/20172018/SB/319 | Not a bad bill. Unifies fire services under a central source to provide better coordination. |
| SB 327 | ** | House Public Safety Favorably reported on Senate Floor by Substitute Currently second reader in House 1/30/18 | Albers (56) Harper (7) | Bill designed to clarify when a medical examiner's inquiry is required to be conducted. http://www.legis.ga.gov/Legislation/en-US/display/20172018/SB/327 | Very good bill to help our GBI partners. |

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| SB 336 | ** | Senate Rules Committee 2/8/18 | Unterman (45) Miller (49) Butler (55) McKoon (29) | Bill provides for when GBI issues a subpoena for production of electronic communication service records for computer or electronic devices that have been used in offenses against minors, the provider shall not provide notice of the subpoena to the subscriber or customer of the service. http://www.legis.ga.gov/Legislation/en-US/display/20172018/SB/336 | Another good GBI related bill that should be embraced by law enforcement. |
| SB 343 | * | Senate Public Safety 1/24/18 | Harbison (15) Rhett (33) Davenport (44), James (35), Williams (39) | Bill prohibits POST Council from issuing and renewing drug recognition expert certifications. http://www.legis.ga.gov/Legislation/en-US/display/20172018/SB/343 | |
| SB348 | ** | House Public Safety/ Homeland Security 2/20/18 | Harper (7) Albers (56) Dugan (30) Anderson (43) Brass (28) | Relates to powers of arrest for campus police, define jurisdictional boundaries; and authorize technical colleges to enter mutual aid agreements. http://www.legis.ga.gov/Legislation/en-US/display/20172018/SB/348 | Bill originally called for jurisdictional boundaries for technical colleges to be expanded to 500 yards to match the Colleges and Universities under the Board of Regents. Bill was passed, but amendment was also added to reduce the jurisdictional boundaries of both technical colleges as well as colleges and Universities under the Board of Regents to be reduced to 500 feet. |

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| SB366 | ** | House Appropriations Committee 2/20/18 | Gooch (51) Kirk (13) Harper (7) Anderson (43) Wilkinson (50) | Requires cities and counties to perform compensation studies for law enforcement agencies, establish guidelines for pay scales and reporting requirements to the State reporting. Establishes grant funding for agencies in Tier 1 counties to supplement salaries and benefits. http://www.legis.ga.gov/Legislation/en-US/display/20172018/SB/366 | This is an attempt to help law enforcement. ACCG and GMA have worked with authors to address their needs. |
| SB367 | ** | House Public Safety and Homeland Security 2/20/18 | Kirk (13) Gooch (51) Hill (4) Wilkinson (50) Harper (7) | Allows for payment of indemnification for death or disability to the officer's estate. http://www.legis.ga.gov/Legislation/en-US/display/20172018/SB/367 | A reasonable bill. |
| SB368 | ** | House Public Safety and Homeland Security 2/20/18 | Kirk (13) Gooch (51) Hill (4) Wilkinson (50) Harper (7) | Authorizes Criminal Justice Coordinating Council (CJCC) to provide technical support and assistance to enhance agency's effectiveness. This includes, but not limited to equipment, grant funding, operations, and training. http://www.legis.ga.gov/Legislation/en-US/display/20172018/SB/368 | Good idea, but many think CJCC already provides technical support and assistance based upon the financial guidelines placed upon them by the federal government. |

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| SB369 | ** | House Public Safety and Homeland Security 2/20/18 | Kirk (13) Gooch (51) Hill (4) Wilkinson (50) Anderson (43) | Provides for receipt of five dollars for each fee collected as part of a pre-trial diversion program. Monies are to be submitted to the Peace Officers' Annuity and Benefit Fund. http://www.legis.ga.gov/Legislation/en-US/display/20172018/SB/369 | This is a good bill and hopefully it will pass. |
| SB 407 | ** | Senate Rules Committee 2/22/18 | Strickland (17) Walker (20) Stone (23) Miller (49) Martin (9) | Provides for Criminal Case Data Exchange to and from Superior Courts or any other State Court. Public access to the data shall remain the responsibility of the GCIC and no data shall be released by the Georgia Technology Authority. Also has provisions for release of persons being held on minor charges on personal recognizance or community service. http://www.legis.ga.gov/Legislation/en-US/display/20172018/SB/407 | This is a good bill that will enable agencies to release indigent defendants on their own recognizance. This will help cities and counties reduce the costs associated with housing inmates in jail. The bill will also enable a statewide judicial data exchange program that will speed the exchange of data within the courts and reduce the need to repeatedly enter the data by multiple agencies. |
| SB 408 | * | Senate Public Safety 2/12/18 | Jackson (2) | Requires that law enforcement or correctional officer shall make a good faith effort to have a mental or behavioral health professional present prior to interviewing an individual with autism or an autism spectrum disorder; Bill also requires all agencies to provide a policy and violations of this bill are grounds for suppressing the statement or evidence. Violation cannot be a cause of action against the officer or agency. http://www.legis.ga.gov/Legislation/en-US/display/20172018/SB/408 | It is difficult to identify autism spectrum disorders in some individuals. Authority of this decision should be placed with the courts. |

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| SB 435 | ** | Senate Rules Committee 2/21/18 | Beach (21) Jones (25) Watson (1) Miller (49) Jordan (6) | Change punishments for civil penalties associated with video recording of persons improperly passing school busses. It also permits the installation of automated traffic speed detection devices that photographically record images of violations in school zones and outlines the administration of civil fines for vehicles travelling more than 12 mph above the posted limit. Fee is assessed to the registered owner. Images must be reviewed and approved by a law enforcement officer. http://www.legis.ga.gov/Legislation/en-US/display/20172018/SB/435 | There have been at least four deaths in school zones so far this school year. This bill is an initiative to function as a force multiplier for law enforcement agencies in communities seeking to use these devices. |
| SB446 | ** | Senate Rules Committee 2/21/18 | Harper (7) Mullis (53) | Bill revises the definitions for abandoned motor vehicles, notice requirements, and processes for foreclosure and selling of vehicles with lien assessments. http://www.legis.ga.gov/Legislation/en-US/display/20172018/SB/446 | |
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