

**SUMMARY OF
GENERAL STATUTES ENACTED
AT THE 2010 SESSION
OF THE
GENERAL ASSEMBLY OF
GEORGIA**

LEGISLATIVE SERVICES COMMITTEE

OFFICE OF LEGISLATIVE COUNSEL

**316 STATE CAPITOL
ATLANTA, GEORGIA 30334**

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ATLANTA, GEORGIA 30334**

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FOREWORD

We are pleased to present to you the Summary of General Statutes Enacted at the 2010 Session of the General Assembly of Georgia. This represents one of the services which the Legislative Services Committee and the Office of Legislative Counsel perform for the legislative branch of government. Other services include bill drafting, research, statutory and Code revision, rendering of opinions, counseling, legislative reference, interim committee staffing, and preparation of reports.

This document contains a summary of the general statutes of state-wide application which were enacted at the 2010 regular session of the General Assembly of Georgia. No resolutions, local Acts, or uncodified "population Acts" have been included. The document also includes a table of Code sections amended and enacted at the 2010 session.

It would be impractical to minutely analyze each statute because to do so would defeat the main purpose which it is hoped that this document accomplishes. It is intended to be used as a convenient reference for persons desiring to know which laws were enacted or desiring to ascertain the main features of each Act without the necessity of reading the Act in its entirety.

It should be pointed out that for specific, detailed information on any particular law, the Act itself should be examined. Acts may be readily located in the Georgia Laws by Act number, since the Acts are published in the Georgia Laws in numerical order by Act number. In addition, the Georgia Laws contain a table for converting Act numbers to Georgia Laws page numbers.

This summary is not to be deemed in any manner as an opinion from the Office of Legislative Counsel, and the question of constitutionality has not been considered in any respect.

It is hoped that this document will benefit all who have occasion to use it. Comments and suggestions for improvement are welcomed and should be directed to the Office of Legislative Counsel.

Sewell R. Brumby
Legislative Counsel

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The Acts in this summary are arranged according to the title of the Official Code of Georgia Annotated which they amend. In those cases in which an Act amends more than one Code title, the Act appears under only one of the affected titles. A table of titles appears below. No Acts are listed for those titles which are indicated by an asterisk.

TITLE 1	GENERAL PROVISIONS
TITLE 2*	AGRICULTURE
TITLE 3*	ALCOHOLIC BEVERAGES
TITLE 4	ANIMALS
TITLE 5*	APPEAL AND ERROR
TITLE 6*	AVIATION
TITLE 7	BANKING AND FINANCE
TITLE 8	BUILDINGS AND HOUSING
TITLE 9	CIVIL PRACTICE
TITLE 10	COMMERCE AND TRADE
TITLE 11	COMMERCIAL CODE
TITLE 12	CONSERVATION AND NATURAL RESOURCES
TITLE 13	CONTRACTS
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TITLE 15	COURTS
TITLE 16	CRIMES AND OFFENSES
TITLE 17	CRIMINAL PROCEDURE
TITLE 18*	DEBTOR AND CREDITOR
TITLE 19	DOMESTIC RELATIONS
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TITLE 22*	EMINENT DOMAIN
TITLE 23*	EQUITY
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TITLE 25*	FIRE PROTECTION AND SAFETY
TITLE 26	FOOD, DRUGS, AND COSMETICS
TITLE 27	GAME AND FISH
TITLE 28	GENERAL ASSEMBLY
TITLE 29*	GUARDIAN AND WARD
TITLE 30*	HANDICAPPED PERSONS
TITLE 31	HEALTH
TITLE 32	HIGHWAYS, BRIDGES, AND FERRIES
TITLE 33	INSURANCE
TITLE 34	LABOR AND INDUSTRIAL RELATIONS
TITLE 35	LAW ENFORCEMENT OFFICERS AND AGENCIES
TITLE 36	LOCAL GOVERNMENT
TITLE 37	MENTAL HEALTH
TITLE 38*	MILITARY, EMERGENCY MANAGEMENT, AND VETERANS AFFAIRS
TITLE 39*	MINORS
TITLE 40	MOTOR VEHICLES AND TRAFFIC
TITLE 41*	NUISANCES
TITLE 42	PENAL INSTITUTIONS
TITLE 43	PROFESSIONS AND BUSINESSES
TITLE 44	PROPERTY
TITLE 45	PUBLIC OFFICERS AND EMPLOYEES
TITLE 46	PUBLIC UTILITIES AND PUBLIC TRANSPORTATION
TITLE 47	RETIREMENT AND PENSIONS
TITLE 48	REVENUE AND TAXATION
TITLE 49	SOCIAL SERVICES
TITLE 50	STATE GOVERNMENT
TITLE 51*	TORTS
TITLE 52	WATERS OF THE STATE
TITLE 53	WILLS, TRUSTS, AND ADMINISTRATION OF ESTATES

GENERAL ASSEMBLY 2010 SESSION SUMMARY

HOUSE BILLS	Introduced	Passed	Prefiled Not Intro.	Governor Signed	Governor Vetoed
Pending from the 2009 Session	578	48	6	45	3
Introduced during the 2010 Session	<u>949</u>	<u>207</u>	<u>4</u>	<u>191</u>	<u>16</u>
	1527	255	10	236	19
Generals Passed.	149				
Locals Passed.	<u>106</u>				
Total Passed.	255				
				Sent to the Governor for approval.	255

HOUSE RESOLUTIONS	Introduced	Adopted	Prefiled Not Intro.	Governor Signed	Governor Vetoed
Pending from the 2009 Session	147	2	1	0	0
Introduced during the 2010 Session	<u>2193</u>	<u>1114</u>	<u>0</u>	<u>3</u>	<u>0</u>
	2340	1116	1	3	0
Generals Adopted.	3				
Other Non-Privileged Adopted.	23				
Locals Adopted.	1				
Constitutional Amendments.	2				
Privileged Adopted.	<u>1087</u>				
Total Adopted.	1116				
				Sent to the Governor for approval.	5

SENATE BILLS	Introduced	Passed	Prefiled Not Intro.	Governor Signed	Governor Vetoed
Pending from the 2009 Session	215	24	0	20	4
Introduced during the 2010 Session	<u>338</u>	<u>82</u>	<u>2</u>	<u>74</u>	<u>8</u>
	553	106	2	94	12
Generals Passed.	90				
Locals Passed.	<u>16</u>				
Total Passed.	106				
				Sent to the Governor for approval.	106

SENATE RESOLUTIONS	Introduced	Adopted	Prefiled Not Intro.	Governor Signed	Governor Vetoed
Pending from the 2009 Session	55	1	0	1	0
Introduced during the 2010 Session	<u>1579</u>	<u>806</u>	<u>0</u>	<u>2</u>	<u>0</u>
	1634	807	0	3	0
Generals Adopted.	4				
Other Non-Privileged Adopted.	30				
Locals Adopted.	0				
Constitutional Amendments.	3				
Privileged Adopted.	<u>770</u>				
Total Adopted.	807				
				Sent to the Governor for approval.	7

TOTAL BILLS	Introduced	Passed	Prefiled Not Intro.	Governor Signed	Governor Vetoed
HOUSE BILLS.	949	255	5	236	19
SENATE BILLS.	<u>338</u>	<u>106</u>	<u>2</u>	<u>94</u>	<u>12</u>
TOTAL FOR BOTH HOUSES.	1287	361	7	330	31

Total number of Bills sent to the Governor for approval. 361

TOTAL RESOLUTIONS	Introduced	Passed	Prefiled Not Intro.	Governor Signed	Governor Vetoed
HOUSE RESOLUTIONS.	2193	1116	0	3	0
SENATE RESOLUTIONS.	<u>1599</u>	<u>807</u>	<u>0</u>	<u>3</u>	<u>0</u>
TOTAL FOR BOTH HOUSES.	3792	1923	0	6	0

Total number of Resolutions sent to the Governor for approval. . . . 12



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**TITLE 1
GENERAL PROVISIONS**

Act 624; HB 1387

This Act makes extensive editorial amendments to the O.C.G.A. to correct typographical, stylistic, capitalization, punctuation, and other errors and omissions and reenacts the statutory portion of the Code as so amended.

Effective June 3, 2010.

**TITLE 4
ANIMALS**

Act 386; HB 788

This Act prohibits the use of gas chambers to euthanize dogs and cats.

The Act amends O.C.G.A. Section 4-11-5.1.

Effective December 31, 2010.

Act 556; HB 1106

This Act provides that animal shelters and similar facilities shall scan animals for microchips and shall make a reasonable effort to contact the animal's owner.

The Act enacts O.C.G.A. Section 4-11-5.2.

Effective July 1, 2010.

**TITLE 7
BANKING AND FINANCE**

Act 346; HB 926

This Act exempts certain renewals or restructuring of loans from the limitations on obligations of a bank to one person or one corporation.

The Act amends O.C.G.A. Section 7-1-285.

Effective February 11, 2010.

**TITLE 8
BUILDINGS AND HOUSING**

Act 461; HB 1196

This Act prohibits building codes adopted after the effective date of this Act from requiring fire sprinklers to be installed in single-family dwellings or residential buildings that contain two or fewer dwelling units.

The Act enacts O.C.G.A. Section 8-2-4.

Effective May 24, 2010.

Act 427; HB 516

This Act defines a "residential industrialized building," prohibits local regulation from excluding residential industrialized buildings from residential districts, and recognizes county and municipal authority over certain matters.

The Act amends O.C.G.A. Sections 8-2-111 and 8-2-112.

Effective May 20, 2010.

TITLE 8 (continued)

Act 420; SB 384

This Act authorizes individuals who own or have the right to use real property to install and occupy a pre-owned manufactured home on such property in certain circumstances and provides for health and safety standards for pre-owned manufactured homes. The Act also provides for immunity to local inspectors for injuries sustained in certain circumstances.

The Act enacts O.C.G.A. Sections 8-2-170 and 8-2-171.

Effective May 20, 2010.

TITLE 9 CIVIL PRACTICE

Act 543; SB 138

This Act provides that legislative enactments do not create a private right of action unless expressly so stated therein.

The Act enacts O.C.G.A. Section 9-2-8.

Effective July 1, 2010.

Act 611; SB 491

This Act changes provisions relating to the grounds for exercising personal jurisdiction over nonresidents in domestic relation cases. The Act also provides for state-wide certified process servers and provides for serving persons residing in gated and secured communities.

The Act amends O.C.G.A. Sections 9-10-91 and 9-11-4 and enacts O.C.G.A. Section 9-11-4.1.

Effective July 1, 2010.

TITLE 10 COMMERCE AND TRADE

Act 372 ; HB 1345

This Act repeals certain provisions relating to kosher food. The Act provides for the regulatory oversight of kosher food. The Act also provides for certain procedures relating to such oversight.

The Act amends O.C.G.A. Sections 10-1-392 and 10-1-397; enacts O.C.G.A. Section 10-1-393.11; and repeals Article 11 of O.C.G.A. Chapter 26-2.

Effective July 1, 2010, except that the repeal of Article 11 of O.C.G.A. Chapter 26-2 shall become effective on May 20, 2010.

Act 419; SB 368

This Act provides that it shall be unlawful for any nonlocal business to list in any local telephone directory a number for the business if calls to such number are routinely forwarded or otherwise transferred to the nonlocal business location that is outside the calling area covered by such local telephone directory.

The Act amends O.C.G.A. Sections 10-1-393 and 10-1-397.

Effective January 1, 2011.

Act 402; SB 237

This Act provides that the Governor shall identify what goods and services may not be sold at higher prices during a state of emergency.

The Act amends O.C.G.A. Section 10-1-393.4.

Effective May 20, 2010.

TITLE 10 (continued)

Act 645; HB 1072

This Act makes comprehensive changes to the "Georgia Motor Vehicle Franchise Practices Act" in order to promote the stability of franchised motor vehicle dealerships, to maintain the necessary reliable services to the consumer public, and to maintain full and fair competition among dealers in the public interest.

The Act amends O.C.G.A. Sections 10-1-622, 10-1-623, 10-1-624, 10-1-627, 10-1-641, 10-1-651, 10-1-661, and 10-1-662.

Effective June 4, 2010.

TITLE 11 COMMERCIAL CODE

Act 470; HB 451

This Act adopts the revised Article 7 of the Uniform Commercial Code relating to warehouse receipts, bills of lading, and other documents of title and conforms cross-references.

The Act amends Article 7 of O.C.G.A. Title 11 and O.C.G.A. Sections 11-1-201, 11-2-103, 11-2-104, 11-2-310, 11-2-323, 11-2-401, 11-2-503, 11-2-505, 11-2-506, 11-2-509, 11-2-605, 11-2-705, 11-2A-103, 11-2A-514, 11-2A-526, 11-4-104, 11-4-210, 11-8-103, 11-9-102, 11-9-203, 11-9-207, 11-9-208, 11-9-301, 11-9-310, 11-9-312, 11-9-313, 11-9-314, 11-9-317, and 11-9-338.

Effective May 27, 2010, and applicable to a document of title that is issued or a bailment that arises on or after the effective date of this Act.

TITLE 12 CONSERVATION AND NATURAL RESOURCES

Act 369; HB 1199

This Act expands the type of volunteer services the Department of Natural Resources may utilize to include volunteers for or to aid in historic preservation, wildlife management, recreation, and public education on conservation. The Act authorizes the department to incorporate one nonprofit corporation that qualifies as a public foundation under the Internal Revenue Code.

The Act amends O.C.G.A. Section 12-2-6.

Effective July 1, 2010.

Act 373; SB 99

This Act authorizes the Department of Natural Resources to issue permits for the construction, maintenance, and use of boat shelters on High Falls Lake. The Act prohibits the operation of certain vessels on Lake Sinclair and provides for exceptions to the prohibition.

The Act amends O.C.G.A. Sections 12-3-34 and 52-7-13.

Effective May 20, 2010.

Act 431; SB 523

This Act provides for a change in the membership of the Georgia Sports Hall of Fame Authority and authorizes the authority to appoint staff with the approval of the commissioner of economic development and to establish a nonprofit corporation to assist with certain functions of the authority. The Act requires the Georgia Sports Hall of Fame Authority and the Georgia Music Hall of Fame Authority to work together to realize efficiencies and economies in the operation of their facilities and issue a request for proposal for a new location or alternative ownership, management, and operation at the same location. The Act establishes the Georgia Halls of Fame Authority Overview Committee, formerly the Georgia Music Hall of Fame Authority Overview Committee, to provide legislative oversight of the Georgia Music Hall of Fame Authority and the Georgia Sports Hall of Fame Authority.

TITLE 12 (continued)

The Act amends O.C.G.A. Sections 12-3-550 through 12-3-554 and 12-3-562 and enacts O.C.G.A. Sections 12-3-522.1 and 12-3-562.1.

Effective May 24, 2010.

Act 547; SB 449

This Act abolishes the Georgia Golf Hall of Fame Authority and the Georgia Golf Hall of Fame. The Act provides that Department of Economic Development shall receive all assets of the Georgia Golf Hall of Fame Authority and the Georgia Golf Hall of Fame Board; provided, however, the statues shall be transferred to the Augusta-Richmond County Commission and the real property is authorized to be sold by competitive bid.

The Act enacts O.C.G.A. Section 50-7-18 and repeals O.C.G.A. Sections 12-3-580 through 12-3-592, 50-12-64, 50-12-65, 50-12-66, 50-12-67, 50-12-68, 50-12-69, and 50-12-69.1.

Effective June 2, 2010.

Act 378; HB 1090

The Act abolishes the Georgia Agrirama Development Authority and provides that the Board of Regents of the University System of Georgia shall be the successor to and continue the mission of the authority and shall continue the operation of the State Museum of Agriculture.

The Act amends O.C.G.A. Section 12-3-651 and enacts O.C.G.A. Section 12-3-662.

Effective May 20, 2010.

Act 542; SB 370

This Act provides for the Department of Natural Resources, the Georgia Environmental Facilities Authority, the Georgia Department of Community Affairs, the Georgia Forestry Commission, the Georgia Department of Community Health, the Georgia Department of Agriculture, and the Georgia Soil and Water Conservation Commission to identify and provide for programs and incentives to encourage voluntary water conservation and means to enhance the state's water supply. The Act places limitations on outdoor irrigation under certain circumstances and provides for exceptions. The Act establishes three categories of farm use surface water withdrawal permits and three categories of farm use ground-water withdrawal permits. The Act requires certain new multiunit residential, retail, and light industrial buildings to be constructed in a manner which will permit the measurement of water use by each unit. The Act mandates that the Department of Community Affairs require the installation of high-efficiency plumbing fixtures and high-efficiency cooling towers on new construction. The Act creates the Joint Committee on Water Supply to comprise members of the General Assembly.

The Act amends O.C.G.A. Sections 8-2-3, 8-2-23, 12-5-7, 12-5-31, 12-5-105, and 12-5-180.1 and enacts O.C.G.A. Sections 12-5-4 and 12-5-4.1.

Effective June 1, 2010.

Act 364; HB 169

This Act creates and establishes the Georgia Geospatial Advisory Council in order to provide the public with greater access to reliable geospatial data, including flood maps, geospatial coordination, data life cycle support, and contract and program management support.

The Act enacts O.C.G.A. Section 12-5-9.

Effective July 1, 2010.

Act 411; HB 1206

This Act requires that a person who drills a geothermal borehole shall have a contractor's license issued by the State Water Well Standards Advisory Council. The Act excludes persons who drill water wells or geothermal boreholes from persons required to drill under the direction of a professional geologist or a professional engineer. The Act provides for minimum requirements for drilling geothermal boreholes.

TITLE 12 (continued)

The Act amends O.C.G.A. Sections 12-5-122, 12-5-125, and 12-5-134.
Effective July 1, 2010.

Act 397; SB 380

This Act requires the Georgia Environmental Facilities Authority to issue a request for proposal for an engineering study developing a district-wide emergency plan covering public water systems owned and operated by a city, county, or water authority in the Metropolitan North Georgia Water Planning District. The Act establishes a technical panel of directors of public water systems located within the district and provides that the authority and the technical panel shall define water shortage scenarios to be evaluated in the emergency plan. The Act authorizes the Water Supply Division of the Georgia Environmental Facilities Authority to make loans and grants to local governments to pay all or part of the cost of expanding and increasing the capacity of existing reservoirs.

The Act enacts O.C.G.A. Sections 12-5-200 through 12-5-204 and 50-23-28.1.
Effective May 20, 2010.

Act 668; SB 402

This Act modifies definitions relating to land conservation programs and projects.
The Act amends O.C.G.A. Section 12-6A-2.
Effective July 1, 2010.

Act 481; HB 1359

This Act provides an exception for a required buffer along state waters at Lake Oconee and Lake Sinclair where shoreline stabilization is installed and other limitations are met.

The Act amends O.C.G.A. Section 12-7-6.
Effective July 1, 2010.

Act 407; HB 1059

This Act provides that a modification of a permit for existing municipal solid waste disposal facilities for the addition at such facility of a recovered materials processing facility shall be classified as a minor permit modification.

The Act amends O.C.G.A. Section 12-8-24.
Effective July 1, 2010.

Act 612; SB 490

This Act modifies definitions relating to hazardous waste management.
The Act amends O.C.G.A. Sections 12-8-62 and 12-8-92.
Effective June 3, 2010.

Act 488; SB 78

This Act establishes the Voluntary Remediation Program Escrow Account from funds obtained under the Voluntary Remediation Program for hazardous waste to be administered by the director of the Environmental Protection Division of the Department of Natural Resources. The Act modifies definitions relating to hazardous waste management and hazardous site response. The Act modifies definitions relating to lead poisoning prevention and modifies restrictions relating to lead poisoning prevention particularly in renovations, repairs, and maintenance activities.

The Act amends O.C.G.A. Sections 12-8-62, 12-8-92, 12-8-104, 12-8-107, 12-8-108, 31-41-2, 31-41-3, and 31-41-4 and enacts O.C.G.A. Section 12-8-104.1.

Effective May 27, 2010.

TITLE 12 (continued)

Act 428; HB 493

This Act authorizes the Georgia Youth Conservation Corps to assist in residential home improvement weatherization projects and to conduct such projects on private residential property where the project is funded by federal funds. The Act authorizes the Georgia Environmental Facilities Authority and the Department of Labor to contract for the installation of energy saving material or devices.

The Act amends O.C.G.A. Sections 12-11-4, 12-11-5, 12-11-7, and 12-11-8.
Effective May 20, 2010.

TITLE 13 CONTRACTS

Act 421; SB 447

This Act provides for certain contractual and purchasing preferences for materials and contractors who reside in this state. The Act also provides standards for construction projects and clarifies certain provisions relating to public employers' verification of employee work eligibility.

The Act amends O.C.G.A. Sections 13-10-90, 13-10-91, and 20-2-500 and enacts O.C.G.A. Section 13-10-13.

Effective July 1, 2010, and applicable to all contracts which are first advertised on or after that date.

TITLE 15 COURTS

Act 674; HB 1104

This Act makes the Code consistent in terms of giving minors punished in juvenile court credit for time served in confinement and provides for graduated sanctions and secure detention for juvenile offenders who violate the terms of their probation using a probation management program. The Act extends the sunset date for the disposition of delinquent children to youth development centers. The Act also provides for the new offense of smash and grab burglaries and the interaction of that offense with punishment in juvenile court, contributing to the delinquency of a minor, and RICO.

The Act amends O.C.G.A. Sections 15-11-30.3, 15-11-63, 15-11-66, 16-12-1, 16-14-3, and 17-10-11 and enacts O.C.G.A. Sections 15-11-40.1 and 16-7-2.

Effective July 1, 2010, and applicable to children sentenced to probation on or after July 1, 2010; otherwise the former provisions of Code Section 15-11-66 apply.

Act 469; HB 1085

This Act provides for additional requirements for case plans and permanency plans submitted and approved by the juvenile court for children in the custody of the Division of Family and Children Services of the Department of Human Services.

The Act amends O.C.G.A. Section 15-11-58.
Effective May 27, 2010.

Act 465; SB 299

This Act changes the designated felony act as it relates to the zero tolerance policy of weapons in schools.

The Act amends O.C.G.A. Sections 15-11-63 and 16-11-127.1.
Effective May 25, 2010.

TITLE 15 (continued)

Act 620; SB 313

This Act requires that all witnesses be given an oath prior to testifying to a grand jury.
The Act amends O.C.G.A. Section 15-12-68.
Effective July 1, 2010.

Act 464; HB 1310

This Act allows the Brain and Spinal Injury Trust Commission to solicit federal funds and donations from individuals, organizations, and foundations.
The Act amends O.C.G.A. Section 15-21-147.
Effective July 1, 2010.

**TITLE 16
CRIMES AND OFFENSES**

Act 646; HB 1002

This Act increases the punishment for aggravated assault, intimidation of court officers, terroristic threats or acts, and dissemination of information relating to terroristic acts when such acts are committed upon judges, attorneys, clerks and deputy clerks of court, court reporters, and probation officers.
The Act amends O.C.G.A. Sections 16-5-21, 16-10-97, 16-11-37, and 16-11-37.1.
Effective July 1, 2010.

Act 501; HB 1016

This Act confirms that businesses as well as individuals may be victims of identity fraud.
The Act amends O.C.G.A. Sections 16-9-121 and 16-9-128.
Effective July 1, 2010.

Act 422; SB 470

This Act provides that it is illegal to prevent reasonable efforts to block the installation, execution, or disabling of a covered file-sharing program on computers and provides that it shall be illegal to install, offer to install, or make available for installation, reinstallation, or update a covered file-sharing program on a computer without first providing clear and conspicuous notice to the authorized user of the computer that the files on that computer will be made available to the public, obtaining consent of the authorized user to install the program, and requiring affirmative steps by the authorized user to activate any feature on the program that will make files on that computer available to the public.
The Act amends O.C.G.A. Sections 16-9-151 and 16-9-154.
Effective July 1, 2010.

Act 405; HB 1007

This Act increases the maximum amount of sales of personal property that is exempt from prohibitions on sales of real or personal property to political subdivisions by local officers or employees and limits civil liability related to such transactions.
The Act amends O.C.G.A. Section 16-10-6.
Effective July 1, 2010.

Act 643; SB 308

This Act clarifies and changes provisions relating to the carrying and possession of weapons. The Act creates definitions and the offense of carrying a weapon without a license, prohibits carrying of weapons in unauthorized locations, changes provisions relating to carrying weapons in school zones

TITLE 16 (continued)

and carrying a pistol without a license, and provides for a weapons carry license. The Act also conforms cross-references.

The Act amends O.C.G.A. Sections 16-11-126, 16-11-127, 16-11-127.1, 16-11-127.2, 16-11-129, 16-11-132, 16-11-135, 10-1-393.5, 12-3-10, 15-9-60, 16-10-51, 16-11-34.1, 16-11-101.1, 16-11-130, 16-12-123, 16-12-127, 17-5-51, 17-7-23, 20-2-1184, 27-3-1.1, 27-3-6, 27-4-11.1, 40-6-228, 43-1-5, 43-34-6, 43-38-10, 49-4A-8, and 50-18-72; enacts O.C.G.A. Section 16-11-125.1; and repeals O.C.G.A. Section 16-11-128.

Effective June 4, 2010, and applicable to all offenses committed on or after such date.

Veto No. 17; SB 291

This Act allows persons who are permitted to carry firearms to carry such firearms into areas of airports which are not regulated by the federal government. The Act revises methods for the issuance of licenses to carry weapons. The Act also prohibits the seizure or registration of firearms or additional limitations on carrying firearms during official states of emergency.

The Act amends O.C.G.A. Sections 16-11-127 and 16-11-129 and enacts O.C.G.A. Section 16-11-136.

Act 433; HB 1309

This Act includes synthetic cannabinoids, known as "K2," in the Schedule I list of controlled substances.

The Act amends O.C.G.A. Section 16-13-25.

Effective May 24, 2010.

Act 619; SB 353

This Act makes changes to the list of Schedule I, Schedule II, Schedule IV, and Schedule V controlled substances and dangerous drugs.

The Act amends O.C.G.A. Sections 16-13-25, 16-13-26, 16-13-28, 16-13-29, and 16-13-71.

Effective June 3, 2010.

Act 629; HB 1021

This Act includes Salvinorin A in the list of dangerous drugs and provides for exceptions.

The Act amends O.C.G.A. Sections 16-13-71 and 16-13-72.

Effective July 1, 2010.

Act 406; HB 1015

This Act expands and changes provisions relating to the "Georgia Criminal Street Gang Terrorism and Prevention Act." The Act allows the Georgia Bureau of Investigation to establish a state-wide criminal street gang data base. The Act also provides for longer probation supervision for persons convicted of criminal gang activity.

The Act amends O.C.G.A. Sections 16-15-2, 16-15-3, 16-15-4, 16-15-7, 16-15-9, 16-15-10, 17-6-1, and 17-10-1 and enacts O.C.G.A. Section 16-5-11.

Effective July 1, 2010.

TITLE 17 CRIMINAL PROCEDURE

Act 423; HB 199

This Act provides judicial discretion for the provision of notice and a hearing for consideration of a warrant application made without probable cause.

The Act amends O.C.G.A. Section 17-4-40.

Effective July 1, 2010.

TITLE 17 (continued)

Act 404; HB 889

This Act limits recognizance bonds for persons charged with certain crimes who are entering pretrial release, pretrial intervention, or pretrial diversion programs. The Act also clarifies the procedure to be used when a circuit public defender office has a conflict of interest.

The Act amends O.C.G.A. Sections 17-6-1, 17-6-12, and 17-12-22.

Effective July 1, 2010.

Act 403; HB 567

This Act expands victims' participation in the court systems in juvenile and state courts in numerous respects, including changing victim impact statements and requiring procedures related thereto; expanding the types of crimes covered by the "Crime Victims' Bill of Rights"; changing certain victim notification; changing the procedure regarding victim interviews; requiring victims' presence in courtrooms at sentencing; changing the rule of sequestration; and preventing certain communications with victims upon their request.

The Act amends O.C.G.A. Sections 15-11-64.2, 15-11-78, 15-11-155, 17-10-1.2, 17-14-3, 17-17-1, 17-17-3, 17-17-5, 17-17-8, 17-17-9, 17-17-12, 24-9-61.1, and 42-5-50 and enacts O.C.G.A. Sections 17-17-5.1, 17-17-8.1, 17-17-9.1, and 17-17-12.1.

Effective July 1, 2010.

Act 498; HB 901

This Act changes mandatory punishment for persons convicted of a fourth felony offense.

The Act amends O.C.G.A. Section 17-10-7.

Effective July 1, 2010.

Act 452; HB 323

This Act extends the period of review for the Supreme Court's consideration of applications for pretrial proceedings in cases in which the death penalty is sought and clarifies provisions relating to the assistant to the Supreme Court.

The Act amends O.C.G.A. Sections 17-10-35.1 and 17-10-37.

Effective July 1, 2010, and applicable to cases docketed on and after that date.

TITLE 19

DOMESTIC RELATIONS

Act 439; SB 238

This Act authorizes the Governor or any former Governor of this state to perform marriage ceremonies.

The Act amends O.C.G.A. Sections 19-3-30, 19-3-39, 19-3-42, 19-3-46, and 19-3-48.

Effective July 1, 2010.

Act 410; HB 1118

This Act requires the Child Support Enforcement Agency of the Department of Human Services to review orders for child support and, where the case is active under the Temporary Assistance for Needy Families program, requires the agency to review support orders without a request. The Act clarifies terms relating to persons owing a duty of medical support for children and relating to persons to whom such duty is owed.

The Act amends O.C.G.A. Sections 19-11-3, 19-11-12, and 19-11-26 through 19-11-29.

Effective July 1, 2010.

**TITLE 20
EDUCATION**

Act 447; SB 392

This Act defines "educational institution" and requires that these state funded institutions verify that motor carriers or contract carriers are properly certified for transporting students. The Act requires passenger transportation carriers under the authority of the Public Service Commission to provide certification and proof of insurance.

The Act amends O.C.G.A. Section 46-7-3 and enacts O.C.G.A. Section 20-1-10.

Effective July 1, 2010, and applicable to agreements entered into on or after such date.

Act 448; SB 427

This Act creates the Georgia Foundation for Public Education and enumerates the foundation's public purposes, powers, and governing board of directors.

The Act enacts O.C.G.A. Section 20-1-14.1.

Effective July 1, 2010.

Act 463; SB 84

This Act provides for various changes to O.C.G.A. sections relating to local boards of education, including eligibility for office, size of local boards, per diem allowances and expenses, identification of the fundamental role of the board and local superintendents, establishment of a code of ethics, identification of conflicts of interest, and the possibility of suspension and replacement if a local school system loses accreditation due to board action. The Act revises eligibility requirements for county school superintendents and revises training standards for members of local boards of education.

The Act amends O.C.G.A. Sections 20-2-51, 20-2-52, 20-2-55, 20-2-57, 20-2-61, 20-2-63, 20-2-101, and 20-2-230 and enacts O.C.G.A. Sections 20-2-49, 20-2-72, and 20-2-73.

Effective 45 days after Governor's approval (May 25, 2010) with Sections 2, 3, 7, and 8 required to be submitted for preclearance under the federal Voting Rights Act. If any sections submitted for preclearance are denied approval by June 30, 2011, such section or sections are void and repealed at that date.

Act 626; HB 1200

This Act authorizes local boards of education to accept and solicit funds for field trips and other educational purposes.

The Act enacts O.C.G.A. Section 20-2-72.

Effective July 1, 2010.

Act 449; SB 518

This Act adds the study of the Pledge of Allegiance to the United States and Georgia flags to the core curriculum requirement for schools.

The Act amends O.C.G.A. Section 20-2-142.

Effective July 1, 2010.

Veto No. 16; SB 239

This Act requires all state-funded elementary and secondary schools and colleges and universities to conduct an annual education program on the governing principles of the United States Constitution. The Act provides that new residents of a local school system register a child in school within 15 days of establishing new residency and establishes reporting violations of mandatory attendance requirements.

The Act amends O.C.G.A. Sections 20-2-690.1 and 20-3-69 and enacts O.C.G.A. Section 20-2-149.1.

TITLE 20 (continued)

Act 441; SB 340

This Act requires school systems and private schools to establish a reporting system for the Georgia Student Finance Commission to determine potential eligibility of the HOPE scholarship program of the school's freshmen, sophomores, and juniors.

The Act amends O.C.G.A. Section 20-2-157.

Effective July 1, 2010.

Act 384; HB 908

This Act provides for a temporary waiver of expenditure controls relating to funds earned for certain costs and additional instruction days to be automatically repealed on July 1, 2013. The Act provides for a temporary system average maximum class size for grades kindergarten through eight. The Act authorizes the State Board of Education to establish blanket waivers or variances for class sizes in local systems due to financial demands.

The Act amends O.C.G.A. Sections 20-2-167, 20-2-182, 20-2-184.1, and 20-2-244.

Effective May 20, 2010.

Act 647; HB 936

This Act allows for funds allocated for the replacement of school buses to also be used for refurbishing. The Act provides for changes to the Georgia Education Authority, including the authority's membership, staffing, powers, and authority. The Act revises provisions of the "Georgia Education Authority (Schools) Act" to allow for qualification for the federal American Recovery and Reinvestment Act bond program for schools.

The Act amends O.C.G.A. Sections 20-2-188, 20-2-552, 20-2-553, 20-2-555, 20-2-556, 20-2-559, 20-2-560, 20-2-564, 20-2-567, 20-2-568, 20-2-569, 20-2-570, 20-2-571, 20-2-572, and 20-2-577.

Effective July 1, 2010.

Act 413; HB 1307

This Act provides for a temporary suspension of professional learning requirements for renewal of teacher and paraprofessional certifications. The Act eliminates a computer skills competency course as an option for demonstrating computer skills competency when applying for certification renewal.

The Act amends O.C.G.A. Section 20-2-200.

Effective July 1, 2010.

Act 408; HB 1079

This Act provides for additional methods of payment for certification fees to the Professional Standards Commission. The Act changes the requirement that all personnel in elementary and secondary education submit fingerprints and to a criminal record check to provide that only noneducator personnel submit to such requirement. The Act defines "clearance certificate," "educator," "local unit of administration," and "professional educator certificate" and requires educators to hold a clearance certificate. The Act adds a clearance certificate application fee to the fee schedule for the Professional Standards Commission. The Act also makes charter schools subject to provisions relative to fingerprint and background checks.

The Act amends O.C.G.A. Sections 20-2-82, 20-2-200, 20-2-211, 20-2-244, 20-2-982.1, and 20-2-2065 and enacts O.C.G.A. Section 20-2-211.1.

Effective July 1, 2010.

Act 349; HB 906

This Act provides for a temporary extension of the deadline for local boards to renew annual contracts for certified elementary and secondary education personnel.

The Act amends O.C.G.A. Section 20-2-211.

Effective March 16, 2010.

TITLE 20 (continued)

Act 456; HB 923

This Act allows a certified educator who has earned a leadership degree but is not in a leadership position to be placed on the state salary schedule based upon that leadership degree.

The Act amends O.C.G.A. Section 20-2-212.

Effective July 1, 2010.

Act 367; HB 977

This Act prohibits the use of state funds for salary increases for local school superintendents or administrators during a school year in which the local board of education furloughs teachers or any other school support or services staff. The Act requires a local board of education to provide for a public hearing if it intends to use local or private funds for salary increases for superintendents or administrators during a year of furloughs to teachers or any other school support or services staff.

The Act enacts O.C.G.A. Section 20-2-212.6.

Effective July 1, 2010.

Act 385; HB 905

This Act extends the sunset date and adjusts the automatic repeal date for provisions relating to advance funding, exceptional growth, and low-wealth capital outlay grants.

The Act amends O.C.G.A. Sections 20-2-260 and 20-2-262 and amends Acts approved May 6, 2008 (Ga. L. 2008, p. 288); April 9, 2001 (Ga. L. 2001, p. 148); and April 22, 1999 (Ga. L. 1999, p. 400).

Effective May 20, 2010.

Act 390; HB 400

This Act creates the "Building Resourceful Individuals to Develop Georgia's Economy Act." The Act defines "articulation," "career academy," "choice technical high school," "chronically low-performing high school," "focused program of study," "graduation plan," "industry certification," "public college or university," "small learning college," "teacher adviser system," and "technical school or college." The Act establishes programs to improve student preparedness for postsecondary education and careers and programs that encourage on-time graduations and smooth transitions to postsecondary education or the work force. The Act establishes a grant program to implement school reforms and guidelines for grant recipients. The Act allows a student who passes certain exams to be granted a variance from the high school graduation test requirement.

The Act amends O.C.G.A. Section 20-2-281 and enacts O.C.G.A. Sections 20-2-325, 20-2-326, 20-2-327, 20-2-328, and 20-2-329.

Effective May 20, 2010.

Veto No. 6; HB 907

This Act revises certain provisions relating to the organization of schools, middle school programs, and scheduling. The Act revises the methods for notifying parents of special needs children of the educational options available to the student. The Act establishes an application deadline and payment schedule for scholarships for special needs students.

The Act amends O.C.G.A. Sections 20-2-290, 20-2-2113, 20-2-2114, and 20-2-2116.

Act 383; HB 910

This Act revises the requirements for the Department of Education's annual report on gender equity in local school systems.

The Act amends O.C.G.A. Section 20-2-315.

Effective May 20, 2010.

TITLE 20 (continued)

Act 471; SB 250

This Act expands the definition of "bullying." The Act requires that, by August 1, 2011, local school boards adopt policies that prohibit bullying of students of all ages and the Department of Education promulgate a model policy regarding bullying. The Act provides for a mental state of knowledge, intention, or recklessness as an element to the offense of unlawful disruption or interference with the operation of public schools or public school buses.

The Act amends O.C.G.A. Sections 20-2-751.4 and 20-2-1181.

Effective May 27, 2010, and applicable with respect to conduct on or after that date.

Act 490; SB 319

This Act provides that the definition of "textbook" for elementary and secondary education may include digital content.

The Act amends O.C.G.A. Section 20-2-1010.

Effective July 1, 2010.

Act 492; SB 457

This Act provides that a local board of education may act on a petition for a conversion charter for a high school cluster if the petition has been approved by 60 percent of the faculty of the high school cluster and the parents in the attendance zone of the cluster.

The Act amends O.C.G.A. Section 20-2-2064.

Effective July 1, 2010.

Act 446; SB 387

This Act provides for Internet based career counseling and advisement for students in grades six through 12 and Internet based resources for developing graduation plans for students in grades eight through 12 from the Georgia Student Finance Commission.

The Act enacts O.C.G.A. Section 20-3-242.

Effective July 1, 2010.

Act 442; SB 341

This Act establishes a Georgia residency eligibility requirement for HOPE GED vouchers.

The Act amends O.C.G.A. Section 20-3-519.6.

Effective May 24, 2010.

TITLE 21 ELECTIONS

Act 632; HB 540

This Act makes numerous technical changes throughout O.C.G.A. Chapter 21-2.

Effective July 1, 2010.

Act 502; HB 1073

This Act provides for the provision of absentee ballots to uniformed and overseas voters and the use of special write-in ballots. The Act provides that absentee ballots may be requested by electronic transmission. The Act provides that the State Election Board shall establish by rule or regulation procedures for the transmission of blank absentee ballots to uniformed and overseas voters.

The Act amends O.C.G.A. Sections 21-2-219, 21-2-381, 21-2-381.1, and 21-2-384.

Effective July 1, 2010.

TITLE 21 (continued)

Act 557; HB 665

This Act provides for a pilot program for the electronic transmission of absentee ballots by military and overseas citizens.

The Act enacts O.C.G.A. Section 21-2-387.

Effective July 1, 2010.

Act 680; SB 17

This Act enacts the "Georgia Government Transparency and Campaign Finance Act of 2010." The Act creates the Georgia Government Transparency and Campaign Finance Commission as the successor to the State Ethics Commission. The Act provides for the electronic reporting of campaign disclosure reports. The Act increases the penalty for late filing of such disclosure statement. The Act includes as an expenditure for purposes of lobbyist disclosure expenses related to transportation, travel, lodging, registration, food, beverages, and activities related to attending a meeting. The Act includes in the definition of "lobbyist" persons seeking to influence matters before the State Transportation Board. The Act includes political subdivisions as "state agencies" for purposes of lobbyist regulation. The Act provides for the electronic filing of lobbyist disclosure reports and increases penalties for late reporting. The Act increases penalties for abuse of public office and influencing a public official. The Act provides for the filing of a complaint alleging improper conduct involving a member of the General Assembly and for the handling of such complaint.

The Act amends Chapter 21-5, Part 6 of Article 2 of O.C.G.A. Chapter 45-10, and O.C.G.A. Sections 16-10-4, 16-10-5, 45-1-6, 45-7-7, and 45-10-26.

Effective January 10, 2011; provided, however, that the effectiveness of provisions relating to O.C.G.A. Sections 21-5-34(k)(2), 21-5-50(f)(2), 21-5-71(f)(2)(D)(ii), and 21-5-71(f)(2)(E)(ii) is conditioned upon 2010 HB 1055 becoming law.

TITLE 26

FOOD, DRUGS, AND COSMETICS

Act 494; HB 194

This Act requires that a prescription drug label shall include a designation indicating when a generic drug has been substituted for a brand name prescription drug and provides for exceptions to the requirement.

The Act amends O.C.G.A. Section 26-4-81.

Effective October 1, 2010.

Act 392; HB 361

This Act authorizes hospital pharmacists to collaborate with members of the medical staff in a medical institution on drug therapy management. The Act authorizes the State Board of Pharmacy to regulate such practices.

The Act enacts O.C.G.A. Sections 26-4-210 through 26-4-214.

Effective July 1, 2010.

Act 466; HB 883

This Act provides for civil and criminal penalties for any person who violates minimum standards and requirements in a food safety plan and authorizes the Commissioner of Agriculture to impose such civil penalties. The Act makes it a felony offense for any person to introduce into commerce finished foods or finished food ingredients knowing that they contain a substance that would cause the same to be adulterated.

The Act amends O.C.G.A. Section 26-2-27.1.

Effective May 25, 2010.

**TITLE 27
GAME AND FISH**

Act 635; SB 474

This Act specifies that rules and regulations of the Board of Natural Resources used to establish game and fish criminal violations shall be those in force and effect on January 1, 2010. The Act further provides that persons under the age of 16 may hunt deer with any firearm legal for hunting deer. The Act permits the use of longbows during primitive weapon hunts or primitive weapon seasons. The Act changes the bag limits for bears and certain restrictions and penalties relating to hunting bear. The Act provides that hunting operations shall not be nuisances under certain conditions. The Act further provides that a hunting operation shall not be subject to any action for civil or criminal liability, damages, abatement, or injunctive relief resulting from or relating to lawful hunting activities generated by the hunting operation if it remains in compliance with O.C.G.A. Title 27 and the rules and regulations adopted by the Board of Natural Resources pursuant to O.C.G.A. Title 27.

The Act regulates the exporting, farming, and selling of fresh-water turtles. The Act decreases the maximum daily creel and possession limit of weakfish from six to one. The Act allows a person to keep native wildlife, which does not include protected species, that has been accidentally killed by a motor vehicle if the person notifies the Department of Natural Resources or a law enforcement officer within 48 hours after taking possession of the animal. The Act regulates the use of fertility control of wildlife, including requiring permits and providing for rules, regulations, and penalties.

The Act amends O.C.G.A. Sections 27-1-2, 27-1-39, 27-3-4, 27-3-15, 27-3-26, 27-3-47, and 27-4-130.1 and enacts O.C.G.A. Sections 27-3-19.1, 27-3-28, 27-3-180 through 27-3-185, and 41-1-10.

Effective June 3, 2010.

**TITLE 28
GENERAL ASSEMBLY**

Act 541; HB 1405

This Act creates the 2010 Special Council on Tax Reform and Fairness for Georgians and the Special Joint Committee on Georgia Revenue Structure.

The Act enacts O.C.G.A. Chapter 28-12.

Effective June 1, 2010.

**TITLE 31
HEALTH**

Act 548; SB 411

This Act provides that no law, rule, or regulation shall compel any person, employer, or health care provider to participate in any health care system. The Act also provides that an insurer issuing comprehensive, major medical group, or individual health insurance benefit plans may offer wellness or health improvement programs that provide for rewards or incentives.

The Act enacts O.C.G.A. Sections 31-1-11 and 33-24-59.13.

Effective July 1, 2010.

Act 650; HB 994

This Act authorizes the Department of Community Health to establish a schedule of fees for licensure activities for institutions and other health care related entities required to be licensed. The Act also provides that the Department of Community Health may accept the certification or accreditation of an entity or program by a certification or accreditation body that carries substantially the same standards and requirements as the department.

The Act amends O.C.G.A. Section 31-2-4.

Effective July 1, 2010.

TITLE 31 (continued)

Act 486; HB 1179

This Act requires hospitals to annually offer influenza vaccinations to its health care workers and other employees.

The Act amends O.C.G.A. Section 31-7-18.
Effective July 1, 2010.

Act 399; SB 344

This Act provides for sovereign immunity protection for physician assistants in safety net clinics who participate in the program established pursuant to the "'Health Share' Volunteers in Medicine Act."

The Act amends O.C.G.A. Section 31-8-195.1.
Effective July 1, 2010.

Act 616; SB 367

This Act provides for additional persons and entities that shall be authorized to consent to surgical or medical treatment on behalf of an incapacitated person. The Act also provides for an expedited judicial intervention for the appointment of a temporary medical consent guardian.

The Act amends O.C.G.A. Section 31-9-2 and enacts O.C.G.A. Section 29-4-18.
Effective June 3, 2010.

Act 546; SB 493

This Act provides for the execution of death certificates for certain burn victims transported from other states.

The Act amends O.C.G.A. Section 31-10-15.
Effective July 1, 2010.

Veto No. 13; HB 1272

This Act provides for voluntary contributions through income tax returns and other mechanisms to benefit lupus and kidney disease research and for multiple sclerosis research.

The Act enacts O.C.G.A. Sections 31-12-15, 31-12-16, and 48-7-64.

Act 398; SB 355

This Act provides that in the priority list of persons authorized to control the disposition of the remains of a deceased person, in the case of deceased military personnel, the person designated on the deceased person's United States Department of Defense Record of Emergency Data, DD Form 93 shall have the second priority, after only a health care agent designated in an advance directive for health care.

The Act amends O.C.G.A. Section 31-21-7.
Effective May 20, 2010.

Act 429; HB 866

This Act authorizes grants to hospitals and other health care entities, local governments, and civic organizations in order to help attract physicians to underserved rural areas.

The Act amends O.C.G.A. Chapter 31-34.
Effective July 1, 2010.

Act 491; SB 435

This Act enacts the "Diabetes and Health Improvement Act of 2010." The Act provides legislative findings, provides for an advisory committee, and establishes two grant programs to promote a

TITLE 31 (continued)

state-wide effort to combat the proliferation of diabetes. The Act also revises certain provisions relating to the regulation of tanning facilities.

The Act amends O.C.G.A. Section 31-38-8 and enacts O.C.G.A. Sections 31-2-17.1 and 31-38-4.1.

Effective July 1, 2010.

Act 673; HB 1119

This Act provides for the development and implementation of an arthritis prevention control program.

The Act enacts O.C.G.A. Chapter 31-47.

Effective July 1, 2010.

TITLE 32 HIGHWAYS, BRIDGES, AND FERRIES

Act 610; SB 520

This Act provides for a procedure to recall members of the State Transportation Board. The Act also provides for the Intermodal Division within the Department of Transportation.

The Act amends O.C.G.A. Sections 32-2-20 and 32-2-41 and enacts O.C.G.A. Section 48-8-242.

Effective June 3, 2010.

Act 440; SB 305

This Act establishes the Intermodal Division within the Department of Transportation. The Act also temporarily increases the percentage of projects that may be contracted for using the design-build method.

The Act amends O.C.G.A. Sections 32-2-41 and 32-2-81.

Effective July 1, 2010.

Act 460; HB 1174

This Act provides for the regulation of oversize and overweight loads on streets or highways. The Act changes the designation of certain streets or highways relative to oversize and overweight loads. The Act establishes a certification program for drivers of oversized vehicle escorts. The Act requires persons permitted to operate oversize or overweight loads to maintain certain insurance coverage. The Act provides that drivers approaching a traffic signal that is properly signed as a pedestrian hybrid beacon and operating in the unactivated dark mode shall not be required to stop. The Act also provides that evidence obtained by speed detection devices in a variable speed zone is inadmissible as evidence in court.

The Act amends O.C.G.A. Sections 32-6-24, 32-6-27, 32-6-28, 40-1-1, 40-6-70, and 40-14-9.

Effective July 1, 2010.

Act 443; SB 354

This Act clarifies the authority provided to counties and municipalities to remove roads and streets from their road and street systems when it is determined that such removal is in the public interest.

The Act amends O.C.G.A. Section 32-7-2.

Effective May 24, 2010.

**TITLE 33
INSURANCE**

Veto No. 5; HB 417

This Act provides that in the event of a dispute or complaint arising out of material in a language other than English, the English version of the policy controls the resolution of the dispute or complaint.

The Act enacts O.C.G.A. Section 33-1-19.

Act 362; HB 1268

This Act updates the time periods and eligibility for continuation coverage under certain accident and sickness insurance plans as provided by Section 3001 of Title III of the federal American Recovery and Reinvestment Act of 2009 as it was amended in 2010 up to the date of the enactment the Act. The Act provides for additional benefits for an assistance eligible individual for continuation of coverage and premium reduction assistance as provided by the federal act and the extensions provided by amendments to the federal act.

The Act amends O.C.G.A. Section 33-24-21.1.

Effective May 20, 2010.

Veto No. 4; HB 321

This Act provides for changes in the definitions of the terms "group accident and sickness insurance" and "true association"; provides for a short title; changes the definition of administrator to include self-insured plans and administrators under the prompt pay provisions of the code; and provides for health benefit plans response time to receipt of claims.

The Act amends O.C.G.A. Sections 33-23-100, 33-24-59.5 and 33-30-1 and enacts O.C.G.A. Section 33-24-59.13.

Act 366; HB 656

This Act provides that a religious organization that meets certain requirements may qualify as a self-insurer subject to rules and regulations set forth by the Commissioner, provides minimum security requirements, and provides for cancellation of such certificate.

The Act amends O.C.G.A. Section 33-34-5.1.

Effective July 1, 2010.

Act 666; HB 1364

This Act provides that the Georgia Insurers Insolvency Pool is liable to claimants and electing insureds under emergency circumstances defined by the Act. The Act further provides for legislative intent, definitions, and exceptions to liability of the pool.

The Act amends O.C.G.A. Sections 33-36-11, 33-36-14, and 33-41-20.1 and enacts O.C.G.A. Section 33-36-20.

Effective June 4, 2010.

Act 374; SB 316

This Act requires insurers who offer medicare supplemental insurance policies in this state to make available supplemental policies to persons under the age of 65 who qualify for medicare due to disability or end-stage renal disease. The Act also provides for the time frame when persons may enroll in a medicare supplemental insurance policy, and when a third party may make payment on behalf of individuals seeking such coverage. The Act provides that premiums may differ between persons who are over 65 and those under 65 with certain restrictions.

The Act amends O.C.G.A. Section 33-43-3.

Effective November 1, 2010.

TITLE 33 (continued)

Act 549; SB 310

This Act provides for regulation and licensure of pharmacy benefits managers by the Commissioner of Insurance. The Act establishes definitions, license requirements, filing fees, surety bonds, and certain audit requirements. The Act also revises the regulation and licensure of multiple employer self-insured health plans by changing certain license requirements, removing certain aggregate excess and individual stop-loss requirements, and providing for applicability of insurance laws.

The Act amends O.C.G.A. Sections 33-50-3, 33-50-5, 33-50-6, and 33-50-7 and enacts O.C.G.A. Sections 33-50-14 and 33-64-1 through 33-64-7.

Provisions for regulation and licensing of pharmacy benefits managers are effective January 15, 2011. All other provisions are effective July 1, 2010.

TITLE 34 LABOR AND INDUSTRIAL RELATIONS

Act 377; HB 1101

This Act provides for the publication of decisions of the State Board of Workers' Compensation. The Act provides for the entry and execution of judgment upon final orders and decisions regarding the Self-insurers Guaranty Trust Fund. The Act modifies the notification period for revocation of a certificate of self-insurance. The Act revises provisions relative to the Self-insurers Guaranty Trust Fund. The Act provides immunity from liability for members of the board of trustees of the Self-insurers Guaranty Trust Fund.

The Act amends O.C.G.A. Sections 34-9-12, 34-9-106, 34-9-127, and 34-9-380 through 34-9-388. Effective July 1, 2010.

Act 361; HB 1195

This Act creates the Georgia Workforce Investment Board in compliance with the federal Workforce Investment Act of 1998. The Act creates the Governor's Office of Workforce Development.

The Act enacts O.C.G.A. Chapter 14 of Title 34. Effective May 20, 2010.

TITLE 35 LAW ENFORCEMENT OFFICERS AND AGENCIES

Act 379; HB 1074

This Act creates the Capitol Police Division of the Department of Public Safety and provides that the division shall have jurisdiction in the capitol square area and the property and buildings owned by the Georgia Building Authority surrounding the area. The Act provides for the duties and funding of the division. The Act authorizes certified officers of the division to use official vehicles while engaging in off-duty employment. The Act repeals the authority of janitors and watchmen to make arrests.

The Act amends O.C.G.A. Sections 50-2-28, 50-9-9, and 50-16-14; enacts O.C.G.A. Sections 35-2-120 through 35-2-124; and repeals O.C.G.A. Section 50-16-6.

Effective July 1, 2010.

Act 678; SB 371

This Act authorizes the Georgia Bureau of Investigation to investigate certain offenses involving fraudulent real estate transactions and gives subpoena power to the bureau for such investigations.

The Act amends O.C.G.A. Sections 16-8-104 and 35-3-4 and enacts O.C.G.A. Section 35-3-4.2. Effective July 1, 2010.

TITLE 35 (continued)

Act 473; SB 397

This Act establishes the state-wide Blue Alert system to aid in the search for missing law enforcement officers and the apprehension of a suspect for a crime involving the death or serious injury of a peace officer. The Act provides that the Georgia Bureau of Investigation shall administer the Blue Alert system.

The Act enacts O.C.G.A. Section 35-3-191.
Effective July 1, 2010.

Act 622; SB 173

This Act modifies the daily expense allowance for members of the Criminal Justice Coordinating Council. The Act authorizes the council to accept gifts, grants, and donations.

The Act amends O.C.G.A. Sections 35-6A-5, 35-6A-7, and 35-6A-9.
Effective July 1, 2010.

Act 401; SB 324

This Act clarifies the Georgia Peace Officer Standards and Training Council's authority to impose administrative fees.

The Act amends O.C.G.A. Section 35-8-7.
Effective May 20, 2010.

Veto No. 18; SB 373

This Act provides for the disclosure of prior employment information pertaining to an applicant for employment or certification as a peace officer to the hiring law enforcement agency. The Act amends O.C.G.A. Section 35-8-8.

**TITLE 36
LOCAL GOVERNMENT**

Act 544; HB 703

This Act provides for certain powers, duties, and procedures regarding the disposition of school sites. The Act also provides for certain rights of first refusal to certain family members to purchase property that was condemned by the local government to construct a lake.

The Act amends O.C.G.A. Sections 20-2-520 and 36-9-3.
Effective July 1, 2010.

Act 663; SB 390

This Act authorizes counties and municipal corporations to grant conservation easements.

The Act amends O.C.G.A. Sections 36-9-3 and 36-37-6.
Effective June 4, 2010.

Act 495; HB 858

This Act provides that county law library funds may be used for administrative purchases and other expenses related to the maintenance of the courts for certain judges and courts. The Act also changes the population classification in order to permit that the provisions of the Code sections amended remain applicable only to those political subdivisions to which such provisions were applicable immediately prior the amendments made by this Act.

The Act amends O.C.G.A. Sections 36-15-7 and 36-15-11.

Sections 1, 3, and 4 of the Act became effective May 27, 2010. Section 2 of the Act becomes effective July 1, 2012.

TITLE 36 (continued)

Veto No. 11; HB 1236

This Act requires municipal court judges to be attorneys.
The Act enacts O.C.G.A. Section 36-32-11.

Act 415; HB 1388

This Act provides that downtown development authorities and development authorities may finance certain conservation projects.

Amends O.C.G.A. Sections 36-42-3 and 36-62-2.

Effective July 1, 2010.

Act 613; SB 456

This Act provides that the director of a downtown development authority designated as an urban redevelopment agency and other public officers of the municipality or county may serve as commissioners of the urban redevelopment agency. The Act also provides that certain interests such director has in certain transactions with the authority shall be disclosed by publication in the legal organ of every county affected by such interest.

The Act amends O.C.G.A. Sections 36-61-19, 36-62-5, and 36-62A-1.

Effective July 1, 2010.

Act 430; SB 432

This Act provides procedures for reviewing applications for the modification or collocation of wireless communication facilities.

The Act enacts O.C.G.A. Chapter 36-66B.

Effective May 24, 2010.

Act 667; HB 406

This Act provides for an exception for certain drinking water projects relative to projects inconsistent with local service delivery strategies.

The Act amends O.C.G.A. Section 36-70-27.

Effective June 4, 2010.

Act 353; HB 203

This Act provides for procedures for issuing bonds, allocating bond proceeds, and distributing property that has been or may be improved using bond proceeds in a county that has activated a public safety and judicial facilities authority. The Act also provides for the transfer to certain municipalities of certain county property located within the geographical boundaries of the municipality.

The Act amends O.C.G.A. Section 36-75-11 and enacts O.C.G.A. Section 36-31-1.1.

Effective May 7, 2010.

Act 472; HB 122

This Act provides that each local government having an annual budget in excess of \$1 million shall post certain information to a publicly accessible website.

The Act enacts O.C.G.A. Section 36-80-21.

Effective July 1, 2010.

Act 445; SB 369

This Act modifies the agencies and instrumentalities in which housing authorities and political subdivisions can invest funds.

TITLE 36 (continued)

The Act amends O.C.G.A. Sections 8-3-30 and 36-82-7.
Effective July 1, 2010.

TITLE 37 MENTAL HEALTH

Act 418; SB 244

This Act changes provisions relating to the Department of Behavioral Health and Developmental Disabilities involving the collection of criminal history and conviction data, hearing rights, membership of the Behavioral Health Coordinating Council, and the rights, duties, and functions of regional planning boards. The Act revises the standard of mental competency for children to stand trial, revises proceedings for deprivation hearings and permanency plans, and provides for services for children in state custody. The Act makes several changes to the duties of and services provided by the Office of the Child Advocate for the Protection of Children.

The Act amends O.C.G.A. Sections 9-10-152, 15-11-55, 15-11-103, 17-7-130, 17-8-30, 19-15-2, 20-2-133, 20-2-250, 20-3-513, 31-33-4, 31-33-8, 37-1-21, 37-1-28, 37-1-50, 37-1-70, 37-2-4, 37-2-5.2, 37-3-1, 45-9-4, 50-5-69, 50-5-135, and 50-18-72; enacts O.C.G.A. Section 37-1-6; and repeals Section 4 of an Act approved May 6, 2008 (Ga. L. 2008, p.133).

Effective July 1, 2010.

TITLE 40 MOTOR VEHICLES AND TRAFFIC

Act 381; HB 1005

This Act provides a definition for "limousine" and "taxicab" in the general provisions relating to motor vehicles and provides for the registration and licensing of taxicabs and limousines. The Act provides for an "In God We Trust" decal on license plates. The Act provides for a special license plate supporting Zoo Atlanta. The Act provides for the registration of vehicles and makes it a misdemeanor to display a license plate or temporary license plate in violation of the registration requirements. The Act modifies provisions relating to the administration of the system of mandatory insurance for motor vehicles by the Department of Revenue and insurance providers in order to aid in the enforcement of minimum liability insurance requirements.

The Act amends O.C.G.A. Sections 40-1-1, 40-2-8, 40-2-9, 40-2-20, 40-2-26, 40-2-29, 40-2-86.21, 40-2-137, 40-3-26, 40-5-72, and 40-6-10; enacts O.C.G.A. Section 40-2-168; and repeals O.C.G.A. Section 40-5-71.

Effective, as to those provisions relating to an "In God We Trust" decal on license plates and the registration of vehicles and display of a license plate or temporary license plate, January 1, 2011, and, as to the remaining provisions, effective May 20, 2010.

Veto No. 1; SB 519

This Act modifies certain definitions regarding low-speed vehicles, provides for a minimum fine for impeding traffic flow, changes the hours of operation of certain motorized carts, and allows golf carts to make seasonal deliveries in residential areas.

The Act amends O.C.G.A. Section 40-1-1, 40-6-184, and 40-6-330.

Veto No. 7; HB 990

This Act revises the procedure for registering fleet vehicles with the Department of Revenue. The Act provides for compliance of motor carriers in this state with financial responsibility requirements of federal motor carrier safety regulations. The Act modifies equipment requirements for commercial motor vehicles to ensure compliance with federal motor carrier safety regulations.

The Act amends O.C.G.A. Sections 40-2-51, 40-2-52, 40-2-53, 40-2-55, 40-8-27, 40-8-53, 40-8-72, 40-8-73.1, and 40-8-74 and enacts O.C.G.A. Section 40-6-10.1.

TITLE 40 (continued)

Act 380; HB 1012

This Act expands the definition of family member so as to increase the persons eligible for a special license plate as a family member of a service member killed in action.

The Act amends O.C.G.A. Section 40-2-86.18.

Effective July 1, 2010.

Act 633; HB 396

This Act provides for various clarifications and changes relating to operations of the Department of Driver Services. The Act authorizes the commissioner of driver services to regulate the retention of conviction and withdrawal information on a driving record. The Act extends the effective period of a temporary license, permit, or identification card of a lawful immigrant from three to five years. The Act requires the department to review license suspensions at least once every five years and to reinstate a license based on the out-of-state suspension if the department determines the suspension is no longer warranted. The Act provides for Class E and F noncommercial vehicles and drivers' licenses for the operation of such vehicles. The Act provides that fees paid to counties for reporting traffic citation information shall be subject to appropriations. The Act removes the automatic presumption of notice of a suspension for drivers operating a motor vehicle following a suspension of a driver's license for failure to appear. The Act designates the proper order for processing information supporting the suspension of a driver's license. The Act clarifies provisions related to permittees applying for an ignition interlock limited driving permit. The Act expands requirements related to any person operating a DUI Alcohol or Drug Use Risk Reduction Program. The Act reduces the effective date of an identification card from ten to eight years. The Act prohibits the unauthorized scanning of another person's driver's license, permit, or identification card. The Act requires the department to include the international handicapped symbol on identification cards issued to persons with disabilities and authorizes the department to place urgent medical, transportation, and priority seating indicators on the identification card. The Act clarifies that the department is authorized to enter into contracts. The Act modifies the requirements for a chauffeur's permit and requires permitted chauffeurs to be fingerprinted. The Act requires the Public Service Commission to provide to motor carriers information emphasizing that it is illegal to allow persons under the age of 21 to possess or consume alcoholic beverages.

The Act amends O.C.G.A. Sections 40-5-1, 40-5-2, 40-5-21.1, 40-5-21.2, 40-5-23, 40-5-24, 40-5-25, 40-5-28, 40-5-32, 40-5-52, 40-5-53, 40-5-56, 40-5-63, 40-5-64, 40-5-75, 40-5-82, 40-5-83, 40-5-100, 40-5-103, 40-5-120, 40-5-171, 40-5-173, 40-5-174, 40-5-175, 43-12A-6, 40-13-2.1, 40-16-4, 43-13-4, 43-13-5, 43-13-6.1, and 46-7-85.10 and enacts O.C.G.A. Section 46-7-92.

Effective July 1, 2010.

Act 394; HB 258

This Act allows a person 15 years of age or older who has a parent or guardian who is medically incapable of being licensed to operate a motor vehicle to drive with the disabled person in the vehicle. The Act allows for the issuance of a limited driving permit to a driver between 18 and 21 years old who has his or her license suspended for driving 24 or more miles per hour but less than 34 miles per hour over the speed limit.

The Act amends O.C.G.A. Sections 40-5-22, 40-5-24, and 40-5-64.

Effective July 1, 2010.

Act 625; HB 1224

This Act provides a defense for persons charged with driving in violation of a vision restriction where such person provides proof that he or she no longer has a vision condition warranting the restriction.

The Act amends O.C.G.A. Section 40-5-30.

Effective July 1, 2010.

TITLE 40 (continued)

Act 623; SB 6

This Act changes provisions relating to the period of suspension of a license while driving on a restricted license.

The Act amends O.C.G.A. Section 40-5-30.
Effective July 1, 2010.

Act 649; SB 419

This Act provides for the notation on drivers' licenses of a diagnosis of post traumatic stress disorder.

The Act enacts O.C.G.A. Section 40-5-38.
Effective July 1, 2010.

Act 676; HB 23

This Act makes it a misdemeanor offense for a person who is under 18 and has an instruction permit or a Class D driver's license to operate a motor vehicle while talking or listening on a wireless telecommunications device or writing, sending, or reading a text based communication on a wireless telecommunications device.

The Act amends O.C.G.A. Sections 40-5-57 and 40-6-241 and enacts O.C.G.A. Section 40-6-241.1.
Effective July 1, 2010.

Act 677; SB 360

This Act changes certain provisions relating to a driver's exercise of due care and prohibits writing, sending, or reading a text based communication by certain persons while operating a motor vehicle. The Act also exempts certain headsets used for communication purposes.

The Act amends O.C.G.A. Sections 40-5-57, 40-6-241, and 40-6-250 and enacts O.C.G.A. Section 40-6-241.1.
Effective July 1, 2010, and applicable to offenses committed on or after such date.

Act 412; HB 1231

This Act clarifies the proper manner to execute a left-hand turn and makes an improper left-hand turn a misdemeanor. The Act modifies certain conditions required for punishing fleeing or eluding a peace officer as a felony so that fleeing to escape arrest for certain offenses while driving in excess of 20 mph is a felony and fleeing while driving under the influence under certain conditions is a felony.

The Act amends O.C.G.A. Section 40-6-395 and enacts O.C.G.A. Section 40-6-120.
Effective July 1, 2010.

Act 482; HB 1338

This Act modifies provisions relating to the enforcement of disability parking so that persons appointed to enforce disability parking laws are no longer required to be disabled.

The Act amends O.C.G.A. Section 40-6-228.
Effective July 1, 2010.

Act 454; HB 898

This Act modifies the required contents of the notice that must be published providing information about a person convicted of driving under the influence of alcohol, drugs, or other intoxicating substances for the second or subsequent offense.

The Act amends O.C.G.A. Section 40-6-391.
Effective July 1, 2010.

TITLE 40 (continued)

Act 365; HB 207

This Act expands the definition of "off-road vehicle" to include government and agricultural vehicles. The Act prohibits the operation of off-road vehicles in perennial streams and provides for exceptions. The Act authorizes greater civil penalties for the enforcement of off-road vehicle restrictions, makes such violations a civil rather than a criminal offense, and provides the probate courts with jurisdiction to impose the penalties.

The Act amends O.C.G.A. Sections 40-7-3, 40-7-4, and 40-7-6 and enacts O.C.G.A. Section 15-9-30.8.

Effective July 1, 2010.

Act 609; SB 458

This Act eliminates certain exceptions to the required use of safety belts in passenger vehicles.

The Act amends O.C.G.A. Section 40-8-76.1.

Effective June 3, 2010.

Act 368; HB 981

This Act authorizes the commissioner of public safety to have patrol vehicles painted a solid color. The Act excludes emergency response vehicles from the requirements relating to use of retreaded tires. The Act repeals the automatic repeal of provisions relating to the motorcycle unit within the Georgia State Patrol.

The Act amends O.C.G.A. Sections 40-8-91 and 50-5-60.3 and amends an Act approved April 18, 2006 (Ga. L. 2006, p. 159), and an Act approved May 11, 2007 (Ga. L. 2007, p. 47).

Effective July 1, 2010, and the provisions relating to painting patrol vehicles a solid color shall be repealed on June 30, 2013.

Act 363; SB 410

This Act designates ambulances as emergency vehicles and excludes ambulance providers from permit requirements for use of a red light.

The Act amends O.C.G.A. Section 40-8-92.

Effective July 1, 2010.

TITLE 42

PENAL INSTITUTIONS

Act 388; HB 651

This Act provides that the Department of Education shall make the list of registered sex offenders available to schools rather than sending the list to each school.

The Act amends O.C.G.A. Section 42-1-12.

Effective July 1, 2010.

Act 389; HB 571

This Act changes various provisions related to sexual offenders. The Act modifies the appeal process for appeals from decisions of the superior court reviewing a decision of the Sexual Offender Registration Review Board. The Act removes the consent defense to sexual assault on certain persons and provides for misdemeanor punishment for sexual assault under certain circumstances. The Act provides for gender neutrality for the offense of incest. The Act prohibits interference with an electronic monitoring device worn by a sexual offender. The Act provides for review of sexual offenders moving to this state from locations outside this state. The Act changes provisions relating to the determination by the Sexual Offender Registration Review Board regarding the likelihood that a sexual offender will commit another sexual offense and the classifications of such offenders. The Act provides for registration and reporting by sexual offenders who do not have a residence address.

TITLE 42 (continued)

The Act clarifies restrictions on sexual offenders residing within 1,000 feet of any child care facility, church, school, or area where minors congregate. The Act provides a mechanism for certain sexual offenders to petition the superior court to be released from registration requirements and residency and employment restrictions.

The Act amends O.C.G.A. Sections 5-6-35, 16-6-5.1, 16-6-22, 16-7-29, 42-1-12, 42-1-14, and 42-1-15 and enacts O.C.G.A. Sections 42-1-16 through 42-1-19.

Effective May 20, 2010.

Act 426; HB 329

This Act redefines "felony offense" for the purpose of providing for offenses committed in another state.

The Act amends O.C.G.A. Section 42-8-34.1.

Effective July 1, 2010.

Act 496; HB 859

This Act clarifies when a probated sentence shall be tolled.

The Act amends O.C.G.A. Section 42-8-36.

Effective May 27, 2010.

Act 416; SB 136

This Act requires the Department of Corrections and the State Board of Pardons and Paroles to participate in the United States Immigration and Customs Enforcement Rapid Removal of Eligible Parolees Accepted for Transfer Program. The Act provides for an expedited procedure for the deportation of certain alien prisoners and authorizes conditional deportation parole release.

The Act amends O.C.G.A. Section 42-9-43.1 and enacts O.C.G.A. Section 42-1-11.1.

Effective July 1, 2010.

TITLE 43

PROFESSIONS AND BUSINESSES

Act 417; SB 195

This Act amends the definition of "electronic data prescription drug order" to include any digitalized prescription drug order transmitted in a certain manner. The Act changes certain procedures relating to obtaining a license to engage in the practice of pharmacy and to serve as a pharmacy intern. The Act provides certain requirements for prescription drug orders relating to the inclusion of the words "brand necessary." The Act provides that members of a professional licensing board shall serve until the expiration of the term for which they were appointed and until their successors have been appointed and qualified. The Act provides that the director of the professional licensing board within the Office of the Secretary of State may establish certain administrative standards and procedures for the examination of applicants for license by the various professional licensing boards. The Act provides that investigators hired by the professional licensing board shall not be considered peace officers, and the Act removes the limitation regarding what type of firearm such investigators may legally carry. The Act provides for an exception for the Georgia Board of Nursing with respect to the awarding of points for certain qualifications for examinations required by the professional licensing boards. The Act provides that the professional licensing board shall not be required to provide individual notice of changes to certain laws to registered architects and building officials. The Act amends certain procedures relating to licensing examination and process requirements for barbershops, chiropractors, low-voltage contractors, land surveyors-in-training, funeral directors, geologists, hearing aid dealers and dispensers, occupational therapists, landscape architects, dispensing opticians, optometrists, podiatrists, private detectives and security agents, psychologists, motor vehicle and parts dealers, veterinarians and veterinary technicians, and treatment plant operators. The Act also changes certain procedures and requirements relating to a qualifying agent obtaining permits for certain construction jobs.

TITLE 43 (continued)

The Act amends O.C.G.A. Sections 26-4-5, 26-4-41, 26-4-42, 26-4-46, 26-4-81, 43-1-2, 43-1-5, 43-1-9, 43-1-10, 43-1-11, 43-4-9, 43-6-13, 43-7-7, 43-7-12, 43-7-16, 43-9-7, 43-9-14, 43-10-6, 43-14-8.1, 43-15-12, 43-18-41, 43-18-42, 43-19-13, 43-20-5, 43-20-6, 43-20-8, 43-20-9, 43-20-12, 43-23-8, 43-28-9, 43-29-7, 43-29-8, 43-29-11, 43-30-7, 43-33-9, 43-35-12, 43-35-14, 43-38-6, 43-38-7, 43-39-9, 43-41-9, 43-41-9, 43-47-8, 43-50-31, 43-50-40, and 43-51-7.

Effective May 20, 2010.

Veto No. 21; SB 148

This Act provides for the review of existing regulatory entities and their regulations to determine if there is a need for certain changes to promote efficiency. The Act establishes the "Georgia Government Accountability Act" which grants to the appropriations committees the duty to review and evaluate state agencies' productivity, efficiency, and responsiveness.

The Act amends O.C.G.A. Chapter 43-1A. This Act enacts O.C.G.A. Sections 50-4-20 through 50-4-25.

Act 437; SB 149

This Act provides for the periodic review of existing regulations regarding certain professions and businesses in order to ensure that the authority of the regulatory entity is applicable and necessary with relation to the current professional and business conditions. The Act further provides for the "Uniform Athlete Agents Act," which terminates the Georgia Athlete Agent Regulatory Commission, requires a certificate of registration to act as an athlete agent, and requires certain other procedures and duties in order to lawfully act as an athlete agent in this state.

The Act amends O.C.G.A. Chapters 43-1A and 43-4A.

Effective July 1, 2010.

Act 545; HB 231

This Act clarifies the scope of practice of registered interior designers. The Act also changes the provisions relating to documents that require the seal of a registered architect or a registered interior designer. The Act further corrects a cross-reference relating to definitions regarding managerial control over acquisition of professional services.

The Act amends O.C.G.A. Sections 43-4-1, 43-4-14, 43-4-30, 43-4-33, and 50-22-2.

Effective June 2, 2010.

Act 395; HB 128

This Act provides that a certificate of eligibility for a veteran of the armed forces or a blind person who peddles, operates a business, or practices a profession that exempts such person from occupations taxes, administrative fees, and regulatory fees shall be valid for ten years.

The Act amends O.C.G.A. Section 43-12-3.

Effective July 1, 2010.

Act 400; SB 339

This Act provides that a properly licensed utility contractor shall be authorized to bid upon and perform work on any utility in this state without being required to possess a license pursuant to O.C.G.A. Chapter 43-41.

The Act amends O.C.G.A. Section 43-14-13.

Effective July 1, 2010.

Act 438; SB 162

This Act repeals O.C.G.A. Section 43-16-4 relating to surety bonds relative to firearms dealers. The Act also provides that armed employees shall be licensed.

The Act amends O.C.G.A. Section 43-38-7 and repeals O.C.G.A. Section 43-16-4.

Effective May 24, 2010.

TITLE 43 (continued)

Act 497; HB 863

This Act provides for the definition of "collection receptacle" relative to charitable contributions. The Act also provides for certain accounting practices for certain charitable contributions and procedures regarding disclosures required by charitable and religious organizations, paid solicitors, or solicitor agents.

The Act amends O.C.G.A. Sections 43-17-2, 43-17-3, and 43-17-8 and enacts O.C.G.A. Section 43-17-8.1.

Effective July 1, 2010.

Act 444; SB 364

This Act provides for the definition of "entity" relative to massage therapy. The Act provides for tighter regulation of massage therapy. The Act also provides for certain violations regarding massage therapy and for punishment for such violations.

The Act amends O.C.G.A. Sections 43-24A-3, 43-24A-7, 43-24A-15, 43-24A-17, 43-24A-22, and 43-24A-24.

Effective July 1, 2010, and applicable to all offenses occurring after that date.

Act 675; HB 1040

This Act provides that the performance of health maintenance activities by a proxy caregiver under certain conditions shall not require licensure as a registered professional nurse.

The Act amends O.C.G.A. Section 43-26-12.

Effective July 1, 2010.

Act 489; SB 252

This Act provides for the Georgia Composite Medical Board to establish a professional health program to provide for monitoring and rehabilitation of impaired health care professionals. The Act provides that the administration of such program may be contracted out to a private entity. The Act also provides for certain necessary procedures for the administration of such program and for certain immunity.

The Act amends O.C.G.A. Sections 43-34-2 and 43-34-8 and enacts O.C.G.A. Section 43-34-5.1.

Effective July 1, 2010.

Act 487; HB 1154

This Act amends the definition of "influenza vaccine" relative to influenza vaccine protocol agreements.

The Act amends O.C.G.A. Section 43-34-26.1.

Effective July 1, 2010.

Act 552; HB 1050

This Act provides for the comprehensive regulation of real estate appraisal management companies.

The Act amends O.C.G.A. Sections 43-39A-1, 43-39A-2, 43-39A-6, 43-39A-7, 43-39A-11, 43-39A-13, 43-39A-21, and 43-39A-22 and enacts O.C.G.A. Section 43-39A-14.1.

Effective 90 days after approval (June 2, 2010).

Act 351; HB 579

This Act provides that a business organization that submits an application for eligibility for a residential or general contractor license without examination, but was not issued a license due to the death of the qualifying agent prior to the issuance of the license, shall remain eligible for consideration with the submission of a new qualifying agent applicant for such business entity.

TITLE 43 (continued)

The Act amends O.C.G.A. Section 43-41-8.
Effective July 1, 2010.

**TITLE 44
PROPERTY**

Act 553; HB 1147

This Act provides for filing a notice of intention to claim a lien relating to aircraft with the Federal Aviation Administration's Aircraft Registry and removes aircraft liens from an O.C.G.A. section for special liens on personalty.

The Act amends O.C.G.A. Sections 44-14-363 and 44-14-518.
Effective July 1, 2010, and applicable to all liens filed on or after July 1, 2010.

Act 618; SB 362

This Act provides for amending a mechanics' or materialmen's lien to reduce the amount of the claimed lien.

The Act amends O.C.G.A. Section 44-14-361.1.
Effective July 1, 2010.

**TITLE 45
PUBLIC OFFICERS AND EMPLOYEES**

Veto No. 2; HB 827

This Act provides for indemnification payments to the parents or siblings of a law enforcement officer, firefighter, emergency medical technician, emergency management specialist, state highway employee, or prison guard who suffers death or organic brain damage in the line of duty and who does not have an unremarried spouse or dependents.

The Act amends O.C.G.A. Section 45-9-85.

Veto No. 3; SB 414

This Act provides that, in the case of death or organic brain damage suffered in the line of duty by a law enforcement officer, firefighter, emergency medical technician, emergency management specialist, or prison guard, if such person does not have an unremarried spouse or dependent, the indemnification payment shall be made to the parents or siblings of such person.

The Act amends O.C.G.A. Section 45-9-85.

Act 458; HB 980

This Act removes provisions allowing local school board officials to engage in the bail bond business in jurisdictions outside of their elected office and prohibits the action entirely.

The Act amends O.C.G.A. Section 45-11-8.
Effective July 1, 2010.

Act 391; SB 206

This Act defines a "tax expenditure" for the Office of Planning and Budget and requires that a budget report include a tax expenditure review for the state.

The Act amends O.C.G.A. Sections 45-12-71 and 45-12-75.
Effective May 20, 2010.

TITLE 45 (continued)

Veto No. 23; SB 480

This Act creates the State Council of Economic Advisors and identifies its members and their duties, qualifications, terms of office, and compensation.

The Act enacts O.C.G.A. Section 45-12-75.1.

Veto No. 20; SB 1

This Act provides for the submission of a zero-based budget from 1/4 to 1/3 of state budget units during each budget cycle, with the Office of Planning and Budget determining which units must submit a zero-based budget each year and no unit being required to use zero-based budgeting more than once every four years. The Act provides that zero-based budgets must include an analysis of departmental and program objectives, three alternative funding levels, and a prioritization list for programs.

The Act enacts O.C.G.A. Section 45-12-75.1.

Act 387; SB 421

This Act provides that the Revenue Shortfall Reserve shall not exceed 15 percent of the previous year's net revenue for any given fiscal year.

The Act amends O.C.G.A. Section 45-12-93.

Effective May 20, 2010.

Act 371; HB 1284

This Act defines a "user fee" and requires the departments, agencies, and budget units collecting such fees to submit an annual report to the Office of Planning and Budget and publish the report on the Open Georgia website.

The Act amends O.C.G.A. Section 45-12-92.

Effective May 20, 2010.

Act 503; HB 1095

This Act allows coroners, county medical examiners, and peace officers to conduct tests and examinations of objects, anatomical specimens, and articles which may be helpful in determining a cause of death in cooperation with forensic laboratories. The Act also requires the investigating agency or forensic laboratory which conducts examinations on objects, specimens, and articles to maintain reports of the results in cases that involve criminal prosecution and submit the lab report to the appropriate prosecuting attorney.

The Act amends O.C.G.A. Sections 45-16-25 and 45-16-32.

Effective July 1, 2010.

Act 414; HB 1322

This Act establishes the Meredith Emerson Memorial Privacy Act. The Act prohibits crime scene images which depict or describe the deceased's state of dismemberment, decapitation, or other form of mutilation from disclosure under the Georgia Open Records Act under certain circumstances. The Act allows for a superior court to disclose such images in closed criminal cases only if the disclosure is in the public interest and outweighs the privacy interest of the next of kin. The Act provides that prior to releasing such crime scene images, the custodian must give the next of kin two weeks' notice. The Act does not apply to counsel in certain criminal actions and any expert or investigator assisting in court proceedings.

The Act amends O.C.G.A. Section 45-16-27.

Effective May 20, 2010.

TITLE 45 (continued)

Act 617; SB 363

This Act authorizes the Board of Community Health to contract with the Georgia Student Finance Authority to provide state health insurance plans for authority employees, spouses, and dependent children.

The Act enacts O.C.G.A. Section 45-18-7.8.

Effective July 1, 2010.

TITLE 46

PUBLIC UTILITIES AND PUBLIC TRANSPORTATION

Veto No. 19; SB 415

This Act establishes the jurisdiction and control of the Georgia Public Service Commission over emergency warning point to multipoint systems. The Act provides that the commission shall perform a management audit of each emergency warning point to multipoint system provider at least once every five years, with such audit being paid for by the provider. The Act further provides that municipal corporations, counties, consolidated governments, or any other political subdivision of the state or any department or agency thereof shall not be required to utilize the services of an emergency warning point to multipoint system and that such entities who do utilize such services and emergency warning point to multipoint system providers shall not be liable for failure to deliver information over an emergency warning point to multipoint system, except in the case of gross negligence.

The Act amends O.C.G.A. Section 46-1-1 and enacts O.C.G.A. Sections 46-2-22.1, 46-12-1, and 46-12-2.

Act 370; HB 1233

This Act authorizes the Georgia Public Service Commission to charge a utility for the cost of specialized testimony and assistance in conducting affiliate transactions audits prior to utility rate cases, in monitoring nuclear power costs, and in proceedings initiated by the utility. The Act sets a maximum amount of such costs that may be charged to the utility and provides that the utility may recover the full amount of any such costs charged to the utility as a necessary cost of providing service.

The Act enacts O.C.G.A. Section 46-2-33.

Effective July 1, 2010.

Veto No. 14; HB 1321

This Act amends the "Georgia Emergency Telephone Number 9-1-1 Service Act of 1977" so as to authorize the use of Emergency Telephone System Fund moneys for the lease, purchase, or maintenance of hardware and software that are necessary to effectuate the emergency response service so long as certain requirements are met. The Act provides for an exemption from disclosure for records of an emergency 9-1-1 system containing audio recordings stemming from natural disasters under certain circumstances.

The Act amends O.C.G.A. Sections 46-5-134 and 50-18-72.

Act 671; HB 168

This Act enacts the "Telecom Jobs and Investment Act." The Act changes provisions relating to rates for basic local exchange services. The Act provides that beginning January 1, 2011, and ending December 31, 2015, each Tier 2 local exchange company shall adjust in equal annual increments its intrastate switched access charges to parity with its similar interstate switched access rates. The Act further provides that beginning January 1, 2011, and ending December 31, 2020, each telecommunications company holding a certificate of authority or otherwise authorized to provide telecommunications services in Georgia other than a Tier 2 local exchange company must make the same adjustments to its intrastate switched access charges. The Act provides for the

TITLE 46 (continued)

Georgia Public Service Commission to review the intrastate switched access rates and report the results of its findings by or before December 31, 2011.

The Act makes certain changes to the Universal Access Fund. The Act provides for administration of the fund by the commission, which shall determine the manner of the contribution to the fund and the amount of moneys in the fund that shall be distributed quarterly.

The Act specifies that the commission shall not have any jurisdiction, right, power, authority, or duty to impose any requirement or regulation relating to the setting of rates or terms and conditions for the offering of broadband service, VoIP, wireless services, or retail telecommunications service by a telecommunications company not subject to rate of return regulation. The Act prohibits companies providing retail telecommunications from imposing a separate line item or surcharge on customers' bills to recover certain costs without first submitting to the commission the methodology and data used for approval.

The Act amends O.C.G.A. Sections 46-5-166, 46-5-167, and 46-5-222 and enacts O.C.G.A. Sections 46-5-250 through 46-5-252.

Effective June 4, 2010.

TITLE 47 RETIREMENT AND PENSIONS

Act 681; SB 436

This Act repeals inoperative and obsolete provisions throughout O.C.G.A. Title 47. The Act corrects typographical, stylistic, capitalization, spelling, and other errors and omissions in such title. The Act provides for effect in the event of conflicts.

The Act amends sections throughout O.C.G.A. Title 47.

Effective July 1, 2010.

Act 457; HB 969

This Act amends numerous provisions of O.C.G.A. Title 47 to bring the public retirement systems into compliance with federal laws and regulations.

The Act amends sections throughout O.C.G.A. Title 47.

Effective May 24, 2010.

Act 455; HB 916

This Act provides that if a retiring member of the Employees' Retirement System of Georgia has not reached normal retirement age on the date of his or her retirement, the employer shall certify that no reemployment agreement has been made. The Act provides that if any such member returns to work for an employer within two months of his or her retirement, his or her retirement application shall be rescinded. The Act provides that under certain conditions, service as an independent contractor shall not result in a suspension of retirement benefits.

The Act amends O.C.G.A. Section 47-2-110.

Effective July 1, 2010.

Act 450; HB 172

This Act repeals a provision that the reexamination of a disability retiree under the Employees' Retirement System of Georgia shall be performed at the beneficiary's residence. The Act provides that a disability retiree who has not reached the age of 60 shall submit to a reexamination. The Act provides that for persons employed on or after September 1, 2010, the allowable amount of earned income shall include workers' compensation allowances.

The Act amends O.C.G.A. Section 47-2-125.

Effective May 24, 2010.

TITLE 47 (continued)

Act 393; HB 320

This Act changes the name of the Georgia Environmental Facilities Authority to the Georgia Environmental Finance Authority.

The Act amends O.C.G.A. Section 47-2-318.

Effective July 1, 2010, pending the passage of HB 244/Act 634.

Act 451; HB 249

This Act authorizes the Georgia Firefighters' Pension Fund to invest in certain alternative investments and exempts certain information from open records provisions.

The Act enacts O.C.G.A. Section 47-7-127 and amends O.C.G.A. Section 50-18-72.

Effective July 1, 2010.

Act 459; HB 1150

This Act repeals O.C.G.A. Chapter 7A of Title 47, the Georgia Class Nine Fire Department Pension Fund, reflecting the fact that membership, assets, and liabilities of such fund have been moved to the Georgia Firefighters' Pension Fund. The Act makes certain related technical changes to O.C.G.A. Chapter 47-7, relating to the Georgia Firefighters' Pension Fund.

The Act amends O.C.G.A. Sections 47-7-1, 47-7-61, 47-7-100, 47-7-103, 47-7-104, and 47-7-124 and repeals O.C.G.A. Chapter 47-7A.

Effective July 1, 2010.

Act 453; HB 486

This Act provides that any person who becomes a member of the Superior Court Clerks' Retirement Fund of Georgia on or after July 1, 2010, shall not receive creditable service for prior service as a deputy clerk. The Act provides that such provision shall not apply to any such member who was serving as a deputy clerk on such date and who becomes a clerk without a break in service. The Act provides for a death benefit in such retirement fund.

The Act amends O.C.G.A. Section 47-14-77 and enacts O.C.G.A. Section 47-14-79.

Effective July 1, 2010.

Act 631; HB 974

This Act provides that a member of the Peace Officers' Annuity and Benefit Fund who obtains creditable service for a period of absence must have returned to service. The Act changes the vesting period from ten to 15 years for persons who become members after July 1, 2010.

The Act amends O.C.G.A. Sections 47-17-41 and 47-7-80.

Effective July 1, 2010.

Act 682; HB 997

This Act moves responsibility for the Employees' Social Security Coverage Group from the Employees' Retirement System of Georgia to the State Personnel Administration.

The Act amends O.C.G.A. Sections 47-18-2, 47-18-20, 47-18-40, 47-18-41, 47-18-43, and 47-18-70; repeals the provisions of O.C.G.A. Section 47-18-21 and replaces them with the provisions of O.C.G.A. Section 47-18-22, as amended; repeals O.C.G.A. Section 47-18-22; and repeals and reserves Article 4 of O.C.G.A. Chapter 47-18.

Effective July 1, 2010.

**TITLE 48
REVENUE AND TAXATION**

Act 627; HB 1138

This Act defines the terms "Internal Revenue Code" and "Internal Revenue Code of 1986" in order to incorporate certain provisions of the federal law into Georgia law. The Act provides that certain corporate income tax elections made for federal income tax purposes shall also apply for state income tax purposes and changes certain electronic filing requirements.

The Act amends O.C.G.A. Sections 48-1-2, 48-7-21, and 48-7-54.
Effective June 3, 2010.

Act 396; SB 409

This Act enacts the "Georgia Forest Product Fairness Act" in order to provide that any economic incentive granted after July 1, 2010, to any entity engaged in the commercial use of raw forest products shall be extended equitably to all users of raw forest products in this state.

The Act enacts O.C.G.A. Section 48-1-10.
Effective July 1, 2010.

Act 670; SB 346

This Act comprehensively revises provisions regarding ad valorem taxation of property. The Act changes certain provisions regarding ad valorem tax returns, requires annual notice regardless of changes, provides for uniform notice and appeal rules, provides for powers of the state revenue commissioner, revises provisions regarding county boards of equalization, provides for training of certain local tax officials and staff, changes certain provisions regarding digest deficiencies and refunds of taxes, changes certain provisions regarding payment of taxes in installments, provides for forms of payment, changes certain provisions regarding approval of tax digests, and provides for correction of factual errors in county tax digests.

The Act amends O.C.G.A. Sections 48-2-18, 48-5-2, 48-5-13, 48-5-18, 48-5-23, 48-5-32.1, 48-5-291, 48-5-303, 48-5-304, 48-5-306, 48-5-311, 48-5-380, and 48-5B-1 and enacts O.C.G.A. Section 48-5-9.1.

Effective January 1, 2011, except for Part VI of the Act which becomes effective upon approval of the Governor or its becoming effective without such approval (June 4, 2010).

Veto No. 9; HB 1028

This Act revises certain provisions regarding ad valorem taxation of forest land conservation use property.

The Act amends O.C.G.A. Section 48-5-7.7.

Act 499; HB 963

This Act changes certain provisions regarding returns of taxable real property and affidavit requirements for the homestead exemptions from ad valorem taxes for educational purposes for persons 62 years of age or older whose income does not exceed \$10,000.00.

The Act amends O.C.G.A. Sections 48-5-15 and 48-5-52.
Effective May 27, 2010.

Act 644; HB 1186

This Act provides for an ad valorem tax exemption for certain public-private transportation projects and provides that certain public-private transportation projects shall not constitute special franchises.

The Act amends O.C.G.A. Section 48-5-41 and enacts O.C.G.A. Section 48-5-421.1.
Effective January 1, 2011.

TITLE 48 (continued)

Veto No. 10; HB 1082

This Act changes certain provisions regarding applications for and granting of freeport exemptions and provides for level 1 and level 2 freeport exemptions. The Act provides for the applicability of the exemptions to business inventory.

The Act amends O.C.G.A. Sections 48-5-48.1 and 48-5-48.2 and enacts O.C.G.A. Sections 48-5-48.5 and 48-5-48.6.

Act 504; HB 1105

This Act provides that watercraft held in inventory for resale shall continue to be exempt from taxation for a limited period of time.

The Act amends O.C.G.A. Section 48-5-504.40.

Effective January 1, 2011.

Act 484; HB 1192

This Act changes certain provisions relating to the payment and distribution of the real estate transfer tax when property is located in more than one county.

The Act amends O.C.G.A. Section 48-6-4.

Effective July 1, 2010.

Act 485; HB 1191

This Act changes certain provisions relating to recording, payment, and distribution of the intangible tax when encumbered property is located in more than one county.

The Act amends O.C.G.A. Section 48-6-69.

Effective July 1, 2010.

Act 483; HB 1198

This Act changes the definition of taxable nonresident for income tax purposes.

The Act amends O.C.G.A. Section 48-7-1.

Effective January 1, 2011, and applicable to all taxable years beginning on or after January 1, 2011.

Veto No. 8; HB 1023

This Act enacts the "Jobs, Opportunity, and Business Success Act of 2010" and provides that, for a period of time, employers who hire persons receiving employment security benefits shall be entitled to a credit against employer contributions, provides that a portion of net long-term capital gains shall be excluded from state taxable income of corporations and individuals, provides for an income tax credit for certain qualified business investments for a limited period of time, provides for the powers of the state revenue commissioner, and eliminates the corporate net worth tax.

The Act amends O.C.G.A. Sections 34-8-156, 48-7-21, and 48-7-27; enacts O.C.G.A. Sections 48-7-40.29 and 48-13-70; and repeals O.C.G.A. Sections 48-13-70 through 48-13-79.

Act 679; HB 1069

This Act provides for income tax credits for certain qualified equipment that reduces business or domestic energy or water usage. The Act provides for legislative findings and intent, definitions, and the authority of the state revenue commissioner and revises and changes certain provisions regarding allocation and prioritization of certain income tax credits for clean energy property. The Act also changes certain procedures regarding income tax credits for low-income residents and regarding reimposition of the municipal water and sewer projects and costs sales and use tax.

The Act amends O.C.G.A. Sections 48-7-29.14, 48-7A-3, and 48-8-203; enacts O.C.G.A. Sections 48-7-40.29 and 48-7-40.30; and repeals O.C.G.A. Section 48-7A-1.

TITLE 48 (continued)

Effective June 4, 2010; however, numerous provisions become effective at different times, and the Act itself should be consulted to determine the effective dates of specific provisions.

Act 382; HB 984

This Act repeals and replaces Article 6 of O.C.G.A. Chapter 48-7 in order to prohibit the levy or collection of local income taxes.

The Act enacts O.C.G.A. Section 48-7-140 and repeals O.C.G.A. Sections 48-7-140 through 48-7-149.

Effective May 20, 2010; however, liabilities for prior taxable years shall not be affected by passage of this Act, and this Act shall not abate any existing prosecutions or punishments.

Act 507; HB 1221

This Act provides for the comprehensive revision of sales and use tax provisions for streamlined sales tax purposes. The Act provides for definitions and exemptions; changes provisions regarding designation of tax brackets and tax collection from dealers, the taxability burden of proof, property retention, demonstration or display, reporting of sales and accounting methods, dealer returns and estimated tax liability, dealer compensation, dealer's duty to keep records, return allowances, and dealer certificates of registration; provides for comprehensive procedures regarding implementation of streamlined sales tax procedures; changes certain provisions regarding the imposition of the joint county and municipal sales and use tax, the homestead option sales and use tax, and the county special purpose local option sales tax; and provides for membership on the Streamlined Sales and Use Tax Governing Board.

The Act amends O.C.G.A. Sections 48-8-2, 48-8-3, 48-8-6, 48-8-14, 48-8-17, 48-8-17.1, 48-8-30, 48-8-31, 48-8-32, 48-8-38, 48-8-39, 48-8-45, 48-8-49, 48-8-50, 48-8-52, 48-8-58, 48-8-59, 48-8-82, 48-8-87, 48-8-96, 48-8-102, 48-8-104, 48-8-110.1, 48-8-113, 48-8-161, 48-8-200, 48-8-201, 48-8-203, 48-8-204, and 50-5-82 and enacts O.C.G.A. Sections 48-7-167 and 48-8-68 through 48-8-77.

Effective January 1, 2011.

Act 554; HB 277

This Act enacts the "Transportation Investment Act of 2010." The Act provides for powers and duties of the Department of Transportation, the commissioner of transportation, and the director of planning; suspends restrictions on the use by public transit authorities of local sales and use tax proceeds; changes the membership of the board of directors of the Metropolitan Atlanta Rapid Transit Authority; and provides for the Georgia Coordinating Committee for Rural and Human Services Transportation, the creation of special transportation districts, and the imposition of special district transportation sales and use taxes. The Act also provides for the development of a project list, collection and administration of the transportation tax, the use of the proceeds of the tax, and the creation of the Transit Governance Study Commission.

The Act amends O.C.G.A. Sections 32-2-41, 32-2-43, and 48-8-6 and enacts O.C.G.A. Sections 32-9-13, 32-9-14, 32-12-1 through 32-12-6, 48-8-240 through 48-8-256, and 50-32-5.

Effective June 2, 2010; however, Section 6 of the Act becomes effective on January 1, 2011.

Act 607; HB 1393

This Act changes limitations on the authority of local governments to levy sales and use taxes and other similar taxes and provides for an exemption to the total local sales and use tax cap otherwise applicable. The Act provides an exemption for a certain tax levied for purposes of a metropolitan area system of public transportation which is first levied after January 1, 2010, and before November 1, 2012, and extends the expiration date for the exemption from the motor fuel tax for certain public transit and public campus transportation systems.

The Act amends O.C.G.A. Sections 48-8-6 and 48-9-3.

Effective June 3, 2010.

TITLE 48 (continued)

Act 639; HB 991

This Act comprehensively revises provisions regarding distribution of proceeds and renegotiation of distribution certificates. The Act provides for procedures and provides for applicability regarding certain newly qualified municipalities or newly expanded qualified municipalities and changes procedures relating to the call of a referendum election on discontinuing imposition of the tax.

The Act amends O.C.G.A. Sections 48-8-89, 48-8-89.1, and 48-8-92.

Effective June 4, 2010.

Act 630; HB 1013

This Act changes certain provisions regarding imposition of a sales tax for education purposes. The Act provides for reporting requirements to the public information website of the Department of Audits and Accounts.

The Act amends O.C.G.A. Sections 48-8-141 and 50-6-32.

Effective July 1, 2010.

Veto No. 12; HB 1251

This Act provides for a program of tax refunds for companies creating new tourism attractions. The Act shall be known as the "Georgia Tourism Development Act" and provides for definitions, legislative findings, conditions of eligibility and approval, and powers of the commissioner of economic development and the state revenue commissioner.

The Act enacts O.C.G.A. Sections 48-8-240 through 48-8-245.

Act 555; HB 1093

This Act, under certain circumstances, requires a county or municipality which imposes certain occupation taxes or regulatory fees to collect from taxpayers certain information and to provide it electronically to the Department of Revenue.

The Act enacts O.C.G.A. Section 48-13-20.1.

Effective June 2, 2010.

Act 606; HB 903

This Act revises provisions relating to the levy of a hotel/motel tax at a rate of 7 percent in certain counties and municipalities. The Act provides that where such tax was levied for the purpose of funding a multipurpose domed stadium facility and is subject to a stated expiration date, the expiration date may be extended under certain circumstances. The Act also provides for extension for purposes of funding a successor facility upon certification of certain conditions by a state authority and provides for expenditure through a contract with the state authority.

The Act amends O.C.G.A. 48-13-51.

Effective June 3, 2010.

Act 468; SB 454

This Act revises provisions regarding coin operated amusement machines. The Act provides for definitions, classes of machines, licenses and fees, collections and refunds, display of certificates, contents of certificates and stickers, duplicate permits, and late fees. The Act also provides for annual fees for additional machines, suspension and revocation of licenses, effect on prosecutions begun under preexisting law, and penalties for violations.

The Act amends O.C.G.A. Sections 48-17-1, 48-17-2, 48-17-9, 48-17-11, 48-17-14, 48-17-15, and 50-13-2 and enacts O.C.G.A. Section 48-17-16.

Effective July 1, 2010.

**TITLE 49
SOCIAL SERVICES**

Act 376; HB 1170

This Act repeals the tax exemption for health maintenance organizations which provide health care services under Medicaid.

The Act repeals O.C.G.A. 49-4-156.

Effective July 1, 2010.

Veto No. 15; HB 1407

This Act provides for a single administrator for dental services for Medicaid recipients and PeachCare for Kids participants and provides for a selection method and requirements for this single administrator.

The Act enacts O.C.G.A. Section 49-4-158.

Act 424; HB 303

This Act allows solicitors-general and assistant-solicitors to access child abuse report records for official use.

The Act amends O.C.G.A. Section 49-5-41.

Effective May 20, 2010.

**TITLE 50
STATE GOVERNMENT**

Act 352; HB 947

This Act amends the 2009-2010 "General Appropriations Act" to change certain appropriations for State Fiscal Year 2009-2010.

Effective May 6, 2010.

Act 684; HB 948

This Act, the "General Appropriations Act," provides for the operation of state government for State Fiscal Year 2010-2011.

Effective June 4, 2010.

Act 360; HB 1055

This Act increases approximately 175 different fees levied throughout state government for licenses and services. The Act imposes numerous new fees. The Act declares that certain fees are not fees required by Article VII, Section III, Paragraph II of the Constitution of Georgia to be paid into the general fund of the state treasury. The Act earmarks certain such fees to be retained by state agencies. The Act enacts the "Provider Payment Agreement Act." The Act creates an account within the Indigent Care Trust Fund for the purpose of obtaining federal financial participation for medical assistance payments to providers on behalf of Medicaid recipients. The Act changes the manner and time of making the state ad valorem tax levy and eliminates such levy over time. The Act provides in increments from 2012 to 2016 for the exclusion from taxation of retirement income, regardless of the amount, received by persons 65 years of age or older.

The Act amends sections throughout the O.C.G.A.

The provisions relative to the Provider Payment Agreement Act become effective on July 1, 2010. The remaining provisions of the Act become effective on May 12, 2010.

Act 621; SB 296

This Act renames the Office of Treasury and Fiscal Services as the Office of the State Treasurer. The Act renames the director of the Office of Treasury and Fiscal Services as the state treasurer.

TITLE 50 (continued)

The Act amends sections throughout the O.C.G.A.
Effective July 1, 2010.

Act 634; HB 244

This Act changes the name of the Georgia Environmental Facilities Authority to the Georgia Environmental Finance Authority. The Act provides that nonprofit corporations incorporated by the authority shall be political subdivisions of the state and shall exercise essential governmental functions. The Act authorizes the authority to transfer funds to the state.

The Act amends sections throughout the O.C.G.A.
Effective July 1, 2010.

Act 615; SB 388

This Act changes certain provisions relative to the publication, distribution, and pricing of the Georgia Laws. The Act provides for the publication of state documents in printed or electronic format with a preference for electronic format. The Act removes a provision requiring the publication of a volume of rules. The Act changes provisions relative to the distribution of court reports.

The Act amends sections throughout the O.C.G.A.
Effective June 3, 2010.

Act 669; SB 194

This Act revises provisions relating to benefits based funding projects in which payments to vendors depend upon the realization of specified savings or revenue gains. The Act changes provisions relating to such projects, their required and permissible terms, and their funding. The Act provides for an advisory role by the Georgia Environmental Facilities Authority. The Act enacts the "Guaranteed Energy Savings Performance Contracting Act" and authorizes state agencies to enter into guaranteed energy savings performance contracts.

The Act amends sections throughout O.C.G.A. Title 50.

Section 1 of the Act becomes effective on July 1, 2010. Section 2 of the Act becomes effective on January 1, 2011, only if a certain amendment to the Constitution of Georgia is ratified.

Act 432; HB 1019

This Act provides that replacements for state-issued permits, licenses, certificates, and identification cards shall be issued without cost if the original of such documents was destroyed as a result of a natural disaster.

The Act enacts O.C.G.A. Section 50-1-9.
Effective May 24, 2010.

Act 462; HB 1260

This Act provides that provisions creating state service delivery regions shall not apply to aging program planning and service areas.

The Act amends O.C.G.A. Section 50-4-7.
Effective May 24, 2010.

Act 683; SB 389

This Act expands requirements relating to the operation, maintenance, and reporting requirements relative to a single public information website maintained by the Department of Audits and Accounts.

The Act amends O.C.G.A. Section 50-6-32.
Effective July 1, 2010.

TITLE 50 (continued)

Veto No. 22; SB 374

This Act creates the Legislative Economic Development Council to review all aspects of the state's economic development situation. The Act creates the Martin Luther King, Jr. Advisory Council. The Act enacts Article 8 of O.C.G.A. Chapter 50-7 and Article 10 of O.C.G.A. Chapter 50-8.

Act 467; HB 867

This Act creates the Commission on Regional Planning to coordinate state contract terms, identify appropriate state and federal funding for commissions in pursuit of shared service delivery goals, coordinate planning of state and federal resource allocation and state service delivery, and identify issues and opportunities requiring state, regional, or local action.

The Act enacts Part 2 of Article 2 of O.C.G.A. Chapter 50-8.

Effective July 1, 2010.

Act 425; HB 333

This Act exempts the Georgia Building Authority from certain sales and use taxes.

The Act amends O.C.G.A. Section 50-9-13.

Effective July 1, 2010.

Act 505; HB 1128

This Act moves the date of certain changes to provisions relating to writing off small amounts due to the state from 2010 to 2013. The Act moves to 2013 the automatic repeal of certain provisions relating to nonlapsing revenue of institutions in the University System of Georgia and institutions under the Technical College System of Georgia.

The Act amends O.C.G.A. Sections 50-16-18, 20-3-86, and 20-4-21.1.

Effective May 27, 2010.

Act 614; SB 455

This Act exempts from the provision that property be acquired through the State Properties Commission acquisitions of real property by instrumentalities of the state. The Act authorizes the commission to accept deeds containing reversions.

The Act amends O.C.G.A. Section 50-16-38.

Effective July 1, 2010.

Act 375; HB 1258

This Act changes certain powers of the State Financing and Investment Commission in order to comply with requirements of the federal American Recovery and Reinvestment Act of 2009.

The Act amends O.C.G.A. 50-17-22.

Effective May 20, 2010.

Act 409; HB 1086

This Act exempts from public disclosure records that reveal home address, the home telephone number, the e-mail address, or the social security number of or insurance or medical information about employees or teachers of a nonpublic school and certain records of the Professional Standards Commission.

The Act amends O.C.G.A. Section 50-18-72.

Effective July 1, 2010.

**TITLE 52
WATERS OF THE STATE**

Act 628; HB 1060

This Act substantially changes provisions relative to the financing of the Georgia Ports Authority. The Act changes the definitions of "cost of project" and "project." The Act expands the contracting power of the authority. The Act authorizes the authority to issue long-term and short-term notes, commercial paper, bond anticipation notes, and other obligations or evidences of indebtedness. The Act provides that in issuing bonds and obligations, the authority shall comply with Article 2 of O.C.G.A. Chapter 50-17, the "Georgia State Financing and Investment Commission Act." The Act removes certain restrictions on the powers of the authority to invest money it receives.

The Act amends O.C.G.A. Sections 52-2-2, 52-2-3, 52-2-9, 52-2-11, 52-2-19, 52-2-23, 52-2-31, 52-2-33, and 52-2-36.

Effective June 3, 2010.

Act 672; HB 958

This Act replaces "peace officer" for "security guard" in reference to employees of the Georgia Ports Authority charged with enforcing traffic laws on authority property. The Act requires that such persons be certified peace officers.

The Act amends O.C.G.A. Section 52-2-10.

Effective June 4, 2010.

**TITLE 53
WILLS, TRUSTS, AND ADMINISTRATION OF ESTATES**

Act 493; SB 461

This Act provides for the construction of wills and trust instruments referring to federal estate and generation-skipping transfer tax laws for testators and settlors dying on or after December 31, 2009, but prior to January 1, 2011.

The Act enacts O.C.G.A. Section 53-4-75.

Effective May 27, 2010.

Act 506; SB 131

This Act comprehensively revises provisions relating to trusts, charitable trusts, trustees, and trust investments by enacting "The Revised Georgia Trust Code of 2010." The Act provides for general provisions relating to trusts, the creation and validity of express trusts, revocable trusts, and the reformation, modification, division, consolidation, and termination of trusts. The Act also enacts the "Georgia Principal and Income Act" and conforms references throughout the O.C.G.A. to match the new provisions.

The Act amends O.C.G.A. Sections 7-1-242, 10-6-142, 10-14-6, 11-9-406, 11-9-408, 14-2-1109, 14-2-1110, 14-3-1108, 15-6-77.3, 15-9-127, 20-2-64, 29-5-32, 37-9-8, 48-13-55, and 53-7-1; enacts a new O.C.G.A. Chapter 53-12; and repeals O.C.G.A. Section 11-8-602 and the existing O.C.G.A. Chapter 53-12.

Effective July 1, 2010.

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