

Senate Floor Amendment 6 to HB 673

LOST

Senator McKoon of the 29th offered the following amendment:

1 *Amend the Senate committee substitute to HB 673 (LC 39 1952S) by replacing lines 11 and*
 2 *12 with the following:*

3 respectively; to correct cross-references; to provide for a short title; to clarify and provide for
 4 persons who may obtain certain licenses, permits, or cards; to provide for a license for
 5 driving privileges and identification card for persons who possess Employment Authorization
 6 Documents from the United States Department of Homeland Security with certain codes
 7 thereon; to provide for related matters; to provide for effective dates, applicability, and
 8 appropriations; to repeal conflicting laws; and for other purposes.

9 *By replacing lines 14 through 15 with the following:*

10 **PART I**
 11 **SECTION 1-1.**

12 This part shall be known and may be cited as the "Hands-Free Georgia Act."

13 *By redesignating Sections 2, 3, 4, 5, 6, and 7 as Sections 1-2, 1-3, 1-4, 1-5, 1-6, and 1-7,*
 14 *respectively.*

15 *By replacing line 157 with the following:*

16 **PART II**
 17 **SECTION 2-1.**

18 Said title is further amended by revising paragraph (15) of and adding a new paragraph to
 19 Code Section 40-5-1, relating to definitions, to read as follows:

20 "(15) 'Resident' means a person who has a permanent home or abode in Georgia to
 21 which, whenever such person is absent, he or she has the intention of returning. For the
 22 purposes of this chapter, there is a rebuttable presumption that the following person is a
 23 resident:

24 (A) Any person who accepts employment or engages in any trade, profession, or
 25 occupation in Georgia or enters his or her children to be educated in the private or
 26 public schools of Georgia within ten days after the commencement of such employment
 27 or education; or

28 (B) Any person who, except for infrequent, brief absences, has been present in the state
 29 for 30 or more days;

30 provided, however, that no person shall be considered a resident for purposes of this
 31 chapter unless such person is either a United States citizen or an alien with ~~legal~~
 32 ~~authorization from the United States Immigration and Naturalization Service~~ lawful status
 33 as reflected by an Employment Authorization Document code from the United States
 34 Citizenship and Immigration Services."

35 "(19) 'Unlawful status EAD code' means a code placed on such Employment
 36 Authorization Document that indicates such person is not present in the United States
 37 under a lawful status, including, but not limited to, code A10, A11, A13, A14, C13, C14,
 38 C18, and C33."

39 SECTION 2-2.

40 Said title is further amended by adding a new subsection to Code Section 40-5-20, relating
 41 to license required, surrender of prior licenses, and local licenses prohibited, to read as
 42 follows:

43 "(a.1) Notwithstanding any other provision in this chapter, no person possessing an
 44 Employment Authorization Document from the United States Citizenship and Immigration
 45 Services with an unlawful status EAD code shall be eligible to obtain a driver's license or
 46 a special identification card provided for under this chapter; provided, however, that the
 47 department may issue an other license for driving privileges or identification card for
 48 persons possessing an Employment Authorization Document from the United States
 49 Citizenship and Immigration Services with an unlawful status EAD code that shall be
 50 distinctive by design and color scheme from a driver's license or special identification card,
 51 respectively, and that shall be in compliance with Section 202(d)(11) of the Real ID Act
 52 of 2005, Pub. L. 109-13; and provided, further, that such other license or identification card
 53 shall only be valid for five years or until the applicant presents a United States Citizenship
 54 and Immigration Services EAD code that does not reflect unlawful status, whichever
 55 occurs first. An applicant shall notify the department within ten days after any change in
 56 an Employment Authorization Document code."

57 PART III

58 SECTION 3-1.

59 (a) Part II of this Act shall become effective only if funds are specifically appropriated for
 60 purposes of this Act in an appropriations Act enacted by the General Assembly. If funds are
 61 so appropriated, then this Act shall become effective on the later of:

- 62 (1) The date on which such appropriations Act becomes effective; or
63 (2) The beginning date of the fiscal year for which such appropriations are made.
64 (b) All other parts of this Act shall become effective on July 1, 2018.

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SECTION 3-2.