

**SUMMARY OF  
GENERAL STATUTES ENACTED  
AT THE  
1<sup>st</sup> SESSION OF THE 154<sup>th</sup>  
GENERAL ASSEMBLY OF GEORGIA  
2017**

**LEGISLATIVE SERVICES COMMITTEE**

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**OFFICE OF LEGISLATIVE COUNSEL**

**316 STATE CAPITOL  
ATLANTA, GEORGIA 30334**





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## FOREWORD

We are pleased to present to you the Summary of General Statutes Enacted at the 2017 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 2017 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 2017 session.

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

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 with respect to any Act.

We hope 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.

Wayne R. Allen  
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. Click on the title or page number and it will take you to the designated title.

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**GENERAL ASSEMBLY 2017 SESSION SUMMARY**

HOUSE BILLS	Introduced/Filed	Passed	Pending	Prefiled	Unfav. Rept./ Lost/Withdrawn	Signed/Vetoed by Governor
	649	218	419	9	3	211/7
Generals Passed	114					
Locals Passed	<u>104</u>					
	218					
Pending/Carryovers			Sent to the Governor for Approval: 218			
House	331					
Senate	82					
Further Action	2					
Conf. Committee	<u>4</u>					
	419					
Prefiled	9					
Unfav. Rept./Lost/ Withdrawn	<u>3</u>					
	649					
HOUSE RESOLUTIONS	Introduced/Filed	Passed	Pending	Prefiled	Unfav. Rept./ Lost/Withdrawn	Signed/Vetoed by Governor
	865	769	96	0	0	1/0
General	1					
Constitutional Ams	0					
Non-Privileged	25					
Privileged	<u>743</u>					
	769					
Pending/Carryovers			Sent to the Governor for Approval: 1			
House	93					
Senate	3					
Further Action	0					
Conf. Committee	<u>0</u>					
	96					
Prefiled	0					
Unfav. Rept./Lost/ Withdrawn	<u>0</u>					
	865					
SENATE BILLS	Introduced/Filed	Passed	Pending	Prefiled	Unfav. Rept./ Lost/Withdrawn	Signed/Vetoed by Governor
	301	66	231	2	2	64/2
Generals Passed	56					
Locals Passed	<u>10</u>					
	66					
Pending/Carryovers			Sent to the Governor for Approval: 66			
House	36					
Senate	187					
Further Action	6					
Conf. Committee	<u>2</u>					
	231					
Prefiled	2					
Unfav. Rept./Lost/ Withdrawn	<u>2</u>					
	301					

SENATE RESOLUTIONS	Introduced/Filed	Passed	Pending	Prefiled	Unfav. Rept./ Lost/Withdrawn	Signed/Vetoed by Governor
	575	493	78	0	4	4/0
General	3					
Constitutional Ams	1					
Non-Privileged	21					
Privileged	<u>468</u>					
	493					
Pending/Carryovers						
House	4					
Senate	74					
Further Action	0					
Conf. Committee	<u>0</u>					
	78					
Prefiled	0					
Unfav.Rept./Lost/ Withdrawn	<u>4</u>					
	575					
<hr/>						
TOTAL BILLS	Introduced/Filed	Passed	Pending	Prefiled	Unfav. Rept./ Lost/Withdrawn	Signed/Vetoed by Governor
HOUSE	649	218	419	9	3	211/7
SENATE	<u>301</u>	<u>66</u>	<u>231</u>	<u>2</u>	<u>2</u>	<u>64/2</u>
	950	284	650	11	5	275/9
<hr/>						
TOTAL RESOLUTIONS	Introduced/Filed	Passed	Pending	Prefiled	Unfav. Rept./ Lost/Withdrawn	Signed/Vetoed by Governor
HOUSE	865	769	96	0	0	1/0
SENATE	<u>575</u>	<u>493</u>	<u>78</u>	<u>0</u>	<u>4</u>	<u>4/0</u>
	1440	1262	174	0	4	5/0

**TITLE 1  
GENERAL PROVISIONS**

*Act 275; HB 323*

This Act makes extensive editorial amendments to the Official Code of Georgia Annotated to correct typographical, stylistic, capitalization, punctuation, and other errors and omissions and reenacts the statutory portion of the Code as so amended.

Effective May 9, 2017.

**TITLE 2  
AGRICULTURE**

*Act 232; SB 69*

This Act eliminates provisions requiring certain producers, processors, distributors, or handlers of organic products to register with the Department of Agriculture.

The Act amends O.C.G.A. Section 2-21-4.

Effective July 1, 2017.

**TITLE 3  
ALCOHOLIC BEVERAGES**

*Act 269; HB 510*

This Act repeals a population provision relating to the measurement of distances in determining the permissibility of certain sales of alcoholic beverages near churches, school buildings, or other sites.

The Act amends O.C.G.A. Section 3-3-21.

Effective July 1, 2017.

*Act 178; SB 85*

This Act provides for the limited sale of distilled spirits and malt beverages to the public by manufacturers of such products.

The Act defines a barrel of distilled spirits as 53 gallons. The Act provides that the license to manufacture distilled spirits in this state shall include the right to sell up to 500 barrels of distilled spirits per year produced at the distiller's licensed premises to individuals who are on such premises for: (1) consumption on the premises; and (2) consumption off the premises, provided that such sales for consumption off the premises shall not exceed a maximum of 2,250 milliliters of distilled spirits per consumer per day. The Act also provides for the days, times, and price of such sales. The Act requires distillers engaging in such sales to remit all state and local sales, use, and excise taxes to the proper tax collecting authority. The Act provides the

### **TITLE 3 (continued)**

commissioner of the Department of Revenue with the power to place conditions or limitations on a distiller's license upon the distiller violating certain provisions of the law or rules and regulations promulgated thereunder. The Act removes provisions relating to annual permits for educational and promotional distillery tours which could include free souvenirs, free food, and free tastings.

The Act defines a barrel of malt beverages as 31 gallons. The Act provides that the license to manufacture malt beverages in this state shall include the right to sell up to 3,000 barrels of malt beverages per year produced at the brewer's licensed premises to individuals who are on such premises for: (1) consumption on the premises; and (2) consumption off the premises, provided that such sales for consumption off the premises shall not exceed a maximum of 288 ounces of malt beverages per consumer per day. The Act also provides for the days and times such sales are permitted. The Act requires brewers engaging in such sales to remit all state and local sales, use, and excise taxes to the proper tax collecting authority. The Act provides the commissioner of the Department of Revenue with the power to place conditions or limitations on a brewer's license upon the brewer violating certain provisions of the law or rules and regulations promulgated thereunder. The Act removes provisions relating to annual permits for educational and promotional brewery tours which could include free souvenirs, free food, and free tastings.

The Act amends O.C.G.A. Sections 3-4-1, 3-4-24, 3-4-24.1, 3-4-180, 3-4-61, 3-5-1, 3-5-36, 3-5-38, and 3-5-81 and enacts O.C.G.A. Sections 3-4-24.2 and 3-5-24.1.

Effective September 1, 2017.

#### ***Act 277; HB 485***

This Act removes the requirement that a referendum election be held prior to the issuance of licenses for the manufacture or distribution of distilled spirits. The Act specifies that the local governing authority of a county or municipality issuing licenses for the manufacture or distribution of distilled spirits shall have authority to determine the location of any licensed businesses, not inconsistent with Title 3. The Act also changes certain provisions relating to the procedures for calling and conducting a referendum election to authorize the issuance of licenses for the package sale of distilled spirits and the nullification thereof.

The Act amends Article 3 of O.C.G.A. Chapter 3-4 and enacts O.C.G.A. Section 3-4-24.2.

Effective May 9, 2017.

#### ***Act 273; SB 226***

This Act changes the amount of wine in bulk a Georgia farm winery licensee is authorized to acquire and receive in deliveries and shipments from out-of-state producers and shippers from 20 percent to 40 percent of the Georgia farm winery's annual production level.

The Act amends O.C.G.A. Section 3-6-21.1.

Effective May 9, 2017.

**TITLE 4  
ANIMALS**

***Act 42; HB 49***

This Act updates license and surety requirements of livestock dealers and livestock market operators and provides for license fees. The Act provides for publication of duly licensed dealers and operators. The Act modifies the performance of certain surety requirements. The Act eliminates the requirement for submission of certain reports. The Act also corrects cross-references and provides for uniformity.

The Act amends O.C.G.A. Sections 4-6-1, 4-6-2, 4-6-3, 4-6-4, 4-6-5, 4-6-10, 4-6-42, 4-6-43, 4-6-49.1, and 4-6-52; enacts O.C.G.A. Section 4-6-12; and repeals O.C.G.A. Sections 4-6-44 and 4-6-49.

Effective July 1, 2017.

***Act 43; HB 50***

This Act provides for liability protection for certain activities related to livestock. The Act also provides for limitations regarding same.

The Act amends O.C.G.A. Sections 4-12-1, 4-12-2, 4-12-3, 4-12-4, and 4-12-5 and enacts O.C.G.A. Sections 4-12-6 and 4-12-7.

Effective July 1, 2017, and shall not apply to any cause of action arising prior to such date.

**TITLE 6  
AVIATION**

***Act 268; HB 481***

This Act preempts certain local regulation of unmanned aircraft systems.

The Act enacts O.C.G.A. Section 6-1-4.

Effective July 1, 2017.

**TITLE 7  
BANKING AND FINANCE**

***Act 57; HB 143***

This Act revises the powers and duties of the Department of Banking and Finance. The Act provides for standards for operation of business by financial institutions, officials of such institutions, and persons performing services for such institutions. The Act revises standards and procedures for trust companies and credit unions. The Act revises requirements for mortgage brokers and mortgage lenders. The Act allows for the collection of certain fees on loans. The Act amends requirements for foreign entities which serve in a fiduciary capacity.

## **TITLE 7 (continued)**

The Act amends O.C.G.A. Sections 7-1-4, 7-1-66, 7-1-72, 7-1-91, 7-1-285, 7-1-294, 7-1-351, 7-1-394, 7-1-419, 7-1-485, 7-1-607, 7-1-621, 7-1-628.5, 7-1-630, 7-1-650, 7-1-651, 7-1-657, 7-1-667, 7-1-668, 7-1-687, 7-1-707, 7-1-1003.2, 7-1-1007, 7-1-1009, 13-1-15, 53-12-2, and 53-12-321 through 53-12-323 and enacts O.C.G.A. Sections 7-1-239.6 and 7-1-316 through 7-1-318.

Effective May 1, 2017, except for O.C.G.A. Section 7-1-1003.2, which shall become effective on December 31, 2017.

## **TITLE 9 CIVIL PRACTICE**

### ***Act 240; SB 132***

This Act deletes the statutory civil case filing and disposition forms from the Code and allows the Judicial Council of Georgia to promulgate such forms. The Act revises how the information of the forms is transmitted and provides conforming cross-references.

The Act amends O.C.G.A. Sections 9-11-3, 9-11-58, 9-11-133, 15-5-24, 15-5-82, 15-6-61, 15-6-94, 15-7-50, 19-9-1.2, and 19-9-3 and repeals O.C.G.A. Section 15-6-97.1.

Effective January 1, 2018.

### ***Act 216; HB 319***

This Act increases the maximum amount a county may be reimbursed for certain habeas corpus costs.

The Act amends O.C.G.A. Section 9-14-53.

Effective July 1, 2018.

## **TITLE 10 COMMERCE AND TRADE**

### ***Act 67; HB 197***

This Act provides requirements for mailed solicitations for services pertaining to obtaining a copy of an instrument conveying real estate.

The Act enacts O.C.G.A. Section 10-1-393.15.

Effective July 1, 2017.

### ***Act 201; HB 469***

This Act provides standards for reasonable compensation by a franchisor, manufacturer, distributor, or third party for parts and labor for warranty service work by a dealer. The Act



## **TITLE 10 (continued)**

provides for payments after a stop-sale or do not drive order of a motor vehicle in certain instances and provides for right of first refusal.

The Act amends O.C.G.A. Sections 10-1-641 and 10-1-663.1.  
Effective July 1, 2017.

### ***Act 186; HB 221***

This Act enacts the "Uniform Power of Attorney Act" and revises provisions regarding the applicability, validity, meaning, effect, and termination of a financial power of attorney.

The Act amends O.C.G.A. Sections 10-6-7, 16-5-105, and 16-8-10; repeals Article 7 of O.C.G.A. Chapter 10-6; and enacts O.C.G.A. Sections 10-6B-1 through 10-6B-23, 10-6B-40 through 10-6B-56, 10-6B-70, 10-6B-71, and 10-6B-80 through 10-6B-81.

Effective July 1, 2017.

### ***Act 18; HB 264***

This Act increases the bonding capacity of the Geo. L. Smith II Georgia World Congress Center Authority.

The Act amends O.C.G.A. Section 10-9-40.  
Effective July 1, 2017.

### ***Act 209; SB 147***

This Act permits a cemetery or cemetery company to request a trustee to distribute income earned by an irrevocable trust fund utilizing certain unitrust distribution method provisions.

The Act amends O.C.G.A. Sections 10-14-6 and 10-14-11.  
Effective July 1, 2017.

## **TITLE 12 CONSERVATION AND NATURAL RESOURCES**

### ***Act 263; HB 413***

This Act revises provisions for the issuance of permits by the director of the Environmental Protection Division of the Department of Natural Resources and issuance of certificates of public convenience and necessity by the commissioner of transportation for petroleum pipelines. The Act also provides for procedures, regulations, and requirements for the construction and extension of petroleum pipelines.

The Act enacts O.C.G.A. Sections 12-17-1 through 12-17-6 and 22-3-80 through 22-3-85.  
Effective May 9, 2017, for purposes of proposing rules and regulations and effective on July 1, 2017, for all other purposes.

**TITLE 14**  
**CORPORATIONS, PARTNERSHIPS, AND ASSOCIATIONS**

*Act 47; HB 87*

This Act provides for multiple-year registrations for corporations, partnerships, and associations and makes changes in jurisdiction of organization for certain types of business organizations. The Act authorizes the Secretary of State to promulgate rules and regulations as necessary to implement the multiple-year registration process. The Act also allows for nonprofit corporations organized in foreign jurisdictions to change their jurisdiction of organization to the State of Georgia. The Act further allows for nonprofit corporations organized in the State of Georgia to change their jurisdiction of organization to a foreign jurisdiction. The Act provides for definitions.

The Act enacts O.C.G.A. Sections 14-2-121.1, 14-3-120.1, 14-4-180.1, 14-5-11.1, 14-8-56.1, 14-9-206.9, 14-11-1103.1, and Article 11A of O.C.G.A. Chapter 14-3.

Effective July 1, 2017.

*Act 248; HB 192*

This Act changes provisions relating to the responsibilities and standard of care of directors and officers of corporations. The Act clarifies the ability of corporate directors and officers to rely on other individuals in the performance of their duties. The Act also provides for a rebuttable presumption when directors and officers act in good faith.

The Act amends O.C.G.A. Sections 7-1-490, 14-2-830, and 14-2-842.

Effective July 1, 2017, and applicable only to causes of action arising on or after that date.

**TITLE 15**  
**COURTS**

*Act 51; HB 126*

This Act, known as "The Judicial Qualifications Commission Improvement Act of 2017," substantially revises matters in connection with the Judicial Qualifications Commission, revising its composition, appointment and removal of members, members' terms, the commission's powers, procedures, and confidentiality. The Act also allows associate probate judges to practice law in certain military settings.

The Act amends O.C.G.A. Sections 15-1-21 and 15-9-2.1.

Effective July 1, 2017.

*Act 38; HB 5*

This Act increases the number of travel days appellate judges are granted as a reimbursable expense and increases the compensation payable for juvenile court judges in each circuit. The Act corrects a cross-reference.

**TITLE 15 (continued)**

The Act amends O.C.G.A. Sections 15-2-3, 15-3-5, 15-11-52, and 15-11-54.

Effective July 1, 2017, except the juvenile court compensation is contingent on appropriations being made at the 2017 regular session of the General Assembly.

***Act 56; HB 138***

This Act provides for an additional judge of the superior court for the Northeastern Judicial Circuit.

The Act amends O.C.G.A. Section 15-6-2.

Effective January 1, 2018, for a judge whose term begins January 1, 2018.

***Act 48; HB 88***

This Act revises the qualifications for superior and state court judges so as to require them to be members in good standing with the State Bar of Georgia and provides that their office will be declared vacant upon disbarment or suspension from the practice of law by the Supreme Court.

The Act amends O.C.G.A. Sections 15-6-4 and 15-7-21.

Effective July 1, 2017.

***Act 193; HB 76***

This Act, known as the "Georgia Plat and Condominium Plan Recording Act of 2017," changes certain requirements and certifications for filing maps, plats, and condominium plans with the superior court clerk. The Act provides for definitions and creates requirements for land surveyors on certain filings.

The Act amends O.C.G.A. Section 15-6-67.

Effective May 8, 2017.

***Act 227; SB 175***

This Act enacts recommendations of the Georgia Council on Criminal Justice Reform dealing with juvenile proceedings. The Act allows juvenile courts to impose certain conditions on parents, guardians, and legal custodians of children who are in need of services, delinquent, or involved in a court's community based risk reduction program. The Act changes procedures in connection with the detention of a delinquent child who has been determined to be incompetent to proceed in juvenile court and allows for professional input in such process.

The Act amends O.C.G.A. Sections 15-11-39, 15-11-442, 15-11-601, 15-11-653, and 15-11-656 and enacts O.C.G.A. Section 15-11-29.1.

Effective July 1, 2017.

***Act 235; SB 95***

This Act changes provisions relating to the collection of data from the Department of Driver Services, Secretary of State, Department of Public Health, Department of Corrections, and State

**TITLE 15 (continued)**

Board of Pardons and Paroles for the compilation of the state-wide master jury list. The Act allows the Supreme Court to establish rules in connection with the state-wide master jury list and county master jury lists and provides a conforming cross-reference.

The Act amends O.C.G.A. Sections 15-12-40.1 and 35-3-33.

Effective July 1, 2017.

***Act 39; HB 14***

This Act provides that certain fees collected by the sheriff be remitted to the county within 30 days of receipt.

The Act amends O.C.G.A. Section 15-16-21.

Effective May 1, 2017.

**TITLE 16  
CRIMES AND OFFENSES**

***Act 208; HB 452***

This Act, known as the "Protect Georgia Act," repeals provisions relating to domestic terrorism and enacts the crime of domestic terrorism, providing for definitions, penalties, venue, prosecution, and that it is an aggravating circumstance for purposes of the death penalty. The Act provides for law enforcement training in connection with domestic terrorism. The Act changes the definition of a "bacteriological weapon" and "biological weapon" and provides for conforming cross-references. The Act requires the Georgia Bureau of Investigation to provide certain information on its website in connection to aliens who have been released to this state from federal custody.

The Act amends O.C.G.A. Sections 16-7-80, 16-7-88, 16-9-109, and 17-10-30; repeals O.C.G.A. Section 16-4-10; and enacts Article 6 of O.C.G.A. Chapter 16-11 and O.C.G.A. Sections 35-1-21 and 35-3-14.

Effective July 1, 2017.

***Act 198; SB 160***

This Act, known as the "Back the Badge Act of 2017," provides for increased penalties for crimes committed against public safety officers. The Act allows the superior court to have exclusive jurisdiction for aggravated assault and aggravated battery cases involving the use of a firearm upon a public safety officer and provides discretion to transfer such cases to juvenile court. The Act clarifies and provides for definitions and requires mandatory imprisonment for adults convicted of aggravated assault and aggravated battery upon public safety officers. The Act earmarks fines for such offenses and obstruction of officers to the Georgia State Indemnification Fund. The Act creates the offense of and punishment for placing human or animal excreta upon law enforcement officers. The Act changes provisions relating to a riot in a

**TITLE 16 (continued)**

penal institution and increases the amount of the payment of indemnification for the death or disability of certain public safety officers.

The Act amends O.C.G.A. Sections 15-11-2, 15-11-560, 15-11-561, 15-11-562, 16-5-21, 16-5-24, 16-10-24, 16-10-56, and 45-9-85 and enacts O.C.G.A. Section 16-5-19.

Effective July 1, 2017.

***Act 182; SB 104***

This Act is divided into parts. Parts I through III of the Act create the new crime of and penalties for hijacking a motor vehicle in the second degree, change provisions relating to hijacking a motor vehicle and burglary in the second degree involving a vehicle, and make conforming cross-references to the Code. Part IV of the Act requires the posting of the human trafficking hotline model notice in government buildings, provides for exceptions, and deletes the sunset provision. Part V of the Act changes punishment provisions relating to the unlawful manufacture, sale, or distribution of counterfeit or false proof of insurance documents. Part VA of the Act creates the new crime of and penalties for using a device to film underneath or through an individual's clothing under certain circumstances. Parts VI and VII of the Act include the sale, manufacture, delivery, or possession of fentanyl and related substances within the prohibition of trafficking certain drugs and make changes to the list of Schedules I and II controlled substances. Part VIII of the Act provides for exceptions relating to wholesale drug distributors.

The Act amends O.C.G.A. Sections 15-11-2, 15-11-505, 16-5-44.1, 16-5-47, 16-7-1, 16-9-5, 16-11-131, 16-13-25, 16-13-26, 16-13-30, 16-13-31, 17-6-1, 17-6-12, 17-7-130, 17-10-9.1, and 26-4-115 and enacts O.C.G.A. Section 16-11-91.

Effective July 1, 2017, except that Parts VI through VIII shall become effective on May 8, 2017.

***Act 194; HB 341***

This Act changes provisions relating to trafficking individuals for sexual servitude, changes the model notice for the human trafficking hotline, and repeals the sunset provision. The Act clarifies other provisions relating to sexual offenses and how a split sentence is served for certain sexual offenses. The Act provides for conforming cross-references.

The Act amends O.C.G.A. Sections 16-5-46, 16-5-47, 16-6-13, 16-12-100, 17-10-6.2, and 42-1-12.

Effective July 1, 2017.

***Act 254; HB 320***

This Act changes provisions relating to the installation and reinstallation of air bags in motor vehicles and provides for definitions.

The Act amends O.C.G.A. Section 16-9-111.

Effective July 1, 2017.

**TITLE 16 (continued)**

***Act 217; HB 292***

This Act prohibits the discriminatory refusal to provide credit or financial services to those engaged in the lawful commerce of firearms or ammunition products and allows for a civil action by the Attorney General. The Act changes the definition of a "knife" in the context of carrying a weapon. The Act changes reciprocity provisions for out-of-state individuals with weapon carrying privileges and requires the Attorney General to maintain a list of states that recognize Georgia licensees and allows out-of-state individuals to carry a weapon for a limited time without obtaining a Georgia weapons carry license. The Act allows certain individuals to carry a weapon in a school safety zone. The Act allows a probate court to provide printed information on gun safety and for the Department of Natural Resources to provide information on hunter education and gun safety courses. The Act provides for replacement weapons carry licenses when there has been a name or address change. The Act provides for certain law enforcement officers to carry a handgun off duty anywhere in this state. The Act provides definitions in the context of carrying a weapon or long gun at a commercial service airport. The Act provides for firearm instructors to have immunity from civil liability for their education and training on the use of firearms and dangerous weapons.

The Act amends O.C.G.A. Sections 16-11-125.1, 16-11-126, 16-11-127.1, 16-11-129, 16-11-130, and 16-11-130.2 and enacts O.C.G.A. Section 51-5-55 and Part 7 of O.C.G.A. Article 15 of Chapter 10-1.

Effective May 8, 2017.

***Act 15; HB 406***

This Act changes reciprocity provisions for out-of-state individuals with weapon carrying privileges and requires the Attorney General to maintain a list of states that recognize Georgia licensees.

The Act amends O.C.G.A. Section 16-11-126.

Effective April 5, 2017.

***Act 167; HB 280***

This Act authorizes the carrying and possession of concealed handguns by weapons carry license holders in and on certain property owned by or leased to public postsecondary institutions.

The Act amends O.C.G.A. Section 16-11-127.1.

Effective July 1, 2017.

***Act 199; SB 15***

This Act allows disabled former law enforcement officers to obtain and renew a weapons carry license without the payment of the required fees.

The Act amends O.C.G.A. Section 16-11-129.

Effective July 1, 2017.

**TITLE 16 (continued)**

***Act 20; SB 18***

This Act provides for certain law enforcement officers to carry a handgun off duty anywhere in this state and allows certain police officers to retain the weapon and badge issued to him or her upon retirement or disability.

The Act amends O.C.G.A. Sections 16-11-130 and 35-1-20.

Effective July 1, 2017.

***Act 229; SB 16***

This Act allows certain out-of-state individuals who are registered in their own state to possess low THC oil to possess such substance in this state for a limited period of time. The Act expands the types of conditions a patient may have which are eligible to possess low THC oil and changes certain reporting requirements.

The Act amends O.C.G.A. Sections 16-12-191 and 31-2A-18.

Effective July 1, 2017.

***Act 141; HB 249***

This Act enacts reforms relating to the opioid crisis in this state. The Act is divided into parts. Part I, known as the "Jeffrey Dallas Gay, Jr., Act," makes changes to the use of the prescription drug monitoring program data base, transfers the responsibility for such data base from the Georgia Drugs and Narcotics Agency to the Department of Public Health, provides the department's authority to maintain and develop such data base, provides for and changes definitions in connection therewith, changes the frequency of reporting information, and changes provisions relating to confidentiality of information, liability and duties of users, and the dispensing of certain controlled substances. Part II requires prescribers to provide certain information to patients when prescribing opioids. Part III authorizes the state health officer to issue a standing order to prescribe an opioid antagonist on a state-wide basis and provides immunity to such officer under certain circumstances. Part IV adds the reporting of neonatal abstinence syndrome reporting to the Department of Public Health and others. Part V provides for the inspection of narcotic treatment programs licensed in this state and for reporting of certain information from such programs. Part VI provides for a coroner's inquest when an individual dies of a suspected drug overdose. Part VII provides a short title to a Code section dealing with cardiopulmonary resuscitation and the use of automated external defibrillators in schools.

The Act amends Part 2 of Article 2 of O.C.G.A. Chapter 16-13 and O.C.G.A. Sections 16-13-71, 20-2-149.1, 26-4-116.2, 31-1-10, 31-2A-4, 31-12-2, 45-16-24, and 45-16-27 and enacts O.C.G.A. Sections 16-13-56.1, 26-5-22, and 26-5-23.

Effective July 1, 2017.

## **TITLE 16 (continued)**

### ***Act 17; HB 231***

This Act makes changes to the lists of Schedules I, II, IV, and 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 April 17, 2017.

### ***Act 19; SB 121***

This Act, known as the "Jeffrey Dallas Gay, Jr., Act," makes changes to the list of dangerous drugs, authorizes the state health officer to issue a standing order to prescribe an opioid antagonist on a state-wide basis, and provides immunity to such officer under certain circumstances.

The Act amends O.C.G.A. Sections 16-13-71, 26-4-116.2, and 31-1-10.  
Effective April 18, 2017.

## **TITLE 17 CRIMINAL PROCEDURE**

### ***Act 189; HB 343***

This Act updates terminology in criminal procedure by replacing references to "mental retardation" and "mentally retarded" with "intellectual disability." The Act replaces a definition and makes conforming cross-references with the new terminology.

The Act amends O.C.G.A. Sections 17-2-4 and 17-7-131.  
Effective July 1, 2017.

## **TITLE 19 DOMESTIC RELATIONS**

### ***Act 242; SB 137***

This Act amends provisions relating to child support and the enforcement of child support orders. The Act harmonizes provisions relating to the information required to be in a final judgment involving the payment of child support. The Act clarifies provisions relating to child support. The Act provides for the use of separate worksheets to an order of child support under certain circumstances. The Act changes provisions relating to parenting time. The Act changes and clarifies provisions relating to income deduction orders. The Act changes provisions relating to the family support registry. The Act changes provisions relating to the "Child Support Recovery Act." The Act requires obligors to pay the full fee required by the federal Deficit Reduction Act of 2005. The Act harmonizes and corrects certain cross-references and definitions. The Act changes provisions relating to work related child care costs.



**TITLE 19 (continued)**

The Act amends O.C.G.A. Sections 7-4-12.1, 10-1-393.10, 19-5-12, 19-6-14, 19-6-15, 19-6-17, 19-6-29, 19-6-30, 19-6-31, 19-6-32, 19-6-33, 19-6-33.1, 19-11-3, 19-11-6, 19-11-8, 19-11-9.1, 19-11-9.3, 19-11-12, 19-11-15, 19-11-15.1, 19-11-18, 19-11-27, 19-11-30, 19-11-30.1, 19-11-30.2, 19-11-30.3, 19-11-30.6, 19-11-30.10, 19-11-32, 19-11-33, 19-11-34, 19-11-35, 19-11-36, 19-11-37, 19-11-38, 19-11-39, 19-11-101, 19-11-150, 19-11-164, 31-10-9.1, 42-3-90, and 50-27-55.

Effective July 1, 2017, except Sections 1-17 and 1-18, which shall become effective October 1, 2017.

***Act 168; HB 86***

This Act expands the definition of sexual abuse to include acts involving trafficking a person for sexual servitude.

The Act amends O.C.G.A. Section 19-7-5.

Effective May 8, 2017.

***Veto Number 4; HB 359***

This Act, known as the "Supporting and Strengthening Families Act," provides for the creation, authorization, procedure, revocation, rescission, and termination of a power of attorney from a parent to an agent for the temporary delegation of certain power and authority for the care and custody of his or her child. The Act repeals the "Power of Attorney for the Care of a Minor Child Act." The Act provides for definitions. The Act maintains in effect certain provisions relating to a power of attorney given to a grandparent. The Act provides a short title. The Act provides for legislative findings.

The Act repeals and enacts Article 4 of O.C.G.A. Chapter 19-9.

***Act 202; HB 391***

This Act revises provisions relating to safe places for newborns. The Act expands the locations where a newborn child can be left. The Act also provides for definitions. The Act furthermore allows the mother to decline to provide her name and address when a child is left in the physical custody of certain facilities.

The Act amends O.C.G.A. Chapter 19-10A.

Effective July 1, 2017.

***Act 222; HB 279***

This Act provides for a separate process when a name change is requested by an individual alleging to be the victim of family violence. The Act provides for definitions. The Act also provides for procedure and corrects a cross-reference.

The Act amends O.C.G.A. Sections 19-12-1 and 19-12-2.

Effective July 1, 2017.

## **TITLE 19 (continued)**

### ***Act 252; HB 303***

This Act changes provisions relating to the terms of members of the State Commission on Family Violence and their qualifications to serve. The Act also provides for certain expenses incurred by such members.

The Act amends O.C.G.A. Section 19-13-32.

Effective July 1, 2017.

## **TITLE 20 EDUCATION**

### ***Act 12; HB 463***

This Act authorizes the Department of Early Care and Learning to establish a nonprofit corporation to qualify as a public foundation to be designated as the Georgia Foundation for Early Care and Learning to Promote Public-Private Partnerships. The Act allows for the appropriation of funds to such foundation from the General Assembly. The Act requires an annual public report from such foundation to include the identity of all donors and amounts of contributions as well as all expenditures, disposals of money, and property donated.

The Act enacts O.C.G.A. Section 20-1A-4.1.

Effective July 1, 2017.

### ***Act 27; HB 338***

This Act, known as the "First Priority Act – Helping Turnaround Schools Put Students First," provides for a system of supports and assistance for the lowest-performing schools identified as in the greatest need of assistance. The Act creates the position of Chief Turnaround Officer reporting directly to the State Board of Education. The Act provides for qualifications and duties of such position. The Act provides for the appointment of turnaround coaches and provides for qualifications of turnaround eligible schools. The Act provides for contract amendments, evaluation, and recommendation for improvement plans for lowest-performing schools and an intervention process when a school fails to improve. The Act provides for reports to the General Assembly by the Chief Turnaround Officer regarding the status, progress, and any interventions imposed upon turnaround eligible schools and by the State Board of Education regarding schools that have received unacceptable ratings for one or more consecutive years and any interventions applied to such schools. The Act creates the Joint Study Committees on the Establishment of a State Accreditation Process and the Establishment of a Leadership Academy. The Act provides for the removal of members of local boards of education if one-half or more of schools in the local school system are turnaround eligible schools for five or more consecutive years and for any hearings and petitions for reinstatement associated with such removal. The Act revises provisions related to contracts for strategic waivers school systems. The Act revises requirements for charters of charter systems. The Act increases the maximum initial term allowable for a charter school.

**TITLE 20 (continued)**

The Act amends O.C.G.A. Sections 20-2-73, 20-2-83, 20-2-2063.2, 20-2-2067.1, and 20-14-41 and enacts O.C.G.A. Sections 20-14-43 through 20-14-49.4.

Effective July 1, 2017.

***Act 30; HB 198***

This Act repeals a sunset provision for the requirement that local school systems conduct an annual fitness assessment for students in grades one through 12. The Act requires local boards of education to provide certain information on influenza and related vaccines to parents or guardians of students in grades six through 12. The Act adds a short title to the Code section relating to cardiopulmonary resuscitation and use of automated external defibrillators. The Act assigns the Georgia Commission on Women to the Department of Public Health.

The Act amends O.C.G.A. Sections 20-2-149.1, 20-2-777, 20-2-778, and 50-12-80.

Effective July 1, 2017.

***Act 184; HB 245***

This Act establishes a process by the Professional Standards Commission by which military spouses may qualify for temporary certificates, certificates by endorsement, or expedited certificates upon moving to Georgia with their service member or transitioning service member spouse.

The Act enacts O.C.G.A. Section 20-2-200.2.

Effective July 1, 2017.

***Veto Number 5; HB 425***

This Act encourages the State Board of Education and local school systems to provide for the administration of standardized assessments in a paper-and-pencil format upon the election of a student or their parent or guardian. The Act discourages the taking of punitive action against any student upon refusal to participate in federal, state, or locally mandated standardized assessments.

The Act amends O.C.G.A. Section 20-2-281.

Effective July 1, 2017.

***Act 36; SB 211***

This Act provides for consideration of local reading programs when establishing a research based formative assessment with a summative component for first and second grades. The Act requires the pursuit of maximum flexibility for state and local assessments under federal law and provides for a comparability study of national standards and assessments for grades nine through 12. The Act also prohibits local school systems from excluding students in dual credit courses from valedictorian or salutatorian determinations for purposes of the "Move on When Ready Act."

The Act amends O.C.G.A. Sections 20-2-281 and 20-2-161.3.

**TITLE 20 (continued)**

Effective April 27, 2017.

***Act 31; HB 224***

This Act allows for a military student to attend any public school within the school system where his or her military or off-base housing is located. The Act requires local school systems to establish a streamlined process for the implementation of transfer requirements for such students.

The Act enacts O.C.G.A. Section 20-2-295.

Effective July 1, 2017.

***Act 29; HB 139***

This Act provides for transparency and access by the public to financial, nonconfidential information of local school systems and schools. The Act adds a short title to the Code section relating to students whose families are to be considered military families. The Act authorizes the Department of Education to establish unique identifiers for purposes of disaggregation of data for students whose parent or guardian is an active or reserve member of the armed forces.

The Act enacts O.C.G.A. Sections 20-2-324.3 and 20-14-45 through 20-14-48.

Effective July 1, 2017.

***Act 33; HB 430***

This Act requires the State Board of Education and the State Charter Schools Commission to jointly establish a code of principles and standards for the authorization of charter schools by local boards of education, the state board, and the State Charter Schools Commission. The Act provides for training assistance for and an annual review of local school boards and charter schools for adherence to such standards and principles. The Act provides for an exception to the length of time for the initial term of a charter school. The Act requires a charter school to certify information regarding the number of enrolled students and personnel data and report such information to the local board of education. The Act requires the Department of Education implement procedures to ensure local charter schools receive proportionate amount of federal funding from its local school system. The Act requires the publication of funding information regarding charter schools by a local board of education. The Act provides for a facilities grant program for charter schools. The Act provides for the use of a local school system's unused facilities by charter schools.

The Act amends O.C.G.A. Sections 20-2-2067.1, 20-2-2068.1, and 20-2-2068.2 and enacts O.C.G.A. Section 20-2-2063.3.

Effective July 1, 2017.

***Act 28; HB 37***

This Act prohibits private postsecondary institutions from adopting policies which prohibit or restrict officials or employees of such institutions from communicating or cooperating with

## **TITLE 20 (continued)**

federal officials or law enforcement officers with regard to reporting information on a student who is reasonably believed to be in violation of state or federal law, illegally residing in the United States, or involved in acts of terrorism. The Act provides that any institution found to be in violation of the Act shall be subject to the withholding of state funding or state administered federal funding.

The Act enacts O.C.G.A. Section 20-3-10.

Effective July 1, 2017.

### ***Act 35; SB 186***

This Act provides that students who earn a high school diploma through certain dual credit coursework obtain eligibility for a HOPE grant toward an associate degree. The Act also authorizes a kinship caregiver, under certain circumstances, to give legal consent for a child to receive educational services and associated medical services and to participate in activities for which parental consent is typically required.

The Act amends O.C.G.A. Section 20-3-519.5 and enacts O.C.G.A. Sections 20-1-14 through 20-1-19.

Effective July 1, 2017.

### ***Act 34; HB 437***

This Act recreates the former Agricultural Education Advisory Commission which had been abolished by operation of law on December 31, 2016.

The Act enacts O.C.G.A. Section 20-14-90.

Effective July 1, 2017.

## **TITLE 21 ELECTIONS**

### ***Act 250; HB 268***

This Act provides for the time period for certification of election officials. The Act also repeals an obsolete provision. The Act provides for additional training and sanctions for election superintendents who violate provisions of law or rules and regulations. The Act revises the manner and times for certain qualifying for office. The Act provides for certain authorization for certain write-in candidate intention of candidacies. The Act repeals provisions regarding municipal registrars. The Act revises types of identification acceptable for voting. The Act requires certain information for voter registration. The Act revises provisions regarding change of address for electors. The Act limits when polling places may be moved. The Act requires certain reports regarding polling places established outside of precinct boundaries. The Act provides for the manner of voting in advance voting locations. The Act provides for correction of mistakes and omissions on ballots. The Act provides for the manner of applying for absentee ballots for certain voters. The Act changes the oath form for absentee ballots. The Act revises

## **TITLE 21 (continued)**

the period for certain advance voting. The Act provides limitations regarding certain activities within close proximity to polling locations when voting is occurring. The Act provides for the manner of obtaining a provisional ballot. The Act provides for the delivery, presentation, preservation, and destruction of voting materials.

The Act amends O.C.G.A. Sections 21-2-101, 21-2-130, 21-2-132, 21-2-133, 21-2-212, 21-2-214, 21-2-216, 21-2-224, 21-2-226, 21-2-233, 21-2-234, 21-2-265, 21-2-293, 21-2-380.1, 21-2-381, 21-2-384, 21-2-385, 21-2-414, 21-2-418, and 21-2-500 and enacts O.C.G.A. Section 21-2-220.1.

Effective July 1, 2017.

### ***Act 7; HB 42***

This Act authorizes election superintendents to correct mistakes and omissions on ballots for a primary or election. The Act provides dates for certain special elections to fill vacancies in county, municipal, and school board offices. The Act also provides for the timing of runoffs from certain special elections under certain circumstances.

The Act amends O.C.G.A. Sections 21-2-293, 21-2-501, and 21-2-540.

Effective February 23, 2017.

## **TITLE 22 EMINENT DOMAIN**

### ***Act 265; HB 434***

This Act establishes an exception to the requirement that condemnations not be converted to any use other than a public use for 20 years after the initial condemnation and provides for procedural requirements.

The Act amends O.C.G.A. Section 22-1-2 and enacts O.C.G.A. Section 22-1-15.

Effective July 1, 2017.

## **TITLE 25 FIRE PROTECTION AND SAFETY**

### ***Act 142; HB 146***

This Act revises the insurance coverage that fire departments must maintain for firefighters and provides for requirements for certain insurance coverage benefit payments to firefighters. The Act changes certain provisions relating to the formation, functions, and certificates of authority and applications related to interlocal risk management agencies. The Act provides an exemption for certain benefits received from and a deduction for certain premiums paid for certain insurance coverage for firefighters in the computation of Georgia taxable net income.

The Act amends O.C.G.A. Sections 25-3-23, 36-85-1, 36-85-2, 36-85-5, and 48-7-27.

**TITLE 25 (continued)**

Effective July 1, 2018.

***Act 224; SB 141***

This Act requires the owner of a carnival ride to submit an engineering evaluation with a carnival ride permit application.

The Act amends O.C.G.A. Section 25-15-85.

Effective July 1, 2017.

**TITLE 26  
FOOD, DRUGS, AND COSMETICS**

***Act 233; SB 78***

This Act authorizes the Commissioner of Agriculture to issue a variance or waiver to certain rules and regulations of the Department of Agriculture.

The Act amends O.C.G.A. Section 26-2-34.

Effective July 1, 2017.

***Act 64; HB 176***

This Act authorizes the Department of Agriculture to enter into agreements with the federal government to enforce provisions of certain federal laws.

The Act enacts O.C.G.A. Sections 26-2-440 and 26-2-441.

Effective July 1, 2017.

***Act 230; SB 41***

This Act provides for licensure of durable medical equipment suppliers and requirements regarding same. The Act also defines the term "durable medical equipment." The Act provides for discipline and revocation of such licenses. The Act also provides for licensing inspections and exemptions. The Act further authorizes the promulgation of rules and regulations related to such licenses.

The Act amends O.C.G.A. Sections 26-4-5 and 26-4-28 and enacts O.C.G.A. Section 26-4-51.

Effective July 1, 2017.

***Act 68; HB 206***

This Act provides for requirements relating to certain audits conducted by the Department of Community Health. The Act provides that clerical or other errors do not constitute a basis to recoup payments made by providers of medical assistance. The Act also provides for a correction period, a right to a hearing, and applicability. The Act further provides for an increase in the personal needs allowance to be deducted from a nursing home resident's income.

## **TITLE 26 (continued)**

The Act amends O.C.G.A. Sections 26-4-118 and 49-4-142 and enacts O.C.G.A. Section 49-4-151.1.

Effective July 1, 2017.

### ***Act 140; SB 88***

This Act provides for regulation of narcotic treatment programs. The Act provides a short title and definitions and authorizes the Department of Community Health to promulgate rules and regulations. The Act provides for licensure and minimum standards of quality and services for narcotic treatment programs. The Act creates an application review committee and provides for application review requirements. The Act creates regions. The Act prohibits certain free services and financial incentives. The Act provides for zoning compliance, record requirements, and inspections. The Act provides for license application denial, license revocation, and license suspension. The Act provides for penalties and appeals. The Act provides for priority admission for drug dependent pregnant females. The Act provides for central registry compliance and background investigations. The Act continues certain rules and regulations and provides for conforming cross-references.

The Act amends O.C.G.A. Sections 26-5-1, 26-5-2, 26-5-3, 26-5-6, 26-5-7, 26-5-9, 26-5-10, 26-5-14, 26-5-17, 26-5-18, 26-5-19, 26-5-20, and 26-5-21 and enacts O.C.G.A. Sections 26-5-40 through 26-5-62.

Effective May 4, 2017.

## **TITLE 27 GAME AND FISH**

### ***Act 22; HB 208***

This Act revises provisions relating to hunting, fishing, and trapping license fees and stamps. The Act also updates boat registration fees and boat sale procedures and revises additional provisions relating to game and fish.

The Act amends O.C.G.A. Sections 27-1-2, 27-2-1, 27-2-3, 27-2-3.1, 27-2-4, 27-2-4.2, 27-2-5, 27-2-6, 27-2-8, 27-2-20, 27-2-23, 27-2-28, 27-3-17, 27-4-30, 27-4-110, 27-4-136, 27-4-151, 27-4-206, and 52-7-5.

Effective July 1, 2017, and applies to offenses occurring on or after such date.



**TITLE 31  
HEALTH**

***Act 271; SB 193***

This Act revises the program mission and practice of the Positive Alternatives for Pregnancy and Parenting Grant. The Act removes the Positive Alternatives for Pregnancy and Parenting Grant Program from the Indigent Care Trust Fund and provides for expedited partner therapy for patients with chlamydia or gonorrhea.

The Act amends O.C.G.A. Sections 26-4-80, 31-2A-31, 31-2A-32, 31-2A-33, 31-2A-35, 31-8-154, and 31-8-156, repeals O.C.G.A. Section 31-2A-30, and enacts O.C.G.A. Section 31-17-7.1.

Effective July 1, 2017.

***Act 236; SB 96***

This Act authorizes registered professional nurses, nurse practitioners, and physician assistants to perform the pronouncement of death of patients in nursing homes and hospice care even if such patients are organ donors.

The Act amends O.C.G.A. Sections 31-7-16, 31-7-176.1, 31-10-16, and 45-16-25.

Effective July 1, 2017.

***Act 179; SB 14***

This Act authorizes the state to make grants, as funds are available, to rural hospital organizations for public health purposes. The Act provides for the process and criteria by which the Department of Community Health is authorized to make grants to rural hospital organizations.

The Act amends O.C.G.A. Section 31-7-94 and repeals and reenacts O.C.G.A. Section 31-7-94.1.

Effective May 8, 2017.

***Act 200; SB 180***

This Act changes certain amounts that are eligible for the rural hospital organization income tax credit. The Act requires the Department of Community Health to approve a list of rural hospital organizations eligible to receive contributions from the rural hospital organization income tax credit. The Act provides for procedures, conditions, and limitations for the receipt and use of contributions from the rural hospital organization income tax credit.

The Act amends O.C.G.A. Section 48-7-29.20 and repeals and reenacts O.C.G.A. Section 31-8-9.1.

Effective May 8, 2017, for all taxable years beginning on or after January 1, 2017; provided, however, that paragraph (2) of subsection (a) of Code Section 31-8-9.1, relating to tax credits for donations to certain rural hospitals, shall become effective on January 1, 2018.

**TITLE 31 (continued)**

***Act 4; SB 70***

This Act extends the sunset provision of the hospital Medicaid financing program.  
The Act amends O.C.G.A. Section 31-8-179.6.  
Effective February 13, 2017.

***Act 105; SB 102***

This Act provides for the designation of emergency cardiac care centers and the establishment of the Office of Cardiac Care within the Department of Public Health. The Act establishes a three-level designation system for emergency cardiac care centers and the criteria for each such level. The Act provides for the development of a model cardiac care triage assessment tool and for the establishment of protocols related to the triage, assessment, treatment, and transport of cardiac care patients by licensed emergency medical services providers. The Act provides for rules and regulations concerning emergency cardiac care centers.

The Act enacts O.C.G.A. Sections 31-11-130 through 31-11-139.  
Effective July 1, 2017.

***Act 190; HB 241***

This Act establishes Cove's Law and adds Krabbe disease to the list of metabolic and genetic conditions for which newborn screening may be conducted pursuant to the Department of Public Health at the option of the parent or parents.

The Act amends O.C.G.A. Section 31-12-6.  
Effective July 1, 2017.

***Act 210; HB 210***

This Act provides that certain specimen collection stations and blood banks are not considered clinical laboratories for the purpose of certain regulations.

The Act amends O.C.G.A. Section 31-22-1.  
Effective July 1, 2017.

***Act 176; HB 427***

This Act expands the service cancelable loan program for physicians in underserved areas to dentists, physician assistants, and advanced practice registered nurses.

The Act amends O.C.G.A. Sections 31-34-1, 31-34-2, 31-34-4, 31-34-4.1, and 31-34-5.  
Effective July 1, 2017.

**TITLE 32  
HIGHWAYS**

*Act 256; HB 328*

This Act increases the maximum allowable length of rear overhang for automobile and boat transporter loads and the maximum allowable axle weight for vehicles utilizing idle reduction technology. The Act revises standards for usage of FlexAuto lanes by the Department of Transportation. The Act clarifies the meaning of flashing road signal indicators and provides for rules of the road when a vehicle approaches an intersection with a signal in unactivated dark mode.

The Act amends O.C.G.A. Sections 32-6-24, 32-6-27, 32-9-4.1, 40-6-23, and 40-6-70.  
Effective July 1, 2017.

*Act 270; SB 183*

This Act allows the State Road and Tollway Authority to enter into credit enhancement or liquidity agreements with private entities which allow such private entities to obtain funding for road projects through the issuance of bonds which take into account that the project is for a public benefit and done in concert with the state, but do not obligate the state to such debt. The Act requires the authority to submit an annual report to the General Assembly regarding the funds collected by tolls and the use of such funds. The Act exempts public-private partnership contracts with the authority from being let through a public competitive bid process or the requirement that such contracts be awarded to the lowest bidder.

The Act amends O.C.G.A. Section 32-10-60, 32-10-63, 32-10-68, 32-10-73, and 32-10-107 and enacts O.C.G.A. Section 32-10-65.2.

Effective July 1, 2017.

**TITLE 33  
INSURANCE**

*Act 241; SB 133*

This Act enacts the "Georgia Agribusiness and Rural Jobs Act" to provide that upon making a capital investment in a rural fund, a rural investor may earn credit against such entity's state tax liability, disallows refundability and sale on the open market of claimed credits, and provides for certification of qualified capital investments.

The Act enacts O.C.G.A. Section 33-1-25 and amends O.C.G.A. Sections 48-13-71 through 48-13-73.

Effective July 1, 2017, and applicable to all tax years beginning after January 1, 2018, as to Part I. Effective January 1, 2018, and applicable to all tax years beginning on or after January 1, 2018, as to Part II.

**TITLE 33 (continued)**

***Act 52; HB 127***

This Act repeals obsolete provisions relative to nonprofit medical service corporations and nonprofit hospital service corporations and revises other Code provisions for purposes of conformity.

The Act repeals O.C.G.A. Chapters 33-18 and 33-19 and amends O.C.G.A. Sections 31-7-280, 31-17-4.1, 31-32-12, 33-1-2, 33-1-3, 33-3-3, 33-3-6, 33-8-1, 33-9-3, 33-20-6, 33-20B-2, 33-20C-1, 33-21-1, 33-21-25, 33-24-20, 33-24-21, 33-24-21.1, 33-24-21.2, 33-24-23, 33-24-24, 33-24-25, 33-24-26, 33-24-28, 33-24-28.2, 33-24-28.3, 33-24-28.4, 33-24-29, 33-24-29.1, 33-24-56, 33-24-57, 33-24-59, 33-24-59.1, 33-24-59.4, 33-24-59.5, 33-24-59.12, 33-24-59.14, 33-24-59.15, 33-29-2, 33-29-3, 33-29-3.2, 33-29-3.3, 33-29-3.4, 33-30-4.1, 33-30-4.2, 33-30-4.3, 33-30-4.4, 33-30-4.5, 33-30-6, 33-30-13.1, 33-30-15, 33-30-22, 33-38-2, 33-38-4, 33-42-4, 33-44-2, and 45-18-6.

Effective July 1, 2017.

***Act 251; HB 262***

This Act exempts standalone dental plans from the requirement of printed directories for certain entities.

The Act amends O.C.G.A. Section 33-20C-5.

Effective July 1, 2017.

***Veto Number 3; HB 174***

This Act expands an insurer's medium of payment of policy or contractual obligations from the sole medium of legal tender to include any common methods of payment, including wire transfer, cashier's check issued by a bank or other financial institution, draft or bank check, electronic funds transfer or other method of electronic payment, general use gift card, as defined under Title 10, provided that such general use gift card does not have an expiration date or dormancy or nonuse fees, or any other method of payment approved by the Commissioner.

The Act amends O.C.G.A. Section 33-24-43.

***Act 247; HB 92***

This Act expands the definition of policy to include policies issued by the same insurer as such definition relates to cancellation or nonrenewal of automobile or motorcycle policies.

The Act amends O.C.G.A. Section 33-24-45.

Effective July 1, 2017.

***Act 272; SB 200***

This Act provides that prescription drug programs providing prescription drug coverage in this state shall permit and apply a prorated daily cost-sharing rate to prescriptions that are dispensed by a pharmacy for less than a 30 day supply if the prescriber or the pharmacist indicates the fill

**TITLE 33 (continued)**

or refill could be in the best interest of the insured patient or is for the purpose of synchronizing patients' medications.

The Act enacts O.C.G.A. Section 33-24-59.21.  
Effective July 1, 2017.

***Act 174; SB 206***

This Act enacts the "Hearing Aid Coverage for Children Act," requiring health plans to provide coverage for hearing aids for children. The Act provides for the frequency of replacing hearing aids, coverage of services and supplies, and options for higher priced devices. The Act also provides for exemption by an insurer, corporation, health maintenance organization, or governmental entity from providing such coverage if certain costs of such coverage exceed 1 percent of the premiums charged over the experience period. The Act does not apply to any accident and sickness contract, policy, or benefit plan offered by any employer with ten or fewer employees.

The Act enacts O.C.G.A. Section 33-24-59.21.  
Effective July 1, 2017.

***Act 246; SB 173***

This Act revises certain provisions relating to captive insurance companies, including changes to and the addition of terms, scope of provisions and lines of business, agency captive insurance company provisions, certificate of authority to extend to board of managers, provides for captive corporate organization requirements, provides for certain exemptions, provides for exceptions, fees, and articles of incorporation, changes certain provisions relating to business name for formation documents, changes provisions relating to the board of directors, updates certain language, and changes provisions relating to taxation on direct premiums relating to the risk retention group.

The Act amends O.C.G.A. Sections 33-41-2, 33-41-3, 33-41-5, 33-41-6, 33-41-7, 33-41-10, and 33-41-22.  
Effective July 1, 2017.

***Act 45; HB 74***

This Act amends provisions relating to company action level events and the preparation and submission of a risk-based level plan so as to change the life risk-based capital trend test in order to comply with accreditation standards.

The Act amends O.C.G.A. Section 33-56-3.  
Effective July 1, 2017.

***Act 195; HB 276***

This Act authorizes the Commissioner of Insurance to promulgate certain rules and regulations to prohibit pharmacy benefits managers from requiring the use of mail-order pharmacies under certain conditions, provides for exceptions, and provides for certain prohibitions.

### **TITLE 33 (continued)**

The Act amends O.C.G.A. Section 33-64-7 and enacts O.C.G.A. Sections 33-64-10 and 33-64-11.

Effective July 1, 2017, and applies to all contracts issued, delivered, or issued for delivery in this state on and after such date.

#### ***Act 196; SB 103***

This Act authorizes the Commissioner of Insurance to promulgate certain rules and regulations to prohibit pharmacy benefits managers from requiring the use of mail-order pharmacies under certain conditions, provides for exceptions, and provides for certain prohibitions.

The Act amends O.C.G.A. Section 33-64-7 and enacts O.C.G.A. Sections 33-64-10 and 33-64-11.

Effective July 1, 2017, and applies to all contracts issued, delivered, or issued for delivery in this state on and after such date.

### **TITLE 34 LABOR AND INDUSTRIAL RELATIONS**

#### ***Act 203; SB 201***

This Act provides that an employer that employs 25 or more employees shall allow employees that work at least 30 hours per week to use up to five days of earned sick leave per calendar year for the care of an immediate family member. The Act specifies that such provision does not require an employer to offer sick leave and does not apply to an employer that offers an employee a stock ownership plan.

The Act enacts O.C.G.A. Section 34-1-10.

Effective July 1, 2017.

#### ***Act 221; HB 243***

This Act preempts local government mandates requiring additional pay to employees based on schedule changes.

The Act amends O.C.G.A. Section 34-4-3.1.

Effective July 1, 2017.

### **TITLE 35 LAW ENFORCEMENT OFFICERS AND AGENCIES**

#### ***Act 243; SB 149***

This Act requires the Georgia Peace Officer Standards and Training Council to maintain a training course for the training of school resource officers and provides that it is the best practice for any person assigned or appointed as a school resource officer to successfully complete such

### **TITLE 35 (continued)**

training course. The Act revises the authority of a municipal probation officer relative to the exercise of the power of arrest and a Georgia Peace Officer Standards and Training Council certification. The Act prohibits inmates of county and municipal jails and state and county institutions from possessing tobacco or any product containing tobacco and renders it unlawful for any person to obtain for, to procure for, or to give to such inmates tobacco or any product containing tobacco. The Act makes it unlawful for inmates to possess a stored value card and certain characteristics of stored value cards and to obtain or procure for or to give an inmate such stored value card information.

The Act amends O.C.G.A. Sections 35-8-2, 35-8-13.1, 42-4-13, 42-5-15, 42-5-18, 42-8-107, and 42-12-7.2, and enacts O.C.G.A. Section 35-8-27.

Effective July 1, 2017.

### **TITLE 36 LOCAL GOVERNMENT**

#### ***Act 212; HB 453***

This Act adds the chief judge of the magistrate court to the board of trustees of the county law library in each county.

The Act amends O.C.G.A. Section 36-15-1.

Effective July 1, 2017.

#### ***Act 188; HB 370***

This Act authorizes the Council of Municipal Court Judges of Georgia to create and administer savings plans and deferred compensation plans for its members. The Act also provides for funding, limitations on funding, and limitations on liability.

The Act enacts O.C.G.A. Section 36-32-41.

Effective July 1, 2017.

#### ***Act 264; HB 428***

This Act authorizes assessments for downtown development authorities subject to certain conditions.

The Act amends O.C.G.A. Section 36-42-17.

Effective July 1, 2017.

#### ***Act 24; HB 342***

This Act provides that certain urban redevelopment zones may be designated as enterprise zones and provides for certain tax exemptions in such enterprise zones. The Act also provides for issuance of revenue bonds. The Act furthermore provides for procedures, conditions, and limitations.

## **TITLE 36 (continued)**

The Act amends O.C.G.A. Sections 36-88-3, 36-88-4, 36-88-6, 36-88-8, and 36-88-10.  
Effective July 1, 2017.

### ***Veto Number 9; SB 222***

This Act creates the Local Government 9-1-1 Authority, provides for a short title, and provides for definitions. The Act provides for members, powers, duties, authority, and responsibilities. The Act changes certain provisions relating to the remittance of 9-1-1 charges. The Act provides for payment by service suppliers to the Local Government 9-1-1 Authority. The Act also provides for administrative costs and legal representation. The Act furthermore provides for penalties and interest for noncompliance. The Act revises definitions relative to the Georgia Emergency Telephone Number 9-1-1 Service Act. The Act provides for conforming changes. The Act provides for applicability to certain causes of action.

The Act amends O.C.G.A. Sections 45-15-13, 46-5-122, 46-5-124, 46-5-124.1, 46-5-127, 46-5-128, 46-5-129, 46-5-130, 46-5-131, 46-5-133, 46-5-134, and 46-5-134.2; repeals O.C.G.A. Section 46-5-123; and enacts O.C.G.A. Sections 36-93-1 through 36-93-8.

## **TITLE 37 MENTAL HEALTH**

### ***Act 231; SB 52***

This Act repeals the sunset provision of Act No. 546, approved April 21, 2014 (Ga L. 2014, p. 347)(which revised Code Sections 37-3-41 and 37-7-41), as amended, particularly by an Act approved March 10, 2015 (Ga. L. 2015, p. 4), which relates to mental health and authorizes a licensed professional counselor to perform certain acts.

The Act amends Act No. 546, approved April 21, 2014 (Ga L. 2014, p. 347), as amended, particularly by an Act approved March 10, 2015 (Ga. L. 2015, p. 4).

Effective May 9, 2017.

## **TITLE 38 MILITARY, EMERGENCY MANAGEMENT, AND VETERANS AFFAIRS**

### ***Act 181; HB 251***

This Act provides that personnel and individuals in the custody of the Department of Corrections may enter private property during any state of emergency or disaster declared by the Governor for the purposes of protecting property, removing debris, restoring services, or repairing or relocating infrastructure.

The Act enacts O.C.G.A. Section 38-3-38.

Effective July 1, 2017.



## **TITLE 38 (continued)**

### ***Act 261; HB 405***

This Act requires the Georgia Emergency Management and Homeland Security Agency to establish a state-wide system to facilitate the transport and distribution of essentials in commerce during a state of emergency declared by the Governor. The Act provides for the certification of and certain privileges for organizations and business entities who facilitate the transport or distribution of essentials.

The Act enacts O.C.G.A. Section 38-3-58.

Effective July 1, 2017.

### ***Act 175; SB 109***

This Act enacts the "Recognition of Emergency Medical Services Personnel Licensure Interstate Compact" ("REPLICA") and the "Nurse Licensure Compact."

The Act enacts O.C.G.A. Sections 38-3-70, 38-3-71, 43-26-60, 43-26-61, 43-26-62, 43-26-63, 43-26-64, and 43-26-65 and amends O.C.G.A. Section 43-26-5.

Effective July 1, 2017.

### ***Act 183; SB 108***

This Act requires the maintenance of a women veterans' office by the commissioner of veterans service.

The Act enacts O.C.G.A. Section 38-4-13.

Effective July 1, 2017.

### ***Act 255; HB 322***

This Act expands the definition of war veterans, with respect to the Georgia State War Veterans' Home, to include certain individuals who served on active duty between May 8, 1975, and August 1, 1990.

The Act amends O.C.G.A. Section 38-4-50.

Effective July 1, 2017.

## **TITLE 40 MOTOR VEHICLES**

### ***Act 214; SB 219***

This Act provides for the operation of motor vehicles capable of fully operating without a driver. The Act exempts such vehicles from the requirement to hold a driver's license when in the autonomous or driverless mode. The Act provides for compliance with requirements regarding reporting of an accident and insurance, registration, and equipment standards by such vehicles.

**TITLE 40 (continued)**

The Act amends O.C.G.A. Sections 40-1-1 and 40-5-21 and enacts O.C.G.A. Sections 40-6-279 and 40-8-11.

Effective July 1, 2017.

***Act 44; HB 58***

This Act updates the date applicable to the definition of "present regulations" for purposes of the safe operation of motor carriers and commercial motor vehicles.

The Act amends O.C.G.A. Section 40-1-8.

Effective July 1, 2017.

***Act 245; SB 169***

This Act establishes a special and distinctive license plate honoring Georgia law enforcement officers.

The Act amends O.C.G.A. Section 40-2-86.

Effective July 1, 2017.

***Act 249; HB 260***

This Act establishes a special and distinctive license plate honoring Georgia electric utilities and electric utility contractors.

The Act amends O.C.G.A. Section 40-2-86.

Effective July 1, 2017.

***Act 262; HB 412***

This Act provides for the electronic submission of applications for registration or renewals of registration for commercial motor vehicles under the International Registration Plan. The Act requires submission of applications for certificate of title be submitted by motor vehicle dealers electronically after January 1, 2018, and requires study by the state revenue commissioner regarding the costs, benefits, and feasibility on the elimination of revalidation decal requirements for motor vehicle registration renewals.

The Act amends O.C.G.A. Sections 40-2-88, 40-2-88.1, 40-2-158, and 40-3-33 and enacts O.C.G.A. Section 40-1-9.

Effective July 1, 2017.

***Act 239; SB 128***

This Act authorizes the Department of Driver Services to disseminate records and information on licensed drivers to the Department of Natural Resources for use in such department's issuance of licenses, permits, and registrations.

**TITLE 40 (continued)**

The Act amends O.C.G.A. Section 40-5-2.  
Effective July 1, 2017.

***Act 55; HB 136***

This Act provides for the demarcation of a valid driver's license, permit, or identification card by the Department of Driver Services and return of such license, permit, or card upon application for a new license or card. The Act provides that such department shall issue a receipt to eligible applicants for a driver's license, instruction permit, or limited driving permit which shall satisfy requirements for operation of a motor vehicle until arrival of the permanent license or permit. The Act removes the requirement that a physically impaired parent or guardian previously held a driver's license or permit prior to the issuance of a driver's license or permit to a minor when such minor's parent or guardian is incapable of being licensed to operate a motor vehicle. The Act provides for the issuance of a Class C driver's license for the operation of a three-wheeled motor vehicle equipped with a steering wheel, provides for the manner of riding a motorcycle, and provides for fees corresponding to the issuance of and renewal of certain licenses and identification cards. The Act requires courts to send reports of any conviction of a crime to the department for purposes of determining disqualification to operate a commercial motor vehicle. The Act allows the department to contract with a debt collection agency or attorney outside the state for the collection of past due fees owed to the department.

The Act amends O.C.G.A. Sections 40-5-20, 40-5-22, 40-5-23, 40-5-25, 40-5-53, 40-5-100, 40-5-103, 40-6-311, and 40-16-5.

Effective July 1, 2017, except for O.C.G.A. Sections 40-5-20 and 40-5-100, which shall become effective on July 1, 2018.

***Act 228; SB 176***

This Act provides for the procedure for issuing bench warrants for individuals charged with certain traffic violations. The Act removes a barrier to obtaining a habitual violator probationary license. The Act provides for revocation of the driver's license of an individual convicted of a third or subsequent offense of driving under the influence of a controlled substance or marijuana within five years. The Act provides for the reinstatement of driver's licenses previously suspended for violations of certain laws related to controlled substances in Article 1 of Chapter 13 of Title 16 which occurred prior to July 1, 2015.

The Act amends O.C.G.A. Sections 17-6-11, 17-7-90, 40-5-58, and 40-5-75.  
Effective July 1, 2017.

***Act 267; HB 472***

This Act exempts vehicles traveling in the same lane and utilizing vehicle-to-vehicle communication technology to automatically coordinate movement from the standard following distance requirements for motor vehicles.

**TITLE 40 (continued)**

The Act amends O.C.G.A. Section 40-6-49.  
Effective July 1, 2017.

**TITLE 42  
PENAL INSTITUTIONS**

*Act 171; SB 250*

This Act applies loitering restrictions to individuals who are or should be registered as sexual offenders in other states and are visiting this state.

The Act amends O.C.G.A. Section 42-1-15.  
Effective July 1, 2017.

*Act 219; HB 261*

This Act provides for certain individuals sentenced to a term of incarceration between March 18, 1968, and October 31, 1982, to be able to petition the court for a retroactive grant of first offender status under certain conditions.

The Act amends O.C.G.A. Section 42-8-66.  
Effective July 1, 2017.

*Act 226; SB 174*

This Act provides for reform for individuals supervised under accountability courts, the Department of Community Supervision, and the State Board of Pardons and Paroles and enacts reforms recommended by the Georgia Council on Criminal Justice Reform. The Act requires veterans court divisions to adhere to the same policies, procedures, and standards as other accountability courts and changes provisions relating to family treatment court divisions. The Act provides for a behavioral incentive date under certain circumstances, changes provisions relating to active probation supervision, and provides for the use of updated evaluation tools and the Board of Community Supervision to issue Program and Treatment Completion Certificates. The Act modifies provisions relating to the confidentiality of records and information held by the State Board of Pardons and Paroles under certain circumstances, allows community supervision officers to provide supervision to defendants in certain accountability courts under certain circumstances, and allows the prosecuting attorney and victim of a crime to submit information to the State Board of Pardons and Paroles relative to its consideration of the parole or conditional release of an inmate. The Act requires that conditions of probation be imposed as conditions of parole when a defendant is serving a split sentence and provides for notice of certain hearings.

The Act amends O.C.G.A. Sections 15-1-17, 15-11-70, 15-11-212, 17-10-1, 42-2-11, 42-3-2, 42-5-36, 42-8-21, 42-8-27, 42-8-34, 42-8-37, 42-9-41, 42-9-42, 42-9-43, 42-9-44, 42-9-46, 42-9-52, 42-9-53, 49-3-6, and 51-1-54 and enacts O.C.G.A. Section 42-9-61.

Effective July 1, 2017.

**TITLE 43  
PROFESSIONS AND BUSINESSES**

***Act 41; HB 41***

This Act changes the qualifications of applicants for examination or certificate of registration as an architect, so as to allow students who are actively participating in a National Council of Architectural Registration Boards accepted Integrated Path to Architectural Licensure option within a National Architectural Accrediting Board accredited professional degree program in architecture to take such examination under certain circumstances. The Act specifies that no certificate of registration shall be issued to an applicant who took the examination under such provision, unless and until such applicant for certification shows the board satisfactory evidence of a professional degree in architecture from a school or college approved by the National Architectural Accrediting Board.

The Act amends O.C.G.A. Section 43-4-11.

Effective July 1, 2017.

***Act 177; HB 154***

This Act authorizes licensed dental hygienists to perform certain functions under general or direct supervision in certain settings. The Act specifies that the requirement of direct supervision shall not apply to the performance of dental hygiene duties by personnel of the Department of Public Health or county boards of health at approved offsite locations. The Act also specifies the functions that a licensed dental hygienist may perform under general supervision in a private dental office setting and establishes the criteria under which a licensed dentist in a private dental office setting may authorize such general supervision. The Act provides that in school settings, hospitals, and other specified facilities, a licensed dental hygienist may apply topical fluoride and perform the application of sealants and oral prophylaxis under general supervision. The Act defines the terms "direct supervision" and "general supervision."

The Act provides for the Department of Community Health to collect data regarding changes to utilization rates for dental services provided to recipients of Medicaid. The Act requires the Georgia Board of Dentistry to provide a report to certain committees of the General Assembly on the number of licensed dentists providing dental hygienist services under general supervision in certain settings.

The Act amends O.C.G.A. Section 43-11-74.

Effective January 1, 2018.

***Act 218; HB 486***

This Act provides for training of proxy caregivers. The Act specifies that rules regarding training for proxy caregivers shall include selection by the Department of Behavioral Health and Developmental Disabilities and the Department of Community Health for approval of training curricula specifically designed for the purpose of implementing the health maintenance activity of medication administration to be implemented by such proxy caregivers employed or contracted to providers of home and community based services, community residential

**TITLE 43 (continued)**

alternative services, or community living services. The Act requires certain rules and regulations to be promulgated no later than January 1, 2018.

The Act also provides that good faith efforts by an attending physician, advanced practice registered nurse, physician assistant, registered professional nurse, or providers of home and community based services and other persons approved by the department to provide training to a proxy caregiver to perform health maintenance activities shall not be construed to be professional delegation.

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

Effective July 1, 2017.

***Act 244; SB 153***

The Act authorizes doctors of optometry to administer pharmaceutical agents by injection. The Act provides limitations and requirements for such authorization.

The Act amends O.C.G.A. Section 43-30-1.

Effective July 1, 2017.

***Act 59; HB 157***

This Act repeals certain requirements for physicians related to the advertising or publicizing of medical specialty certification.

The Act repeals O.C.G.A. Section 43-34-22.1.

Effective July 1, 2017.

***Act 274; SB 242***

This Act provides an exception to the number of advanced practice registered nurses with which a delegating physician can enter into a protocol agreement or supervise at any one time for nurses in certain locations under certain conditions.

The Act amends O.C.G.A. Section 43-34-25.

Effective July 1, 2017.

***Act 207; SB 47***

This Act provides for licensure exemption for visiting sports teams' physicians, physician assistants, and athletic trainers who are licensed in good standing to practice in another state. The Act provides limitations and requirements for such exemption.

The Act authorizes the Georgia Composite Medical Board or the Georgia Board of Athletic Trainers, as appropriate, to enter into agreements with the comparable licensing boards of other states, which agreements shall include procedures for reporting potential license violations.

The Act enacts O.C.G.A. Section 43-34-29.3.

Effective July 1, 2017.

**TITLE 43 (continued)**

***Act 180; HB 165***

This Act provides that a physician's maintenance of certification shall not be required as a condition of licensure to practice medicine or as a prerequisite for employment in state medical facilities, reimbursement from third parties, or malpractice insurance coverage.

The Act enacts O.C.G.A. Section 43-34-46.

Effective July 1, 2017.

***Veto Number 8; SB 125***

This Act authorizes a physician to delegate to a physician assistant the authority to prescribe hydrocodone compound products and provides for limitations as to such delegation. The Act also requires a physician assistant delegated the authority by the primary supervising physician to issue a prescription drug or device order for a hydrocodone compound product to complete three hours of continuing education biennially in the appropriate ordering and use of Schedule II controlled substances.

The Act amends O.C.G.A. Section 43-34-103.

***Act 237; SB 106***

This Act changes a provision relating to the health care professionals who must be on-site at a pain management clinic in order for the clinic to provide medical treatment or services. The Act specifies that such provision shall not apply to a certified registered nurse anesthetist, so long as (1) the patient has previously been examined by a physician and such physician has issued a written order for such patient to receive medical treatment or services and (2) the pain management clinic has obtained written consent of the patient prior to any medical treatment or services being provided by the certified registered nurse anesthetist regarding the medical treatment or services to be performed, the risks of the medical treatment or services to be performed, and that a physician may or may not be on-site.

The Act amends O.C.G.A. Section 43-34-283.

Effective July 1, 2017.

***Act 40; HB 39***

This Act changes certain provisions relating to disciplinary actions and sanctions permitted for failure of real estate appraisers and real estate brokers and salespersons to provide notification of convictions of certain offenses. The Act changes the time frame in which such real estate professionals are required to provide notification of certain convictions. The Act provides the Georgia Real Estate Appraisers Board and the Georgia Real Estate Commission with additional options as to what actions may be taken if an appraiser fails to provide such notification.

The Act amends O.C.G.A. Sections 43-39A-14 and 43-40-15.

Effective July 1, 2017.

**TITLE 44  
PROPERTY**

***Act 173; SB 46***

This Act revises provisions relating to the expansion of condominiums and provides for the accrual of the right of action for breach of restrictive covenants upon the erection of a permanent fixture which creates the breach. The Act provides for procedures and rights of property owners to take control of property associations created pursuant to restrictive covenants. The Act allows for the donation of abandoned dividends or capital credits by rural telephone cooperatives and provides for other matters relating to rural telephone cooperatives.

The Act amends O.C.G.A. Sections 9-3-29, 44-3-89, 44-3-101, 44-5-60, and 46-5-78 and enacts O.C.G.A. Sections 44-3-232.1, 44-12-236.1, 46-5-64.1, and 46-5-92.1.

Effective July 1, 2017.

***Act 58; HB 153***

This Act attaches the Council on American Indian Concerns to the Department of Natural Resources for administrative purposes.

The Act amends O.C.G.A. Section 44-12-280.

Effective July 1, 2017.

***Act 234; SB 87***

This Act adds assets in health savings accounts and medical savings accounts as property exempt from bankruptcy proceedings and provides for the cancellation of judgment liens against certain property in bankruptcy.

The Act amends O.C.G.A. Section 44-13-100.

Effective July 1, 2017.

**TITLE 45  
PUBLIC OFFICERS AND EMPLOYEES**

***Act 204; SB 258***

This Act provides that holders of public money of school districts and municipalities who fail to account for and pay over such funds to the appropriate officer are ineligible to hold public office.

The Act amends O.C.G.A. Section 45-2-1.

Effective May 8, 2017.



**TITLE 45 (continued)**

***Act 225; HB 202***

This Act revises the salary of the Governor and the salaries, expenses, and cost-of-living adjustments for certain state officials. The Act also revises provisions relating to the State Commission on Compensation.

The Act amends O.C.G.A. Sections 45-7-4, 45-7-91, 45-7-92, 45-7-93, and 45-7-95.

Effective upon inauguration of the Governor in January of 2019 for purposes of Part I of the Act; on July 1, 2017, for purposes of Part II of the Act; and on May 9, 2017, for purposes of Parts III and IV of the Act.

***Act 253; HB 312***

This Act authorizes the Board of Trustees of the Employees' Retirement System of Georgia to include a qualified Roth contribution program in state and local deferred compensation plans.

The Act amends O.C.G.A. Section 45-18-32.

Effective January 1, 2018.

**TITLE 47**

**RETIREMENT AND PENSIONS**

***Act 46; HB 83***

This Act amends the "Public Retirement Systems Investment Authority Law" by permitting the Georgia Firefighters' Pension Fund to invest up to 10 percent of the total assets in its fund in real estate and up to 10 percent of the total assets in its fund in alternative investments.

The Act amends O.C.G.A. Sections 47-20-83 and 47-20-87.

Effective July 1, 2017.

**TITLE 48**

**REVENUE AND TAXATION**

***Act 10; HB 283***

This Act revises definitions of "Internal Revenue Code" and "Internal Revenue Code of 1986" to incorporate certain provisions of the federal law into Georgia law. The Act changes certain dates for partnerships and corporations other than Georgia Subchapter "S" corporations. The Act clarifies certain provisions relating to statements of wages paid. The Act changes certain dates and clarifies provisions relating to annual and final compensation returns.

The Act amends O.C.G.A. Section 48-1-2.

Effective March 21, 2017, and applicable to all taxable years beginning on or after January 1, 2016.

**TITLE 48 (continued)**

***Act 257; HB 337***

This Act, known as the "State Tax Execution Modernization Act," modifies provisions related to tax liens issued by the Department of Revenue, including the transmittal, filing, recording, access to, and territorial effect of such tax liens. The Act provides for the duties and responsibilities of the Georgia Superior Court Clerks' Cooperative Authority related to the state-wide uniform automated information system for real and personal property records. The Act provides for certificates of clearance for state tax liens.

The Act amends O.C.G.A. Sections 11-9-333, 44-2-2, 48-2-56, 48-2-59, 48-3-1, 48-3-21, 48-3-23, 48-3-28, and 48-3-29 and enacts O.C.G.A. Sections 15-6-97.3, 44-1-18, 48-3-40, 48-3-41, 48-3-42, 48-3-43, and 48-3-44.

Effective January 1, 2018.

***Act 259; HB 375***

This Act modifies certain provisions related to tax executions and repeals the fee for issuing tax executions.

The Act amends O.C.G.A. Section 48-3-3 and repeals O.C.G.A. Section 48-5-163.

Effective July 1, 2017.

***Act 25; HB 196***

This Act revises the criteria used by tax assessors to determine the fair market value of real property. Subject to approval in a state-wide referendum, Section 2 of the Act expands the ad valorem tax exemption for nonprofit homes for the mentally disabled to permit the inclusion of certain business corporations in the indirect ownership of such homes for financing purposes. The Act provides that certain disabled veterans shall be issued refunds of certain ad valorem taxes paid during certain periods of time when such disabled veterans receive final determinations of disability containing retroactive periods of eligibility.

The Act amends O.C.G.A. Sections 48-5-2, 48-5-41, and 48-5-48.

Effective July 1, 2017, except Section 2 which shall become effective on January 1, 2019, if passed by a majority of voters in a state-wide referendum.

***Act 16; HB 238***

This Act expands the definition of a family farm for the purposes of bona fide conservation use property. The Act provides that the use of bona fide conservation property and forest land conservation use property for solar generation of energy or farm labor housing shall not constitute a breach of the covenant to use such property in a bona fide conservation use or forest land conservation use.

The Act amends O.C.G.A. Sections 48-5-7.4 and 48-5-7.7.

Effective April 17, 2017.

**TITLE 48 (continued)**

***Act 192; HB 290***

This Act revises definitions related to agricultural equipment exempted from ad valorem property tax.

The Act amends O.C.G.A. Section 48-5-41.1.

Effective July 1, 2017.

***Act 197; HB 340***

This Act revises the alternative ad valorem tax on motor vehicles by modifying the determination of fair market value of motor vehicles that are leased.

The Act amends O.C.G.A. Section 48-5C-1.

Effective July 1, 2018, and applicable to all tax years beginning on and after such date.

***Act 32; HB 237***

This Act provides for an income tax credit for taxpayers who make donations to the Public Education Innovation Fund Foundation to be used for grants to public schools.

The Act amends O.C.G.A. Section 20-14-26.1 and enacts O.C.G.A. Section 48-7-29.21.

Effective April 27, 2017, and applicable to all taxable years beginning on or after January 1, 2018. The Act shall be automatically repealed on December 31, 2020.

***Act 23; HB 265***

This Act revises provisions related to the income tax credit for establishing or relocating quality jobs. The Act creates a state and local sales tax exemption between January 1, 2017, and January 1, 2019, for the sale or use of tangible personal property used for or in the renovation or expansion of a theater facility in this state that contains an art museum, symphonic hall, and theater that charges for admission and is owned or operated by a nonprofit organization if such organization's primary mission is to provide arts and education programming for the benefit of the citizens of this state; such exemption from state sales and use tax shall not exceed \$750,000.00. The Act creates a sales tax and use exemption until July 1, 2020, for sales of tickets, fees, or charges of admission to certain facilities that provide certain arts and education programming.

The Act amends O.C.G.A. Sections 48-7-40.17 and 48-8-3.

Effective April 25, 2017. Section 1 of the Act is applicable to taxable years beginning on or after January 1, 2017. The sales tax exemption for charges of admission shall be automatically repealed July 1, 2020.

***Act 26; HB 199***

This Act revises the "Georgia Entertainment Industry Investment Act" with respect to interactive entertainment production companies. The Act also creates an additional Act, known as the "Georgia Entertainment Industry Postproduction Investment Act," which creates a new

**TITLE 48 (continued)**

income tax credit from January 1, 2018, through December 30, 2022, that provides credit for certain taxpayers that make expenditures related to postproduction.

The Act amends O.C.G.A. Section 48-7-40.26 and enacts O.C.G.A. Section 48-7-40.26A. Effective July 1, 2017, and applicable to tax years beginning on or after January 1, 2018.

***Act 223; HB 155***

This Act, known as the "Georgia Musical Investment Act," provides for an income tax credit for certain expenditures made in the production of state certified musical or theatrical productions or recorded musical performances.

The Act enacts O.C.G.A. Section 48-7-40.32. Effective January 1, 2018, and shall stand repealed on January 1, 2023.

***Act 205; HB 73***

This Act provides for an income tax credit for certain businesses that establish a new location or expand operations within a revitalization zone.

The Act enacts O.C.G.A. Section 48-7-40.32. Effective May 8, 2017, and applicable to taxable years beginning on or after January 1, 2018. The Act shall be automatically repealed on December 31, 2027.

***Act 49; HB 117***

This Act excludes from the definition of retail sales certain voluntary contributions for admission to places of amusement, sports, or entertainment.

The Act amends O.C.G.A. Section 48-8-2. Effective May 1, 2017, and applicable to all sales made on or after July 1, 2017.

***Act 206; SB 156***

This Act revises various provisions of the equalized homestead option sales and use tax. The Act amends O.C.G.A. Sections 48-8-3, 48-8-109.5, and 48-8-111. Effective May 8, 2017. Section 2 of the Act shall become effective July 1, 2017. Sections 1 and 3 shall apply to all equalized homestead option sales and use taxes which are implemented, including all county special purpose local option sales taxes implemented in conjunction therewith, on and after the effective date of this Act.

***Act 220; HB 247***

This Act expands the exemption from state sales and use tax for certain machinery and equipment used in manufacturing to include, until July 1, 2020, maintenance and replacement parts for machinery or equipment used to mix, agitate, and transport freshly mixed concrete.

**TITLE 48 (continued)**

The Act amends O.C.G.A. Section 48-8-3.2.  
Effective July 1, 2017.

***Act 50; HB 125***

This Act creates an exemption from payment of sales tax in excess of \$35,000.00 for certain tangible personal property sold or used to maintain, refit, or repair a boat during a single maintenance, refit, or repair event.

The Act enacts O.C.G.A. Section 48-8-3.4.  
Effective July 1, 2017, and shall be automatically repealed on June 30, 2025.

***Act 54; HB 134***

This Act revises provisions related to the special district mass transportation sales and use tax.  
The Act amends O.C.G.A. Sections 48-8-260, 48-8-261, 48-8-262, 48-8-263, 48-8-264, 48-8-269.2, and 48-8-269.5.

Effective May 1, 2017, except Section 3 of the Act which shall become effective January 1, 2018.

**TITLE 49  
SOCIAL SERVICES**

***Act 169; HB 75***

This Act excludes from disclosure upon request by certain individuals and from disclosure pursuant to Article 4 of Chapter 18 of Title 50 any part of a record of the Department of Human Services or a governmental child protective agency that includes information provided by law enforcement or prosecution agencies in any pending investigation or prosecution of criminal activity contained within the child abuse, neglect, or dependency records when such records involve a fatality or near fatality of a child are requested.

The Act amends O.C.G.A. Section 49-5-41.  
Effective July 1, 2017.

***Act 170; SB 168***

This Act expands the persons and agencies to which the Department of Human Services or a county or other state or local agency may permit access to child abuse records. This Act also expands the persons and entities that may access or be provided any information from the child abuse registry.

The Act amends O.C.G.A. Sections 49-5-41 and 49-5-185.  
Effective July 1, 2017.

**TITLE 49 (continued)**

***Act 191; HB 250***

This Act provides that a letter issued within the previous 12 months by the Department of Early Care and Learning stating that an individual who provides short-term care for a child in the custody of the Department of Human Services has received a satisfactory fingerprint records check determination may be used in lieu of any background screening or a fingerprint check required for such individual.

The Act enacts O.C.G.A. Section 49-5-115.

Effective May 8, 2017.

**TITLE 50  
STATE GOVERNMENT**

***Act 5; HB 43***

This Act amends the 2016-2017 General Appropriations Act to change certain appropriations for State Fiscal Year 2016-2017.

Effective February 15, 2017.

***Act 37; HB 44***

This Act, the General Appropriations Act, provides appropriations for the operation of state government for State Fiscal Year 2017-2018.

Effective May 1, 2017.

***Act 185; HB 470***

This Act creates a grant program to support counties and municipalities that contain or are affected by military installations.

The Act enacts O.C.G.A. Sections 50-7-120 through 50-7-125.

Effective July 1, 2017.

***Act 65; HB 183***

This Act re-creates the Georgia Geospatial Advisory Council and provides for its operation and functions.

The Act enacts O.C.G.A. Sections 50-8-300 and 50-8-301.

Effective July 1, 2017.

**TITLE 50 (continued)**

***Act 238; SB 126***

This Act provides that venue for tort actions is in the county where the tort occurred or, in the case of wrongful death actions, in the county in which the death occurred.

The Act amends O.C.G.A. Section 50-21-28.

Effective July 1, 2017, and applicable to causes of action filed on or after such date.

***Act 187; SB 117***

This Act expands the definition of "agency" for purposes relating to the Georgia Technology Authority and provides for the establishment of standard technology policies by the authority to be used by all agencies unless waived.

The Act amends O.C.G.A. Sections 50-25-1 and 50-25-4.

Effective July 1, 2017.

**TITLE 51**

**TORTS**

***Act 172; HB 1***

This Act limits the liability of space flight entities related to injuries sustained by participants who have agreed in writing to such a limitation after being provided with certain warnings.

The Act enacts O.C.G.A. Sections 51-3-41, 51-3-42, 51-3-43, and 51-3-44.

Effective July 1, 2017.

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