

ACLU OF GEORGIA POSTCROSSOVER: SPECIAL EDITION

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SPECIAL EDITION:

"Crossover day" is the last day that a piece of legislation can pass from one legislative chamber to the other. This year, that day was February 28th.

If a piece of legislation passes the State House of Representatives by February 28th, the legislation then goes to the State Senate for consideration. Thus the term "Crossover" -- because the bill crosses over to the other legislative chamber. Likewise, any bill that failed to clear its origination chamber by February 28th is no longer eligible for full passage this legislative session which ends on March 29th.

This edition of the ACLU of Georgia's Weekly Newsletter summarizes the bills that made it through Crossover Day in the following categories: Criminal Justice, Privacy, Women's Rights, Juvenile Rights, Free Speech, Voting Rights, LGBTQ+ Rights, Disability Rights, Immigrant Rights and Other.



For the remainder of the legislative session - which ends on March 29th, the ACLU of Georgia will focus special attention on these specific **FIVE** areas.

For more information on these bills, visit our website at ACLUGA.org/LegislativeUpdate2018.

Go to https://openstates.org/find_your_legislator/ to find out who your State Senator or House of Representative is.

CRIMINAL JUSTICE REFORM

Senate Bill 407 is Governor Deal's comprehensive criminal justice reform bill. Central to the bill are improvements to pretrial justice in Georgia, primarily as it relates to misdemeanor cash bail. Overall, it is a step in the right direction towards reducing mass incarceration. ACLU of Georgia **SUPPORTS Senate Bill 407**.

ACTION: Tell your House of Representative member to **VOTE YES on Senate Bill 407**.

MEDICAL MARIJUANA

House Bill 764 adds PTSD and intractable pain to this list of qualifying conditions for medical marijuana. The ACLU of Georgia **SUPPORTS House Bill 764**.

ACTION: Tell your State Senator to **VOTE YES on House Bill 764**.

VOTER RIGHTS

Senate Bill 309 and **Senate Bill 363**: These bills limit voter rights by rolling back from 8pm to 7pm, the closing time for voting inside the city of Atlanta. ACLU of Georgia **OPPOSES Senate Bills 309 and 363**.

ACTION: Tell your House of Representative member to **VOTE NO on Senate Bill 309**.

LGBTQ+ RIGHTS

Senate Bill 375 gives faith-based child-placing agencies a license to discriminate against LGBT parents who are looking to provide abused and neglected children a safe and loving home. The ACLU of Georgia **OPPOSES Senate Bill 375**.

ACTION: Tell your House of Representative member to **VOTE YES on Senate Bill 375**.

IMMIGRATION

Senate Bill 452, known as the "Deportation Pipeline Bill," would transform local police officers into federal immigration officers and mandate that, on the basis of a suspicion alone, they detain or transport people to a state or federal detention center. The ACLU of Georgia **OPPOSES Senate Bill 452**.

ACTION: Tell your House of Representative member to **VOTE NO on Senate Bill 452**.

Below are bills that the ACLU of Georgia will continue to monitor.

CRIMINAL JUSTICE BILLS

[**HB 67**](#) (William Boddie (D)) Sentence enhancements for car theft or other motor vehicle with the intent to commit a theft or felony. This bill passed the House last session and passed Senate Committee. The Senate tabled last session but has now removed from table and recommitted to Senate Judiciary. [**Senate Judiciary Committee**]

[**HB 657**](#) (Jesse Petrea (R)) Creates a mandatory minimum, and a new offense for knowingly providing a firearm to probation felony first offender or person convicted of a felony. [**Vote 156-3: Senate Judiciary Committee**]

[**HB 732**](#) (Deborah Silcox (R), Christian Coomer (R), Bert Reeves (R), Mandi Ballinger (R), Rick Golick (R)) Expands the offense of trafficking an individual for sexual servitude. [**Vote 163-0: Senate Judiciary Committee**]

[**HB 790**](#) (Chuck Efstration (R), Terry Rogers (R), Trey Rhodes (R), and others) Implements recommendations of the Court Reform Council to improve efficiencies and achieve best practices for the administration of justice; provides administrative law judges the authority to issue final decisions. [**Vote 162-0: Senate Judiciary Committee**]

[**HB 830**](#) (Buddy Harden (R), Ron Stephens (R), Butch Parrish (R), Darlene Taylor (R)) Changes certain provisions of Schedules I and II drugs and changes the definition of dangerous drug. [**Vote 161-5: Senate Judiciary Committee**]

[**HB 890**](#) (Barry Fleming (R), Jon Burns (R), Christian Coomer (R), Trey Kelley (R), Bert Reeves (R)) Makes it unlawful to use an emergency exit after having shoplifted. [**Vote 114-46: Senate Judiciary Committee**]

[HB 673](#) (John Carson (R), Eddie Lumsden (R), Rick Golick (R), Robert Trammel (D), Richard Smith (R), Bill Hitchens (R)) Creates a new misdemeanor that is punishable by a fine for talking on your phone without a wireless device. **[Vote 151-20: Senate Unassigned]**

[HB 764](#) (David Clark (R), Allen Peake (R), Robert Trammell (D), Micah Gravley (R), Johns Meadows (R), Michael Caldwell (R)) Creates certain circumstances (PTSD and chronic pain) for the lawful possession or control of certain quantities of low THC oil and marijuana, and provides for the licensing for cultivation of cannabis for the purpose of producing, processing, and dispensing low THC oil. **[Vote 145-17: Senate Unassigned]**

[HB 765](#) ("Able" Mable Thomas (D), Wendell Willard (R), Deborah Gonzalez (D), William Boddie (D), David Dreyer (D), Carolyn Hugley (D)) Increases penalties for hit and run accidents that result in death or serious injury. **[Vote 166-3: Senate Unassigned]**

[HB 779](#) (Alan Powell (R), Terry Rodgers (R), Trey Rhodes (R), and others) Establishes homeland security division of GEMHS Agency, authorizing officers to carry guns. **[Vote 169-1: Senate Unassigned]**

[HB 791](#) (Chuck Efstoration (R), Terry Rogers (R), Trey Rhodes (R), Christian Coomer (R), Wendell Willard (R), Barry Fleming (R)) Creates a waiver of sovereign immunity for declaratory judgment or injunctive relief as to actions ex contractu or state tort claims. **[Vote 177-0: Senate Unassigned]**

[HB 803](#) (Wendell Willard (R), Sharon Cooper (R), Clay Cox (R), Eddie Lumsden (R), Ed Rynders (R), Sheila Nelson (D)) Creates penalties and mandatory sentences (with exceptions) for trafficking a disabled adult, elder person, or resident. **[Vote 165-1: Senate Unassigned]**

[HB 999](#) (Christian Coomer (R), Clay Cox (R), Rich Golick (R), and others) Prevents individuals who have been involuntarily hospitalized for a mental illness from obtaining a firearm license. **[Vote 161-4: Senate Judiciary Committee]**

[SB 321](#) (Blake Tillery (R), Jesse Stone (R), Jeff Mullis (R), and others) Increases the penalty for false or fraudulent Medicaid claims. **[Vote 51-0: House Judiciary Committee]**

[SB 315](#) (Bruce Thompson (R), John Albers (R), Bill Cowser (R)) Creates the crime of "Unauthorized Computer Access" to be a misdemeanor of a high and aggravated nature. **[Vote 41-11: House Judiciary Non-Civil Committee]**

[SB 369](#) (Greg Kirk (R), Steve Gooch (R), Jack Hill (R)) Provides for payments to the Peace Officer's Annuity and Benefit Fund from the fees collected in criminal and quasi-criminal cases prior to adjudication of guilt. **[Vote 55-0: House Judiciary Non-Civil Committee]**

[SB 407](#) (John Kennedy (R), Jesse Stone (R), Blake Tillery (R), and others) Governor's comprehensive criminal justice reform bill. **[Vote 53-0: House Judiciary Non-Civil Committee]**

[SB 348](#) (Tyler Harper (R), John Albers (R), Mike Dugan (R)) Revises the arrest powers of campus policeman employees of Technical College System of GA. **[Vote 48-1: House Public Safety & Homeland Security Committee]**

[SB 368](#) (Greg Kirk (R), Steve Gooch (R), Jack Hill (R)) Adds to the functions and authority of the Criminal Justice Coordinating Council. **[Vote 54-0: House Public Safety & Homeland Security Committee]**

[SB 39](#) (Renee Unterman (R), David Shafer (R), Brandon Beach (R), Nan Orrock (D), Gloria Butler (D), Judson Hill (R)) Increases the penalty for pimping and pandering and requires registration on the Sex Offender Registry when an individual is convicted for a second time. **[Vote 47-0: House Unassigned]**

[SB 228](#) (Joshua McKoon (R)) Creates a criminal offense and minimum fines for improper operation of an authorized emergency or law enforcement vehicle. **[Vote 41-12: House Unassigned]**

[SB 318](#) (Michael 'Doc' Rhett (D), Renee Unterman (R), Dean Burke (R), Jeff Mullis (R), Matt Brass (R), Kay Kirkpatrick (R)) Involuntary evaluation and treatment based on consultation with paramedic. **[Vote 54-1: House Unassigned]**

[SB 335](#) (Renee Unterman (R), Butch Miller (R), Gloria Butler (D), and others) Expands the offense of trafficking an individual for sexual servitude and increases the punishment. **[Vote 52-0: House Judiciary Non-Civil Committee]**

PRIVACY RIGHTS BILLS

[HB 795](#) (Micah Gravley (R), Scott Hilton (R), Bruce Williamson (R), and others) Authorizes the Commissioner of Labor to conduct fingerprint-based criminal background checks for individuals employed by the Department of Labor. **[Vote 165-0: Senate Insurance and Labor Committee]**

[HB 906](#) (Katie Dempsey (R), Mandi Ballinger (R), Penny Houston (R), Chuck Efstoration (R), Erica Thomas (D)) Excludes public disclosure of personal information of certain foster parents or former foster parents. **[Vote 172-0: Senate Judiciary Committee]**

[SB 301](#) (John F. Kennedy (R)) Extends fiduciary's power to manage digital assets, accounts and electronic information regarding assets. **[Vote 54-0: House Judiciary Committee]**

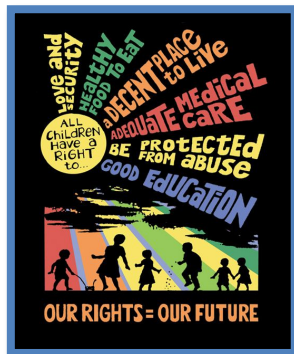
[SB 336](#) (Renee Unterman (R), Butch Miller (R), Gloria Butler (D), and others) Provides that when a subpoena is issued for electronic communication records in furtherance of certain offenses related to minors, the provider of the electronic communication service or remote computing service shall not provide notification to the subscriber or customer. **[Vote 50-0: House Unassigned]**

WOMEN'S RIGHTS BILLS

[HB 51](#) (Earl Ehrhart (R), Rick Golick (R), Regina Quick (R)) Campus Sex Assault: Changing reporting and investigation requirements on college campuses. This bill passed the House last session, Senate tabled and has now withdrawn from table and recommitted the bill to Senate Higher Education. **[Senate Higher Education Committee]**

[HB 834](#) (Mandi Ballinger (R), Beth Beskin (R), Shaw Blackmon (R), Scott Hilton (R), John Corbett (R), Katie Dempsey (R)) Allows termination of a rental or lease agreement for family violence. **[Vote 166-0: Senate Unassigned]**

[SB 74](#) (Joshua McKoon (R)) Increases the standard of proof for an unemancipated minor who is seeking a waiver of the parental notification requirement for an abortion and appeal to the clear and convincing evidence standard. **[Vote 33-17: House Juvenile Justice Committee]**



JUVENILE RIGHTS BILLS

[HB 920](#) (Katie Dempsey (R), Bert Reeves (R), Wendell Willard (R), Mary Margaret Oliver (D), Chad Nimmer (R)) Allows for the use of the department's information concerning the parties to an adoption if the child dies, suffers a near fatality, or is an alleged victim of child abuse or neglect. **[Vote 167-0: Senate Unassigned]**

[SB 337](#) (Renee Unterman (R), Butch Miller (R), and Blake Tillery (R)) Provides an effective date for the procedure related to the testimony of a child's description of sexual contact and abuse. **[Vote 51-0: House Judiciary Committee]**

[SB 427](#) (John Kennedy (R), Jesse Stone (R), Blake Tillery (R), and others) Changes provisions for determining child support payment, including circumstance where a parent is incarcerated. **[Vote 51-0: House Judiciary Committee]**

FREE SPEECH BILLS

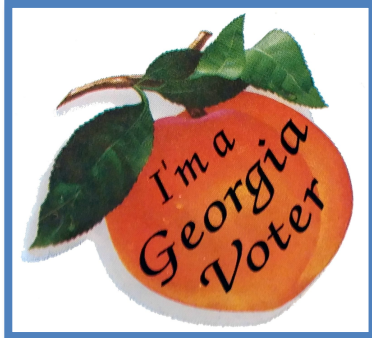
[SB 339](#) (Will Ligon (R), David Shafer (R), Josh McKoon (R), and others) Provides for the establishment of free speech policies for institutions of the university system; establishes a Committee of Free Expression; and provides for cause of action/remedies. **[Vote 33-19: House Judiciary Committee]**

VOTING RIGHTS BILLS

[SB 403](#) (Bruce Thompson (R), Matt Brass (R), Jeff Mullis (R), and others) Provides for uniform election equipment to be used in the state, prohibits the use of direct recording electronic voting systems, provides for use of ballot marking devices, and establishes standards and procedures for such devices. **[Vote 50-1: House Unassigned]**

[SB 309](#) (Josh McKoon (R), Jeff Mullis (R), John Albers (R), and others) Alters the closing time of polls and providers for special primaries to be conducted alongside special elections to fill vacancies. **[Vote 35-19: House Governmental Affairs Committee]**

[SB 363](#) (Josh McKoon (R), Jeff Mullis (R), John Albers (R), and others) Provides for the tabulation of advance voting in the same manner as other ballots, and provides for the closing of all polls at 7pm. **[Vote 32-16: House Governmental Affairs Committee]**



LGBTQ+ RIGHTS BILLS

[SB 375](#) (William Ligon (R), Jesse Stone (R), Steve Gooch (R), and others) Allows child-placing agencies to decline referral from the department and decline to perform certain services based on sincerely held religious beliefs and prevents the department from discriminating or causing any adverse action against the child-placing agency based on those beliefs. **[Vote 35-19: House Judiciary Committee]**

DISABILITY RIGHTS BILLS

[SB 406](#) (Brian Strickland (R), Larry Walker III (R), Jesse Stone (R), and others) Provides for comprehensive background checks for owners, applicants for employment, and employees at a personal care home, assisted living community, private home care provider, home health agency, hospice care, nursing home, skilled nursing far, or an adult day care as recommended by the GCCJ. **[Vote 51-1: House Human Relations & Aging Committee]**

IMMIGRANT RIGHTS BILLS

[HB 767](#) (Bill Werkheiser (R), Jason Shaw (R), Barry Fleming (R), and others) Verification of lawful presence that may be utilized with electronic filing of application for unemployment insurance with the Department of Labor. **[Vote 167-1: Senate Insurance and Labor Committee]**

[SB 452](#) (Jesse Stone (R), Lee Anderson (R), Jeff Mullis (R), and others) Provides that law enforcement officers are prohibited from releasing from confinement suspects that are verified to be unlawfully present in the US. **[Vote 36-17: House Public Safety and Homeland Security Committee]**



OTHER BILLS

[HB 703](#) (Bill Hitchens (R), Jodi Lott (R), Alan Powell (R), and others) Creates Governor's Office of Public Safety. **[Vote 172-0: Senate Public Safety Committee]**

[HB 751](#) (Alan Powell (R), Terry Rogers (R), Trey Rhodes (R), and others) Establishes the Georgia Emergency Communications Authority. **[Vote 154-14: Senate Public Safety Committee]**

[HB 856](#) (John Deffenbaugh (R), Alan Powell (R), Johnnie Caldwell Jr. (R), Howard Maxwell (R), Wes Cantrell (R)) Adds commissioner of community supervision. **[Vote 150-1: Senate Public Safety Committee]**

[SB 332](#) (Tyler Harper (R), Bill Heath (R), Matt Brass (R), and others) Establishes a hunter mentorship program within the Department of Natural Resources, provides for incentives for mentors, and provides for a special hunting passport for program participants. **[Vote 56-0: House Game Fish & Parks Committee]**

[SB 331](#) (Steve Henson (D), Greg Kirk (R), Jeff Mullis (R), and others) Amends the Georgia Lottery for Education Act to provide for winners to remain anonymous, conditional upon a written request and payment of four percent of the winnings. **[Vote 51-4: House Higher Education Committee]**

[SB 319](#) (John Albers (R), Jeff Mullis (R), Steve Gooch (R)) Enacts the "Consolidation of Fire Safety Services in Georgia Act" and

establishes a commission of fire safety and Department of Fire Safety to enforce provisions. **[Vote 49-3: House Insurance Committee]**

[SB 338](#) (Will Ligon (R), Bill Cowsert (R), Josh McKoon (R), and others) Amends administrative procedure and requirements for agency rulemaking and modifies legislative objections to and staying of agency rules. **[Vote 37-18: House Judiciary Committee]**

[SB 373](#) (Lindsey Tippins (R), Butch Miller (R), Bill Cowsert (R)) Adds an 11th judge the superior courts of the Cobb Judicial Circuit. **[Vote 39-0: House Judiciary Committee]**

[SB 327](#) (John Albers (R), Tyler Harper (R)) Changes procedure related to death investigations to clarify that a medical examiner's inquiry is not required whenever an individual dies when unattended by a physician. **[Vote 55-0: House Judiciary Non-Civil Committee]**

[SB 342](#) (Marty Harbin (R), John Albers (R), Ben Watson (R), and others) Amends the current misdemeanor for any person who operates a vehicle which is required to be registered in GA and which has attached a valid numbered licenses plate without having the required revalidation decal by including any owner who knowingly permits such a vehicle be operated and increases the maximum fine from \$25 to \$50. **[Vote 56-0: House Motor Vehicles Committee]**



[SB 333](#) (Ellis Black (R), Tonya Anderson (D), Ben Watson (R), and others) Provides for municipalities to pay for costs associated with deferred compensation plans for employees, and allows municipalities to auto-enroll employees in deferred compensation plans. **[Vote 54-0: House Retirement Committee]**

[SB 328](#) (John Albers (R), Chuck Hufstetler (R), Bill Cowser (R), and others) Provides for the expiration of certain income tax credits, including those for federal qualified transportation fringe benefits, private driver education courses, and diesel particulate emission reduction technology equipment. **[Vote 47-6: House Ways & Means Committee]**

For more information, visit our website at acluga.org.

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