



Final Legislative Report

2008 Session of the General Assembly

May 2008

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REVENUE AND FINANCE
[Staff: Clint Mueller]

HB 237 Expansion of Sales Tax Exemption on Manufacturing Machinery or Equipment
(Rep. Chuck Martin, R-47)

This legislation amends the sales tax exemption for manufacturing machinery to include the machinery and equipment that is necessary and integral to the manufacturing process but does not come in direct contact with the manufactured product. It also clarifies that repair, replacement and component parts are exempt. This legislation is designed to bring Georgia in line with the definition used in surrounding states. The exemption applies to both state and local sales tax.

Status: Effective January 1, 2009

HB 948 Sales Tax Holiday
(Rep. Lynn Smith, R-70)

This legislation renews the “Back to School Sales Tax Holiday” and the “Energy Star Sales Tax Holiday” for this year. The Back to School Sales Tax Holiday will be held July 31 through August 3 and will exempt from sales tax the same clothing, computer equipment, and school supplies that were exempt last year. The Energy Star Sales Tax Holiday will be held October 2 through October 5 and will exempt from sales tax, energy efficient products with a sales price of \$1,500.00 or less per product purchased for noncommercial, home or personal use. Both sales tax holidays exempt state and local sales tax on eligible items purchased.

Status: Effective May 14, 2008

HB 1081 Interest Due on a Tax Appeal and Changes to Conservation Use Valuation Assessment (CUVA) Law
(Rep. Larry O’Neal, Rep. R-146)

This bill makes the rate of interest due to the taxpayer on any funds owed after a property tax appeal, the same as the rate of interest owed to the tax commissioner by the taxpayer. It also sets a deadline of 60 days for the refund to be paid by the tax commissioner. Taxpayers that violate their conservation use covenant are given a 30-day time frame to remediate or correct the violation, or appeal before the determination of the breach is final. The Board of Commissioners is also given the authority to establish a minimum acreage threshold up to 25 acres for new covenants and renewals of existing covenants after 2012.

Status: Effective May 14, 2008

HB 1168 Hotel Motel Tax Code Revision
(Rep. James Mills, R-25)

Sections 1-11 of this bill are a comprehensive revision of the current Georgia Hotel Motel Tax Code. Counties and cities may levy an excise tax pursuant to O.C.G.A. § 48-13-51. HB 1168 will provide that in the future, a county or city who wishes to increase the rate from 5% to a higher percentage will no longer need to attempt to fit itself into an existing code section or have general legislation introduced to increase the rate. Instead, the county or city will be able to pass a local act to increase the rate. The additional rate amount will be split between tourism promotion and tourism capital projects. This is not intended to apply to any county or city that is currently using the 6-8% rate. These rates will be “grandfathered” in. The legislation does not intend to affect the conditions of current contracts and existing rates. This legislation is only to affect those counties or cities wishing to increase from a tax rate to 6%, 7%, or 8%. Sections 12-13 relate specifically to the code section regarding Perry, Georgia. *Status: Effective May 14, 2008 for Sections 12 & 13 and effective July 1, 2008 for Sections 1-11*

HB 1211/HR1276 CUVA for Large Forest Land**Conservation**

(Rep. Richard Royal, R-171)

This legislation creates a new conservation program for forest land tracts of 200 acres or more. The land could be owned by individuals or corporations and there would be no maximum acreage limit. To qualify for the program the owner would have to sign a 15-year covenant to keep the property in a qualifying conservation use. Property in the program would be valued using the conservation use tables established by the Department of Revenue. These values could not increase by more than 3% a year. If the covenant is breached, the owner would owe up to 3 times the tax savings received depending upon the length of time the property had been in the covenant. The State will provide a revenue grant reimbursing a county for 50% of the lost revenues on the first 3% of its digest revenues and 100% of the lost revenues above 3% of digest revenues.

Status: Effective January 1, 2009 pending passage in the statewide referendum in November, 2008

SR 996 Including School Funds in Tax Allocation Districts (TADs)

(Sen. Dan Weber, R-40)

This resolution calls for a constitutional amendment that would authorize the General Assembly to allow school boards to contribute a portion of their ad valorem taxes to TADs. Recently the Georgia Supreme Court ruled that the historical practice of including the school ad valorem taxes was unconstitutional. Without the authorization to include school funds, the value of TADs are greatly diminished and they are less likely to be used.

Status: Effective January 1, 2009 pending passage in the statewide referendum in November, 2008

SR 1167 Local Sales Tax Study Committee

(Sen. Chip Rogers, R-21)

This resolution establishes a Senate Study Committee to look at issues regarding the collection of local sales tax. An advisory committee is also created consisting of two county commissioners and two mayors to be appointed by the President of the Senate.

Status: Effective upon appointment of members

ECONOMIC DEVELOPMENT AND TRANSPORTATION

[Staff: Matthew Hicks]

HB 426 Require Review of Railroad Crossings

(Rep. Sheila Jones, D-44)

This bill requires local school districts to review and identify railroad crossings without active protective devices that are used by school buses. Active protective devices include flashing light signals, bells, and automated gates. School districts are required to exercise their best efforts to minimize the number of established school bus routes that cross railroad crossings without active warning devices. GDOT is required to use the lists compiled by the schools to prioritize upgrades to rail crossings.

Status: Effective May 12, 2008

HB 981 Raise the Weight Limits for Concrete Haulers

(Rep. Mark Butler, R-18)

This bill expands the exception concrete haulers already have to weight limits on local roads by removing the restriction that prevents overweight haulers from leaving the county of origin or an adjoining county. It also grants concrete trucks a 5% variance to maximum weight limits and reduces the fine imposed if they exceed the 5% variance.

Status: Effective May 6, 2008

HB 1019 Create State Infrastructure Bank for Transportation Projects

(Rep. John Lunsford, R-110)

This bill creates a revolving loan fund for local government transportation projects. The legislation is modeled on similar banks in 33 other states. Counties can apply for loans or other financial assistance to accelerate needed transportation projects. Projects can include roads, bridges, transit, rail, airports and bicycle/pedestrian facilities. The Governor and legislature approved \$34.7 million in the 2009 budget to initially capitalize the bank.

Status: Effective April 9, 2008

HB 1026 Allow Faster Utility Relocations

(Rep. Vance Smith, R-129)

This bill provides for faster utility relocations for Georgia DOT construction projects. Utilities that are being displaced because of the construction or the reconstruction of public roads are able to waive the 45-day notice requirements in condemnation law. These notice requirements are duplicative to notice the department is already mandated to give.

Status: Effective May 14, 2008

HB 1035 Extend Motor Fuel Tax Exemption for Transit

(Rep. Vance Smith, R-129)

This bill extends the current exemption on motor fuel tax for transit vehicles in Georgia. The benefit to rural and urban transit and campus systems amounts to \$2 million per year, which translates into lower operating costs. The exemption originally passed in 2005 with a three-year sunset. This bill extends that sunset an additional two years (2010). It was amended in conference committee to also carry the funding legislation to create a regional sales tax for transportation. That section of the bill is void since the enabling constitutional amendment did not pass the legislature.

Status: Effective May 14, 2008

HB 1088 Designate and Promote Agricultural Tourist Attractions

(Rep. Butch Parrish, R-156)

This bill requires the Department of Economic Development to create criteria and an application process for agricultural businesses that provide onsite attractions to tourists to be designated as an "approved agricultural tourist attraction." Upon approval as such an attraction, the department will work with GDOT to place directional signs along roads in the direct proximity of the attraction.

Status: Effective May 12, 2008

HB 1189 Require Annual Planning Reports from GDOT
(Rep. Donna Sheldon, R-105)

This bill requires the Georgia Department of Transportation to provide an annual report detailing progress the department has made on preparing the Statewide Strategic Transportation Plan. A draft of the plan shall be delivered to the General Assembly by December 31, 2008 to receive comments and suggestions by members of the General Assembly. The plan will include a list of projects realistically expected to begin construction within the next five years, the cost of such projects, and the source of funds for such projects. The final version of the plan shall be completed by June 30, 2009.

Status: Effective May 12, 2008

HB 1246 Expand Job Tax Credits for Broadcasting and Insurance Industry

(Rep. Allen Peake, R-137)

This bill expands industries eligible for the job tax credits to include the broadcasting and insurance industries.

Status: Effective May 14, 2008

HB 1283 Assume Railroad Ownership

(Rep. David Ralston, R-7)

This bill asserts the presumption that railroad rights of way as identified and defined nearly 100 years ago remain owned by railroads. In claims of adverse possession, it requires judicial deference to railroad maps filed with the superior court of the county in which the railroad is located. It further defines that construction of the road bed and track on the railroad right of way constitutes actual possession and occupancy of the lands. If there is a dispute as to property lines, courts must defer to the official map recorded by the railroad corporation. Section 3 of the bill was amended to address the ruling in *BBC Land & Development vs. Butts County*, 281 Ga 472.

Status: Effective May 6, 2008

HB 1273 Expand Eligibility for Job Tax Credits in Tier 1 Counties

(Rep. Barry Fleming, R-117)

This bill allows eligibility for statutory tax credits for companies with two or more employees in certain Tier 1 areas. Currently, companies have to have at least five employees to be eligible for credits in a Tier 1 county.

Status: Effective May 14, 2008

HR 1288 Create House Telecommunications Competition Review Study Committee

(Rep. Chuck Martin, R-47)

This resolution creates a study committee to examine the level of intercarrier compensation and the effect on competition and economic development in Georgia.

Status: Effective upon appointment of members

HR 1631 Urge Creation of Commuter Rail in Georgia

(Rep. John Heard, R-104)

This resolution urges the implementation of the Atlanta to Macon and the Atlanta to Athens commuter rail lines.

Status: Passed

HR 1857 Create House Study Committee on Roadside Enhancement

(Rep. Carl Rogers, R-26)

This resolution creates a study committee to examine roadside beauty and enhancement. The resolution cites the need to examine safety issues related to roadsides.

Status: Effective upon appointment of members

SB 417 Set Reporting Requirements at GDOT

(Sen. Jeff Mullis, R-53)

This bill requires the GDOT Commissioner to set benchmarks for each phase of a transportation project's construction process and to report annually to the Governor, Lieutenant Governor and the Speaker of the House on the status of each project over \$10 million compared to those benchmarks. Project statuses will also be posted on the department's website (www.dot.state.ga.us). Further, a rigorous value engineering standard will be applied to each project over \$10 million in order to ensure that projects are being completed in the most cost effective way possible. The DOT will report annually on the cost savings achieved through the value engineering process.

Status: Effective May 14, 2008

SB 444 Ease Local Government and GDOT Disposal of Surplus Property

(Sen. Chip Pearson, R-51)

This bill makes several changes to the law governing the disposal of surplus property, particularly related to notification of the previous owner and bidding requirements. If the original owner cannot be located by a search of land and probate records, then an affidavit stating such search took place replaces the need to advertise the availability of the land in the newspaper. As long as acting in good faith and with reasonable diligence, failure to notify those entitled to the surplus property will not invalidate any subsequent disposition of the property. If a bidding process is used, then the highest of the sealed bids received that is within 15% of the market value may be accepted. If the property has a value less than \$30,000, the department, county or city may negotiate the sale of the property.

Status: Effective May 14, 2008

SR 781 Require GDOT to Create Statewide Transportation Plan

(Sen. Jeff Mullis, R-53)

This resolution urges the department of transportation to develop a statewide strategic transportation plan by December 31, 2008. The plan must include provisions for the utilization of public-private initiatives, concessions (allowing private companies to build and maintain transportation infrastructure on behalf of the state), high occupancy toll lanes to toll drivers who desire to travel in low congestion lanes for a price, and a modern public transit system.

Status: Effective May 14, 2008

SR 1047 Urge Consolidation of County GDOT Barns

(Sen. Chip Pearson, R-51)

This resolution urges GDOT to develop a strategy to consolidate its barns and road maintenance operations. It urges the department to report to the General Assembly by December 31, 2008 on its progress.

Status: Effective May 14, 2008

SR 1060 Require Reports from GDOT

(Sen. Jeff Mullis, R-53)

This resolution urges GDOT to provide an annual report regarding the disposal of county maintenance barns and surplus equipment and progress on road and bridge maintenance.

Status: Effective May 14, 2008

SR 1097 Create Senate Study Committee on Manufacturing

(Sen. Chip Rogers, R-21)

This resolution creates a six-member study committee to broadly examine the future of manufacturing in Georgia.

Status: Effective upon appointment of members

SR 1201 Create Senate Biodiesel Fuel Study Committee

(Sen. Ross Tolleson, R-20)

This resolution creates a study committee to broadly examine the production and use of biodiesel fuel in Georgia.

Status: Effective upon appointment of members

PUBLIC SAFETY AND THE COURTS

[Staff: Kem Kimbrough]

HB 77 Imposing Restrictions on the Operation of Red-Light Cameras

(Leadership Substitute)

This bill, having been modified extensively by both House and Senate leadership, no longer bans red-light cameras nor diverts revenue from their normal operation into the state treasury. As passed, the bill requires a county to conduct extensive traffic engineering studies and apply for a permit from the GDOT prior to installing a red-light camera. Each permit would have to show that all other safety measures have been exhausted other than a red-light camera prior to approval and would be reviewed by DOT every three (3) years. GDOT would also have extensive auditing power over local governments to examine revenues generated through the operation of a red-light camera and review complaints from the public, and, if DOT's rules are not followed, the permit may be revoked. Upon revocation or any finding that a camera is utilized improperly, all revenues must be submitted to the state as a punishment until the matter is remedied.

Status: Effective December 31, 2008

HB 1086 Removing Cap on Per Diem Paid to Court Bailiffs

(Rep. David Ralston, R-7)

This bill removes the statutory cap on the amount authorized to be paid to court bailiffs, as is set by the grand jury. The bill preserves existing language which makes any increases in compensation subject to the approval of the governing authority of the county.

Status: Effective July 1, 2008

HB 1245 Comprehensive Revisions of Public Defender Program

(Rep. David Ralston, R-7)

This bill makes numerous changes to the state's public defender program, based on the recommendations of a Joint House and Senate study committee held over the summer. Chief among the changes of importance to counties are: four seats on the Standards Council will be reserved for county commissioners, two seats on each local panel will be reserved for county commissioners, the local panels will take on increased responsibility and authority over the circuit public defender, and counties will have a defined financial responsibility for capital conflict cases where the public defenders cannot represent the defendant.

Status: Effective May 14, 2008

SB 348 Prohibition on Fees for Services At Scene of a Motor Vehicle Accident

(Sen. Ralph Hudgens, R-47)

This bill prohibits counties from levying additional taxes or fees against insurance companies for the costs of public safety response to motor vehicle accidents. There are exceptions in the bill for EMS response and other fees otherwise authorized in the Code, as well as any other fee that is billed to a person and for which the person has insurance.

Status: Effective May 12, 2008

SB 396 Comprehensive Revision of Authority of Prosecuting Attorneys' Council & Council of Superior Court Judges

(Sen. Bill Hamrick, R-30)

This bill makes the Prosecuting Attorneys' Council the fiscal agent for the disbursement of state funds for all of the state's District Attorneys' and Solicitor Generals' offices, and does the same for superior courts with the Council of Superior Court Judges. This authority is very similar to the arrangement of the Public Defender Standards Council and opens the possibility of future county contracts with these councils to more transparently account for local funding of these state agents.

Status: Effective July 1, 2008

HEALTH AND HUMAN SERVICES

[Staff: Kem Kimbrough & Ashley Meggitt]

HB 977 Encourage Insurance for More Georgians: Health Savings Accounts and HDHPs

(Rep. Tom Knox, R-24)

This bill, relating to fees and taxes on insurance, aims to encourage certain high deductible health plans (HDHPs) paired with Health Savings Accounts (HSAs) in the state of Georgia in an effort to insure more Georgians. Section 2 pertains to HSAs sold or maintained in connection with HDHPs and provides for an exemption for insurers from state and local insurance premium taxes in these particular plans, with a sunset date of 2015. It also permits that 100% of the premium paid by the taxpayer for HDHPs paired with HSAs will be deducted from the taxable net income, so long as the deduction has not already been included in the federal adjusted gross income.

Status: Section 2 Effective May 7, 2008; Sections 1, 4 & 5 Effective January 1, 2009

NATURAL RESOURCES AND ENVIRONMENT
[Staff: Todd Edwards]

HR 1625 Create the House Hospital Tax and Indigent Care Study Committee

(Rep. John Lunsford, R-110)

This resolution creates a House Hospital Tax and Indigent Care Study Committee. The committee will review the tax benefits provided to hospitals to see if they should make reasonable levels of care (reasonable levels of care in particular for indigent, charity care patients, and medicare and medicaid patients) a pre-requisite for obtaining tax benefits.

Status: Effective upon appointment of members

HR 1632 Create House Study Committee on Accessibility

(Rep. Mark Butler, R-18)

This resolution creates a House study committee to determine the conditions and needs that our disabled and aging population experience with respect to homebuilding and renovations to ensure accessible housing.

Status: Effective upon appointment of members

SB 341 Council on Aging

(Sen. Lee Hawkins, R-49)

This bill assigns additional duties to the Council on Aging, specifically the requirement that the council shall produce a written report by 2010 which will research, identify, evaluate, and make recommendations on the state's aging population. Specifically, it will examine the state's policies with respect to the expanding aging population and the projected impact on health, safety, housing, transportation, care giving, education, and access to services, among other things.

Status: Effective July 1, 2008

SB 479 Reducing Ambulance Service Licensing Fees

(Sen. Jeff Mullis, R-53)

This bill requires the Department of Community Health to report (1) The amount of ambulance service license fees received by the department pursuant to Code Section 31-11-31.1; (2) The amount of federal funds received as matching funds to the corresponding ambulance service license fees received; and (3) The total amount of funds disbursed to emergency ambulance services from the Indigent Care Trust Fund. These requirements create more transparency and accountability over the Department of Community Health regarding the collection and expenditure of ambulance licensing fees.

Status: Effective July 1, 2008

SB 549 Creating 3-Level System of Stroke Care

(Sen. Don Thomas, R-54)

This bill establishes a three-tiered Stroke Care system, mimicking the Trauma Level system, to evaluate the level of care provided for victims of stroke. This would lay the foundation for eventual establishment of a Stroke Care Network, in coordination with the Trauma Care Network.

Status: Effective July 1, 2008

HB 68 Remove Sunset on Georgia Coastal Management Act

(Rep. Terry Barnard, R-166)

Among its provisions, this legislation removes the sunset date of July 1, 2009, of the Georgia Coastal Management Act, allowing the coastal management program to continue indefinitely.

Status: Effective July 1, 2008

HB 975 No Backdated Licenses or Permits by Counties

(Rep. Mark Burkhalter, R-50)

This bill makes it unlawful for a county or city to issue any backdated license, permit or other authorizing document (i.e., sign permit, building permit, zoning action, etc.) in any area which, due to the formation of a city or county or annexation/denexation, is no longer within the regulatory jurisdiction of said issuing authority.

Status: Effective May 7, 2008

HB 1132 Uniform Environmental Covenants Act

(Rep. Edward Lindsey, R-54)

This bill allows brownfield sites to be redeveloped, without having to be fully remediated, by requiring that the property must be used for other limited purposes for which the lesser remediation is more tailored to. In short, the EPD would agree to permit the lesser remediation, but the owner would have to agree to record a deed restriction that legally commits the property, in perpetuity in most cases, to the proposed limited uses (i.e., that the property could never be used for residential purposes or that the soil cannot be excavated below a certain point).

Status: Effective July 1, 2008

HB 1160 Transfer of Development Rights Ratios

(Rep. David Knight, R-126)

This bill amends the state Transfer of Development Rights law to allow development rights to be calculated by means of transfer ratios.

Status: Effective July 1, 2008

HB 1176 Expanding Georgia Land Conservation Program Eligibility

(Rep. David Knight, R-126)

This bill allows the Georgia Forestry Commission and state authorities, departments or agencies to receive land conservation grants through the Land Conservation Trust Fund. It also allows nonprofit and nongovernmental entities (which have as their primary purpose land conservation) to be eligible to receive GEFA land conservation loans. GEFA will be allowed to incorporate nonprofit corporations to accept donations to advance GEFA programs, particularly the statewide energy education, efficiency and conservation initiative and land conservation program.

Status: Effective July 1, 2008

HB 1274 Amend Georgia Land Conservation Tax Credit

(Rep. David Knight, R-126)

This bill amends the Georgia Conservation Tax Credit Act, allowing property to be appraised by those meeting specific IRS requirements, providing penalties for donated property valuation misstatements on tax returns, allowing for sales of qualifying real property at less than fair market value to qualify, and extending from 5 to 10 years the period of time that a taxpayer can carry forward any unused credit under the program.

Status: Effective April 24, 2008

HB 1281 Locals Lose Authority for Outdoor Water Restrictions

(Rep. Terry England, R-108)

Despite the state's mandated 10-percent cut in water usage, this bill forces local water utilities to apply to EPD for permission to enact drought water restrictions beyond those applied by the state. The approval action by the EPD director is appealable by any aggrieved party, meaning local governments could be forced to wait for up to a year or longer to impose stronger watering restrictions as the appeals process plays out.

Status: Effective May 14, 2008

HR 1022 Statewide Water Management Plan

(Rep. Lynn Smith, R-70)

This resolution adopts the Comprehensive Statewide Water Management Plan as was passed by the Georgia Water Council.

Status: Effective February 2, 2008

SB 154 Honoring Commercial Waste Collection Contracts

(Sen. Jack Murphy, R-27)

This legislation prevents cities or counties from invalidating solid waste collection contracts between private waste haulers and commercial entities in such cases as annexation, incorporation, deannexation, or franchising out for collection services. It still allows for local governments to enact rules and regulations establishing standards for the collection and disposal of waste and recyclables generated by commercial entities, and "invalidation" does not apply to rules or regulations enacted pursuant to an emergency as declared by the governing authority of the local government.

Status: Effective May 14, 2008

SB 342 Water Supply Act: Reservoirs

(Rep. Mike Coan, R-101)

This bill creates a Water Supply Division in GEFA tasked with implementing the Water Supply Act, including siting water supply reservoirs and helping to facilitate the construction of reservoirs and other water supply sources. A funding mechanism is established for reservoirs and other water supply sources by creating a Georgia Reservoir Fund, with the intent of providing a combined \$100 million in grants and loans for FY 2009, and with a long-range goal of \$100 million per year in State funding for 10 years. Further, this legislation encourages a focus on private contracting to speed the permitting process and provides tax credits for water-saving technology.

Status: Effective May 13, 2008

SB 352 Administrative Procedures Act: Legislative Stay

(Sen. Bill Cowsert, R-46)

This bill amends the Administrative Procedures Act to allow a standing committee of the General Assembly to stay a rule/regulation by a state agency when it objects. If stayed, the objection must be considered by the Legislature within the first 30 days of the next session via a resolution that would outright overrule the rule/regulation. It does not apply to the EPD in cases where that Division is carrying out rules and regulations required by the Federal Government.

Status: Effective March 29, 2008

SB 399 Reauthorize Georgia's Solid Waste Trust Fund

(Sen. Ross Tolleson, R-20)

This bill reauthorizes the fee for the Solid Waste Trust Fund for three years, until June 30, 2011. This fee is the source of funding for the state Solid Waste Trust Fund which is intended to assist local governments in cleaning abandoned landfills; taking emergency, preventative and corrective actions at solid waste and landfill facilities; funding solid waste reduction and recycling efforts; providing solid waste education and enforcement; and preventing litter. Unless reauthorized this session, the fee expires on June 30, 2008.

Status: Effective May 7, 2008

SB 463 Gray Water Recycling Systems

(Sen. Chip Pearson, R-51)

This bill amends state plumbing standards code, specifying under what conditions gray water (that discharged from lavatories, bathtubs, showers, and clothes washers) can be used to irrigate private lawns and plants. County Boards of Health must adopt these provisions and local governments are authorized to punish violators with up to a \$100 fine.

Status: Effective July 1, 2008

SB 466 No Drought Restrictions on Certain Car Washes/Swimming Pools

(Sen. John Bulloch, R-11)

This bill prohibits the EPD from enacting drought-related outdoor water restrictions on permanent car washes (using surface or ground water) if the facility is either 1) connected to a sanitary sewer system or, 2) recycles used wash water. It also prevents outdoor watering restrictions from impacting swimming pools.

Status: Effective May 13, 2008

GENERAL COUNTY GOVERNMENT
[Staff: Michele NeSmith & Jim Grubiak]

HB 296 Restricting Special Elections

(Rep. Jeff May, R-111)

This bill limits the dates that local governments and schools could hold special elections for SPLOST, TADs, GO Bonds, freeport and homestead exemptions, liquor restrictions, etc. It would not impact special election for vacancies in office. These referendums would be authorized in March or November in odd-numbered years, and on the presidential preference primary (if one is held that year), general primary or in November in even-numbered years. Under current law counties have four opportunities a year to conduct these elections. The effective date for this legislation is January 1, 2010.

Status: Effective January 1, 2010

HB 1098 Provisions for Elections Superintendents

(Rep. Bobby Reese, R-98)

This bill requires that election superintendents complete, file and transmit certain returns to the Secretary of State's office. These returns will include items such as public notice of municipal elections and special elections on bonded debt. The returns on all primaries and elections are also required to be immediately transmitted to the Secretary of State.

Status: Effective July 1, 2008

HB 1216 Regional Commissions

(Rep. Ron Stephens, R 164)

This bill redesigns and overhauls the current Regional Development Centers statute (RDC) by increasing the types of services that they can provide, reducing the number of RDCs from 16 to 12, and providing more state funding for their operations. RDCs will be renamed Regional Commissions (RCs) and will be allowed to contract with local governments to provide governmental services. The state will establish a minimum state funding appropriations formula for RCs that charge \$1 or more per capita in dues and will also provide supplemental funding for RCs for meeting certain performance standards. Each RC will have a council made up of the chief elected official from each county (or their elected official designee), one elected municipal official from each county, one member of the school board or a superintendent of public schools, and four nonpublic members. A Rules Committee Substitute was adopted prior to its passage in the House which allowed for the board of each regional commission to ratify its new boundaries. In the event that the commission fails to ratify its boundaries, it will continue to operate under its existing boundaries established prior to June 30, 2009, but will not be eligible to receive any state funding.

Status: Effective July 1, 2009

SB 387 Allow Electors to Request and Cast Absentee Ballots Without a Reason

(Sen. Cecil Staton, R-18th)

This bill allows that an elector who wishes to cast an absentee ballot in person at the registrar's office or absentee ballot clerk's office to do so without providing a reason for any primary election, or run-off primary or election. It also allows for the application of an official ballot from those entitled to vote by absentee ballot under the Federal Uniformed and Overseas Citizens Voting Act, 42 U.S. C. Section. 1973FF, et seq., as amended.

Status: Effective May 12, 2008

Bills and Resolutions: Vetoed

HB 1116 Increasing County Jail Per Diem for State Inmates

(Rep. Terry Barnard, R-166)

This bill requires the state to compensate counties at a rate of \$25 per day per state inmate held in county jails, and also includes language extending and expanding the operation of the state's Probation Options Management program. Probation Options Management allows for Corrections to administratively change a probationer's supervision without going back before the sentencing judge, if he/she approves in the original sentence.

Status: Vetoed

HB 1129 Provide Sales Tax Refund to Tourism Operations

(Rep. Jeff Lewis, R-15)

This bill allows companies engaged in approved tourism operations to receive a refund of their sales and use taxes – both state and local – for a period of ten years after the commencement or expansion of an approved tourism activity. The total refund allowed is the lesser of the entire sales and use tax liability of the company or 25% of approved costs. The Georgia Department of Economic Development, along with the county or city in which the project is located, determines which companies and projects are approved.

Status: Vetoed

Bills and Resolutions: Failed to Pass

REVENUE AND FINANCE

- **HB 959** Maximum Tax rate for Hotel/Motel Stays
- **HB 140** Local Option Sales Tax (LOST) Renegotiations
- **HR 1120/SR859** Elimination of the State Property Taxes
- **HR 1246** Elimination of Ad Valorem Taxes on Personal Vehicles and Caps on Annual Property Assessment Increases
- **HB 1396** Extension of Distribution Formula for Unidentifiable Local Sales Tax Funds
- **SR 686** Assessment Freeze
- **SR 687** Local Option Sales Tax to Reduce Property Tax

PUBLIC SAFETY AND THE COURTS

- **HB 71** Requiring Emergency Management Training for Newly Elected Commissioners
- **HB 338** Updating Fees Charged by Sheriffs for Statutory Services
- **HB 1060** Regulation of Animal Shelters and Euthanasia Procedures
- **HB 1122** Local Governments Can Prohibit Guns in Parks
- **HB 1158** Comprehensive Revision of Trauma Care Commission Provisions
- **SB 335** Prohibition Against Requiring Language Training for Public Employees
- **SB 340** Prohibition Against Local Government Sanctuary Policy
- **SB 356** Diversion of Revenue for Campus Law Enforcement Motorcycle Programs
- **SB 365** Requiring the State to Pay Medical Costs for Juveniles in State Custody
- **SB 394** Dedicating 50% of Revenue from Red Light Cameras to Trauma Care Trust Fund

ECONOMIC DEVELOPMENT AND TRANSPORTATION

- **HB 541** Urge Use of Biofuel in County Vehicles
- **HB 914** Transfer 1% Sales Tax on Motor Fuel to Transportation
- **HB 956** Change Judicial Consideration of Zoning Decisions
- **HB 1056** Require Legislative Approval of MPO Transportation Plans
- **HB 1097** Permit Enhanced Taxicab Regulation by Local Governments
- **HB 1123** Require Annual Maintenance Reports from GDOT
- **HB 1124** Adjust Design-Build Contract Procedures at GDOT
- **HB 1135** Allow Regulation of Taxicabs by Local Law
- **HB 1139** Create Statewide Sales Tax for Transportation
- **HB 1268** Create MOST for Transportation Purposes
- **HB 1318** Provide Preferential Treatment to Billboards
- **HR 1226** Create Statewide Sales Tax for Transportation
- **HR 1273** Transfer 1% Sales Tax on Motor Fuel to Transportation
- **HR 1560** Create Study Committee on Congestion Relief Policies
- **HR 1604** Create Study Committee on International Outsourcing
- **HR 1607** Create House Biodiesel Fuel Study Committee
- **SB 371** Require Review of RR Crossings
- **SB 402** Create Coordinating Council for Rural and Human Services Transportation
- **SB 410** Allow CIDs to Receive Grants from SRTA
- **SB 411** Provide Alternative Project Delivery Methods to GDOT
- **SB 420** Prohibit EPD Penalties on GDOT Projects
- **SB 484** Mandate At Least 10% of County Contracts go to Small Businesses
- **SR 786** Give Control of Transportation Funds to Legislature
- **SR 842** Urge GDOT to Build MagLev Train from Atlanta to Chattanooga
- **SR 845** Create Regional Transportation T-SPLOST
- **SR 863** Dedicate Aviation Fuel Taxes to Airports; Train Fuel Taxes to Rail

HEALTH AND HUMAN SERVICES

- **HB 906** Require nonprofit hospitals not providing a certain level of indigent care to pay into
Indigent Care Trust Fund
- **HB 973** Georgia Trauma Hospital Support Act
- **HB 1158** Funding for the Georgia Trauma Trust Fund for a Statewide Trauma Network
- **HB 1400** Establish a Level 1 Trauma Care and Hospital Authority Oversight Committee
- **HR 1041** Charge Telephone Subscribers for Uninsured Trauma Services
- **SB 378** Transfer the functions, duties, and employees of the Division of Aging Services of the
Department of Human Resources to a newly established Department of Aging

NATURAL RESOURCES AND ENVIRONMENT

- **HB 789** Contractors Operating Public Water Systems to be Bonded
- **HB 946** Metro District Low Flow Plumbing Fixture Requirements
- **HB 974** Land Deeds Must Specify Mineral Rights
- **HB 982, HB 996, HB 1009 and HB 1022** Codifying Aspects of State Water Plan
- **HB 1034** Roll-off Dumpsters Have Free Reign
- **HB 1117** Higher Water/Sewer Rates to Others Must be Justified
- **HB 1145** Establishing Joint Water Authorities without Local Legislation
- **HB 1292** Water Fees to Outside Areas Restricted

GENERAL COUNTY GOVERNMENT

- **HB 917** Create an Office of State Election Administration
- **HB 925/SB 89/SR 130** Authorize the Creation of Townships to Control Land Use
- **HB 1143** Provide Certain Exemptions for Copying Costs of Voter Registration and Elector Data
- **HB 1342** Comprehensive Rewrite of Open Meetings and Open Records Laws
- **HR 200** Establish Coroner as a Constitutional Officer
- **HR 592** Local Boards of Education to Reimburse Local Governments for Election Expenses
- **SB 83/HB 1015** Mandatory Transfer of County Property to New Cities
- **SB 89** Creation of Townships with Unlimited Land Use Control
- **SB 264** Elections Qualifications; Require the Burden of Proof to Rest with Candidate
- **SB 422** Election Superintendent May Establish Polling Places Outside Precinct Boundaries
- **SB 372** Mandated Creation of County, City, and School Ethics Boards
- **SB 393** Limit Local Governments' Power to Tax Pawnbroker Transactions

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