

# Capitol Retail Report 2010 Detail

Georgia Retail Association

February 22, 2010

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Dear Friend,

## COMPREHENSIVE LISTING OF RETAIL LEGISLATIVE ISSUES



This edition of the Capitol Retail Report should capture all significant activity related to the retail sector. A list of bills that we are tracking during the 2010 Session of the Georgia General Assembly can be found below.

John Heavener  
President  
Georgia Retail Association

*"When Retail Works, Georgia Works"*

## Ad Valorem Tax Legislation

[HR 1 - Cap on Assessments](#), Representative Edward Lindsey, a Republican from Atlanta, along with House Majority Leader Jerry Keen as cosponsor, have sponsored a resolution calling for a constitutional amendment to cap the rate of property tax reassessment at the lesser of 3 percent or the rate of inflation.

[http://www.legis.ga.gov/legis/2009\\_10/sum/hr1.htm](http://www.legis.ga.gov/legis/2009_10/sum/hr1.htm)

Status: House Ways & Means Committee

[SR 2 - Reducing ad Valorem Taxes](#), sponsored by Senator Mitch Seabaugh, Republican 28<sup>th</sup> District, would propose an amendment to the Constitution which would authorize the reduction or elimination of local ad valorem taxation and replacement with a sales and use tax at any rate not to exceed 1 percent. The reduction would be a dollar-for-dollar credit and would be reflected on the ad valorem tax bill of each taxpayer. Any excess proceeds remaining after eliminating 100 percent of property taxes of the local taxing jurisdiction would be used to reduce or eliminate general obligation debt of the local taxing jurisdiction.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/sr2.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/sr2.htm)

Status: Senate Finance Committee

[HB 4 - Income Tax Credit for ad Valorem Taxes](#), sponsored by Representative Kevin Levitas, a Democrat from Atlanta, would allow a credit against qualified ad valorem tax expenses in an amount not to exceed the actual amount expended. The tax credit, as

proposed by Levitas, could not exceed the taxpayer's income tax liability, nor could the amount of unused tax credit be used against succeeding years' tax liability. No such tax credit shall be allowed the taxpayer against prior years' tax liability. The qualifier is that in any tax year in which the commissioner determines that the aggregate amount of state reserve funds is less than \$500 million, no tax credit shall be claimed or allowed under this Code section for that tax year.

[http://www.legis.ga.gov/legis/2009\\_10/versions/hb4\\_LC\\_18\\_7682\\_pf\\_2.htm](http://www.legis.ga.gov/legis/2009_10/versions/hb4_LC_18_7682_pf_2.htm)

Status: House Ways & Means Committee

HB 5 - Income Tax Credit for Qualified Ad Valorem Tax Expenses, sponsored by Representative Kevin Levitas, a Democrat from Atlanta, would provide a credit for ad Valorem taxes on real property and personal property used for business or commercial purposes. This bill also contain the qualifier that in any tax year in which the commissioner determines that the aggregate amount of state reserve funds is less than \$500 million, no tax credit shall be claimed or allowed under this Code section for that tax year.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/hb5.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/hb5.htm)

Status: Not Assigned

HR 9 - Freedom of Ownership Act, sponsored by Republican Representatives Ed Setzler, (R) 35<sup>th</sup> and Melvin Everson, (R) 106<sup>th</sup> would propose a constitutional amendment which would provide a complete and permanent exemption from ad valorem taxes and fees for any and all purposes for property if the taxpayer pays an amount equal to 20 times the amount of ad valorem taxes and fees due and payable for the current-year assessed value of such property. Any additions or improvements which are added subsequent to the granting of the exemption shall not be exempt until the taxpayer pays an amount equal to 20 times the amount of ad valorem taxes and fees due and payable for the current-year assessed value of such additions or improvements.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/hr9.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/hr9.htm)

Status: House Ways & Means Committee

HB 18 - Elimination of Ad Valorem Taxes, was also pre-filed by Representative Tim Bearden, a Republican from Villa Rica. The bill "Small Business and Jobs Protection Act of 2010." would exempt the inventory of a business from ad Valorem taxes.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/hb18.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/hb18.htm)

Status: House Ways & Means Committee

HR 27 - Abolishing Property Taxes, Substituting Sales Taxes, sponsored by representatives Bobby Franklin, (R) 43<sup>rd</sup>, Barry Loudermilk (R) 14<sup>th</sup>, and Jill Chambers (R) 2081<sup>st</sup>, would abolish ad valorem taxes and fees on real or personal property and substitute a sales and use tax.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/hr27.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/hr27.htm)

Status: House Ways & Means Committee

SB 77 - Special Tax Levies for Police and Fire Protection, sponsored by senators Kasim Reed, (D) 35<sup>th</sup>, Horacena Tate, (D) 38<sup>th</sup>, Nan Orrock, (D) 36<sup>th</sup>, Vincent Fort, (D) 39<sup>th</sup> and Emanuel Jones (D) 10<sup>th</sup>, would create a special tax districts in all cities which employ in excess of 1,500 police officers and firefighters would allow those cities to impose and levy a special district tax to pay for those police and fire services.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/sb77.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/sb77.htm)

Status: House Ways & Means Committee

HR 341 - Replacing Property Tax with Sales Tax Revenue, sponsored by representatives

Mark Butler, (R) 18<sup>th</sup> and Randy Nix, (R) 69<sup>th</sup>, would allow school districts to raise money via a 1cent sales and use tax. Revenue raised by the sales and use tax would require a corresponding decrease in property millage rate.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/hr341.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/hr341.htm)

Status: House Ways & Means Committee

SB 346 - Revising Ad Valorem Taxation, sponsored by senators Chip Rogers, (R) 21<sup>st</sup>, Tommie Williams, (R) 21<sup>st</sup>, Steve Thompson, (D) 33<sup>rd</sup>, Mitch Seabaugh, (R) 28<sup>th</sup> and Jim Butterworth, (R) 50<sup>th</sup>, would require county tax assessors to provide written notice of changes in property taxes and revise the procedure for challenging property taxes.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/sb346.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/sb346.htm)

Status: Pending

HR 442 - House Study Committee on the Review, Evaluation, and Analysis of State Tax Exemptions, sponsored by representatives Burke Day, (R) 163<sup>rd</sup>, Ron Stephens, (R) 164<sup>th</sup>, Butch Parish, (R) 156<sup>th</sup>, Kevin Levitas, (D) 82<sup>nd</sup>, Austin Scott, (R) 153<sup>rd</sup>, and Fran Millar, (R) 79<sup>th</sup>, would create a House Study Committee to review, evaluate, and analyze all state tax exemptions.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/hr442.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/hr442.htm)

Status: House Ways & Means Committee

HB 480, Automobile Taxation, sponsored by representatives Harry Geisinger, (R) 48<sup>th</sup>, Alan Powell, (D) 29<sup>th</sup>, Tom Rice, (R) 51<sup>st</sup>, Stacey Abrams, (D) 84<sup>th</sup>, and Alan Peake, (R) 137<sup>th</sup>, would substitute a one-time fee of 7 percent of the car's value, or \$2,000, whichever is less, and do away with the annual ad Valorem property tax on automobiles.

[http://www.legis.state.ga.us/legis/2009\\_10/fulltext/hb480.htm](http://www.legis.state.ga.us/legis/2009_10/fulltext/hb480.htm)

Status: Senate Finance Committee

HB 1105 - Exempting Watercraft From ad Valorem Taxation, sponsored by representatives Mickey Channell, (R) 116<sup>th</sup>, James Mills, (R) 25<sup>th</sup>, Carl Rogers, (R) 26<sup>th</sup>, Ron Stephens, (R) 164<sup>th</sup>, Buddy Harden, (R) 147<sup>th</sup>, and Burke Day, (R) 163<sup>rd</sup>, would renew the ad Valorem tax exemption for watercraft held for sale by dealers.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/hb1105.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/hb1105.htm)

Status: Pending committee assignment

HB 1051 - Homestead Option Sales and Use Tax for Educational Purposes Act, sponsored by Representative Mark Butler, (R) 18<sup>th</sup>, would allow the levying of a local sales and use tax to replace to up to 100 percent of the residential property tax.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/hb1051.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/hb1051.htm)

Status: Assigned to the Ways and Means Committee

HR 1238 - Homestead Option Sales and Use Tax for Educational Purposes Act Referendum, sponsored by Representative Mark Butler, (R) 18<sup>th</sup>, would provide for the vote by the electorate on a constitutional amendment which would allow the levying of a local sales and use tax to replace to up to 100 percent of the residential property tax.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/hr1238.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/hr1238.htm)

Status: Assigned to the Ways and Means Committee

HB 1202 - Allowing the Transfer of Tax Credits for the Donation of Real Property for Conservation Purposes, sponsored by Representative Ron Stephens, (R) 164<sup>th</sup> would allow the transfer or sale of tax credits (whole or in part) gained by the donation of land for conservation purposes.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/hb1202.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/hb1202.htm)

Status: Assigned to ways and means Committee

HB 1082 - Expanding Freeport Status to Retail Inventory, sponsored by Jay Powell, (R) 171<sup>st</sup>, Ed Lindsey, (R) 54<sup>th</sup>, Al Williams, (D) 4<sup>th</sup>, Ellis Black, (D) 174<sup>th</sup>, and John Meadows, (R) 5<sup>th</sup>, would allow counties or cities, via referendum, to classify retail inventory as a Level 1 Freeport Exemption and thereby allow the county to exclude either 20, 40, 60, or 80 percent of the value of that inventory from ad Valorem property tax.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/hb1082.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/hb1082.htm)

Status: Heard in Ways and Means subcommittee on 2/17/10

HB 374 - Nonresident Taxes on Real Estate Transactions, sponsored by Representative Rick Crawford, (D) 16<sup>th</sup>, would require the identification of the person listed on the closing statement on the sale or transfer of real property by nonresidents and to ensure that nonresident listed on the closing statement as the seller would be subject to the withholding taxes.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/hb374.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/hb374.htm)

Status: Assigned to Ways and Means Committee

HB 1158 - Specifying Charges in Tax Levies, sponsored by John Meadows, (R) 5<sup>th</sup>, would remove existing language, "costs" includes, but is not limited to, title examination expenses, certified mail expenses, reasonable attorney's fees, or other such necessary research expenses," and insert the language, "the sheriff or ex officio sheriff shall collect, in addition to any other costs, commissions, interest, and penalties, the actual expenses incurred by the county in issuing the execution and administering the levy by imposing a levy administration fee which shall be 5 percent of the delinquent tax or \$250.00, whichever is the lesser. Regardless of any other provision of this paragraph, however, no such levy administration fee shall be less than \$50.00."

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/hb1158.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/hb1158.htm)

Status: Assigned to Ways and Means Committee

## Sales and Use Tax

HR 3 - Provided for an Immediate Consideration of Gubernatorial Vetoes, sponsored by Kevin Levitas, an Atlanta Democrat, would call for an immediate consideration of a vote to override a veto by the other Chamber of the General Assembly. (During the 2008 session, the House voted to override 12 vetoes by Governor Sonny Perdue, but Senate allowed one to come to a vote.)

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/hr3.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/hr3.htm)

Status: Not Assigned

HB 6 - Sales and Use Tax for Energy or Water Efficient Products, sponsored by Representative Kevin Levitas, a Democrat from Atlanta, would provide for an exemption from sales and use tax with respect to certain sales of certain energy efficient products or water efficient product; with a sales price of \$1,500.00 or less per product purchased for noncommercial home or personal use from 12:01 AM on October 1, 2009, and concluding at 12:00 Midnight on October 4, 2009.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/hb6.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/hb6.htm)

Status: House Ways & Means Committee

HB 25 - Estimated Tax Liability Sales and Use Tax Returns, sponsored by Representative Martin Scott, Republican 2<sup>nd</sup>, would remove the requirement for a merchant to file a return and remit to the revenue commissioner for estimated sales and use tax liability.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/hb25.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/hb25.htm)

Status: House Ways & Means Committee

HB 39- Increasing Excise Tax on Tobacco, sponsored by Ron Stephens, (R) 164<sup>th</sup>, would increase excise taxes on cigarettes from cigarettes from 37¢ to \$1.37 per pack and increase the excise tax on loose or smokeless tobacco from 10 percent of the wholesale cost price to 25% of the wholesale price.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/hb39.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/hb39.htm)

Status: House Ways & Means Committee

HB 61 - Dedication of the Final One Percent Sales Tax from Motor Fuels, sponsored by representatives Steve Davis, (R) 109<sup>th</sup>, Barry Loudermilk, (R) 14<sup>th</sup>, Mark Hatfield, (R) 177<sup>th</sup>, Ed Setzler, (R) 35<sup>th</sup>, Melvin Everson, (R) 106<sup>th</sup> and Tom Graves, (R) 12<sup>th</sup>, would exempt an additional one percent of sales tax from motor fuels. Currently the first three percent of sales taxes levied by the state on motor fuels are dedicated to highways. This bill would add the additional one percent of state sales tax to that category. In effect that would dedicate the state portion of the sales tax revenue from motor fuel completely to highways.

[http://www.legis.ga.gov/legis/2009\\_10/sum/hb61.htm](http://www.legis.ga.gov/legis/2009_10/sum/hb61.htm)

Status: House Ways & Means Committee

HB 66 - Using Local Option Sales Taxes to Fund Water and Sewer Projects, sponsored by Representative Chuck Sims, (R) 169<sup>th</sup>, would provide for funding of water and sewer projects through the levy and collection of a municipal option sales and use tax.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/hb66.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/hb66.htm)

Status: House Ways & Means Committee

HB 67 - Removing Sales Tax Exclusion From Food Sales, sponsored by Representative Chuck Sims, (R) 109<sup>th</sup>, would repeal the sales and use tax exemption for eligible foods and beverages and allow a tax credit equal to 4 percent of food expenses against a Georgia taxpayer's income tax return liability. Aimed at taxing non residents and illegal residents, this bill was passed by the Ways and Means Committee on March 5, 2009.

[http://www.legis.ga.gov/legis/2009\\_10/sum/hb67.htm](http://www.legis.ga.gov/legis/2009_10/sum/hb67.htm)

Status: House Ways & Means Committee

HR 281- Elimination of all Sales and Use Tax Exemptions, sponsored by representatives Debbie Buckner, (D) 130<sup>th</sup>, Kathy Ashe, (D) 56<sup>th</sup>, Mary Margaret Oliver, (D) 83<sup>rd</sup>, Pat Dooley, (D) 38<sup>th</sup>, Pat Gardner, (D) 57<sup>th</sup>, would offer an amendment to the Constitution which would limit sales and use tax exemptions to three year periods.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/hr281.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/hr281.htm)

Status: House Ways & Means Committee

HB 335 - Garnishment for Sales and Use Taxes, sponsored by representatives David Knight, (R) 126<sup>th</sup>, Allen Peake, (R) 137<sup>th</sup>, Larry O`Neal, (R) 146<sup>th</sup>, and Jay Roberts, (R) 154<sup>th</sup>, would allow garnishment for unpaid sales and use taxes.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/hb335.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/hb335.htm)

Status: Senate Finance Committee

SR 335 - State Taxation For The Penny For The Kids Trust Fund, sponsored by Senator Curt Thompson, (D) 5<sup>th</sup>, would assess a statewide one cent sales tax to fund PeachCare for Kids.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/sr335.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/sr335.htm)

Status: House Ways & Means Committee

HR 341 - Replacing Property Tax with Sales Tax Revenue, sponsored by representatives Mark Butler, (R) 18<sup>th</sup> and Randy Nix, (R) 69<sup>th</sup>, would allow school districts to raise money via a 1cent sales and use tax. Revenue raised by the sales and use tax would require a corresponding decrease in property millage rate.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/hr341.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/hr341.htm)

Status: House Ways & Means Committee

HB 356 - Local Collection of Sales and Use Taxes, sponsored by Virgil Fludd, (D) 66<sup>th</sup>, Calvin Smyre, (D) 132<sup>nd</sup>, DuBose Porter, (D) 143<sup>rd</sup>, and Margaret Kaiser, (D) 59<sup>th</sup>, would allow counties to hire private firms to collect sales and use taxes.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/hb356.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/hb356.htm)

Status: House Ways & Means Committee

HB 425 - Deduction Of Bad Debts For Sales And Use Tax, sponsored by Representative James Mills, (R) 25<sup>th</sup> would allow an assignee of private label credit card debt purchased directly from a dealer without recourse or a credit card bank which extends such credit to customers under a private label credit card program to take a deduction or receive a refund for private label credit card bad debts.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/hb425.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/hb425.htm)

Status: House Ways & Means Committee

HB 458 - Local Collection Of Sales And Use Tax

, sponsored by Allen Peake, (R) 137<sup>th</sup>, Chuck Sims, (R) 169<sup>th</sup>, Charles Martin, (R) 47<sup>th</sup>, Ron Stephens, (R) 164<sup>th</sup>, Margaret Kaiser, (R) 59<sup>th</sup>, and Virgil Fludd, (R) 66<sup>th</sup>, would allow any county or municipality to contract with a private contractor to administer, collect, and distribute any local or special district sales and use taxes.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/hb458.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/hb458.htm)

Status: House Ways & Means Committee

HB 918 - Increasing State Sales Tax Rate to Six Percent, sponsored by Representative Kidd, (I) 141<sup>st</sup>, would increase the rate of state sales and use taxation from four to six percent July 1, 2010, and would continue that rate for a period of time 90 days after the end of the fiscal year when sales and use tax revenue again reaches or surpasses state revenue for the fiscal year ending June 30, 2006.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/hb918.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/hb918.htm)

Status: House Ways & Means Committee

HB 928 and HB 929 - Applying Sales Tax on Lottery Tickets, sponsored by Representative Chuck Sims, (R) 169<sup>th</sup>, would have sales taxes and use apply to the sale of lottery tickets. The funds received by that tax would be placed in the education trust fund created by the bill.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/hb928.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/hb928.htm)

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/hb929.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/hb929.htm)

Status: House Ways & Means Committee

HB 868 - Sales tax on Mobile Homes, sponsored by Representative Chuck Sims, (R) 169<sup>th</sup> would impose state sales and use tax on the retail sale from a dealer of a new manufactured single-family structure at the rate 4 percent on 60 percent of the manufacturer's invoice amount. The sale would not be subject to any local sales and use tax levied or imposed at any time and would not apply to the sale or use of a pre-owned

manufactured single-family structure."

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/hb868.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/hb868.htm)

Status: House Ways & Means Committee

HB 951 - Sales Tax Holiday, sponsored by Lynn Smith, (R) 70<sup>th</sup>, Terry England, (R) 108<sup>th</sup>, Amy Carter, (D) 175<sup>th</sup>, Jon Burns, (R) 157<sup>th</sup> and Ron Stephens, (R) 116<sup>th</sup>, would reauthorize the back-to-school sales tax holiday school supplies, clothing, footwear, computers, and computer related accessories from 12:01 A.M. on Thursday, 29, 2010, and concluding at 12:00 Midnight on Sunday, August 1, 2010. It also reauthorizes the sales tax holiday for the purchase of energy efficient products or water efficient products with a sales price of \$1,500.00 or less per product purchased for noncommercial home or personal use from 12:01 A.M. on Thursday, October 7, 2010, until 12:00 Midnight on Sunday October 10, 2010.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/hb951.htm010](http://www.legis.ga.gov/legis/2009_10/fulltext/hb951.htm010)

Status: Assigned Ways and Means Sales Tax Sub-Committee

HB 952 - Back to School Sales Tax Holiday, sponsored by Lynn Smith, (R) 70<sup>th</sup>, Terry England, (R) 108<sup>th</sup>, Amy Carter, (D) 175<sup>th</sup>, Jon Burns, (R) 157<sup>th</sup> and Ron Stephens, (R) 116<sup>th</sup>, would reauthorize the back-to-school sales tax holiday school supplies, clothing, footwear, computers, and computer related accessories from 12:01 A.M. on Thursday, 29, 2010, and concluding at 12:00 Midnight on Sunday, August 1, 2010.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/hb952.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/hb952.htm)

Status: Assigned Ways and Means Sales Tax Sub-Committee

HB 953 - Energy STAR, Water Sense Sales Tax Holiday, sponsored by Lynn Smith, (R) 70<sup>th</sup>, Terry England, (R) 108<sup>th</sup>, Amy Carter, (D) 175<sup>th</sup>, Jon Burns, (R) 157<sup>th</sup> and Ron Stephens, (R) 116<sup>th</sup>, would reauthorize the sales tax holiday for the purchase of energy efficient products or water efficient products with a sales price of \$1,500.00 or less per product purchased for noncommercial home or personal use from 12:01 A.M. on Thursday, October 7, 2010, until 12:00 Midnight on Sunday October 10, 2010.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/hb953.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/hb953.htm)

Status: Assigned Ways and Means Sales Tax Sub-Committee

HB 1024, Phase Out of the Sales Tax Deposit, sponsored by Representative Martin Scott, (R) 2<sup>nd</sup>, would phase out the sales tax deposit and return to retailers that money that had been placed on deposit in advance.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/hb1024.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/hb1024.htm)

Status: Pending

HB 1093 - Linking Business Licenses with Sales and Use Tax Registration, sponsored by representatives David Knight, (R) 126<sup>th</sup>, Larry O`Neal, (R) 146<sup>th</sup>, Alan Peake, (R) 137<sup>th</sup>, Jerry Keen, (R) 179<sup>th</sup>, Bob Bryant, (D) 160<sup>th</sup>, and Mike Glanton, (D) 76<sup>th</sup> would require those who apply for a business license, and who would be required to collect sales taxes, to have a state sales and use tax identification number.

[http://www.legis.state.ga.us/legis/2009\\_10/fulltext/hb1093.htm](http://www.legis.state.ga.us/legis/2009_10/fulltext/hb1093.htm)

Status: Pending

HB 1049 - Sales Tax Increment for Local Projects, sponsored by representatives Ron Stephens, (R) 164<sup>th</sup>, Stacey Abrams, (D) 84<sup>th</sup>, Joe Wilkinson, (R) 52<sup>nd</sup>, Don Wix, (D) 33<sup>rd</sup>, Virgil Fludd, (D) 66<sup>th</sup>, and Donna Sheldon, (R) 105<sup>th</sup>, would permit a sales and use tax increase of less than one cent to fund locally determined projects for the support and improvement of community cultural, arts and other locally determined qualified projects

supporting economic development within special local community support districts within the state.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/hb1049.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/hb1049.htm)

Status: Assigned to the Ways and Means Committee

HB 1065 - Reducing Sales and Use Tax Exemptions, sponsored by representatives Virgil Fludd, (D) 66<sup>th</sup>, Debbie Buckner, (D) 130<sup>th</sup>, Brian Thomas, (D) 100<sup>th</sup>, Doug McKillip (D) 115<sup>th</sup>, and Stephanie Stuckey Benfield, (D) 85<sup>th</sup>, would reduce existing state sales and use tax exemptions by 15% until January 1, 2013.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/hb1065.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/hb1065.htm)

Status: Assigned to Ways and Means Committee, Sales Tax Subcommittee

HB 1149 - Sales and Use Tax Exemptions for Reusable Grocery Bags, sponsored by Rashad Taylor, (D) 55<sup>th</sup>, Stephanie Benfield, (D) 85<sup>th</sup>, Karla Drenner, (D) 86<sup>th</sup>, Debbie Buckner, (D) 130<sup>th</sup>, and Alisha Morgan, (D) 39<sup>th</sup> would exclude the sales of reusable shopping bags costing \$5.00 or less from sales and use taxation.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/hb1149.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/hb1149.htm)

Status: Assigned to the Ways and Means Committee

HB 1023 - Providing Local Flexibility on the Use of E-SPLOST Funds, sponsored by representatives Butch Parrish, (R) 156<sup>th</sup> and Ed Rynders, (R) 152<sup>nd</sup>, would allow local school systems more flexibility in how sales tax revenues are used.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/hb1020.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/hb1020.htm)

Status: Assigned to Ways and means Committee

HB 1137 - Requiring the Georgia Department of Revenue and Secretary of State to Provide Information to Counties and Municipalities for the Collection of Sales Tax Revenue, sponsored by DuBose Porter, (D) 143<sup>rd</sup>, Virgil Fludd, (D) 66<sup>th</sup>, Stacey Abrams, (D) 84<sup>th</sup>, Calvin Smyre, (D) 132<sup>nd</sup>, Carolyn Hugley and Nikki Randall, (D) 138<sup>th</sup> would go beyond HB 1093 (reported on February 8<sup>th</sup>) to require the secretary of state and the department of revenue to provide the names of businesses that registered with them to provide the names and street addresses to cities and counties wherein they are located each quarter.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/hb1137.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/hb1137.htm)

Status: Assigned to the Ways and Means Committee Sales Tax Subcommittee

Since we have reached the 20<sup>th</sup> day of the legislative session on February 18th, no new tax bills can be introduced. I believe that we can avert having amendments floated that will call for local collection of sales taxes.

HB 1167 - Increasing the Sales and Use Tax Rate to Five Percent, sponsored by Representative David Lucas, (D) would increase the state sales tax from four to five percent for from July 1, 2010, until June 30, 2013.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/hb1167.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/hb1167.htm)

Status: Assigned to the Ways and Means Committee

HB 1020 and HR 1203 - Allowing ESPLOST Sales Taxes to be Used for Maintenance and Operations as well as Capital Outlays, sponsored by Butch Parrish, 156<sup>th</sup>, would allow a one cent local sales tax to be levied for school operations and maintenance as well as capital projects. Local charter schools and special school districts would qualify as well.

[http://www.legis.state.ga.us/legis/2009\\_10/fulltext/hb1020.htm](http://www.legis.state.ga.us/legis/2009_10/fulltext/hb1020.htm)

[http://www.legis.state.ga.us/legis/2009\\_10/fulltext/hr1203.htm](http://www.legis.state.ga.us/legis/2009_10/fulltext/hr1203.htm)

Status: Heard in Ways and Means Committee on 2/16/10 and passed, next to full Ways and Means Committee

HB 1051 and HR 1238 - Homestead Option Sales and Use Tax for Educational Purposes Act, sponsored by Representative Mark Butler, (R) 18<sup>th</sup>, would allow school boards to collect an additional one cent sales tax which would be used to offset ad Valorem homestead taxes.

[http://www.legis.state.ga.us/legis/2009\\_10/fulltext/hb1051.htm](http://www.legis.state.ga.us/legis/2009_10/fulltext/hb1051.htm)

Status: Heard in Ways and Means Committee on 2/16/10 and passed

HB 1093 - Linking Business Licenses with Sales Tax Registrations, sponsored by representatives David Knight, (R) 126<sup>th</sup>, Larry O`Neal, (R) 146<sup>th</sup>, Alan Peake, (R) 137<sup>th</sup>, Jerry Keen, (R) 179<sup>th</sup>, and Bob Bryant, (D) 160<sup>th</sup>, would allow cities and counties to send information on business licensees approved to be sent along to the state Department of Revenue so that DOR can match licenses with sales tax registrations to ensure that sales taxes are collected and remitted.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/hb1093.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/hb1093.htm)

Status: Recommitted from Rules Committee to the Ways and Means Committee

HB 1137 -Tying Business Licenses to Sales Tax Returns, sponsored by DuBose Porter, (D) 143<sup>rd</sup>, Virgil Fludd, (D) 66<sup>th</sup>, Stacey Abrams, (D) 84<sup>th</sup>, Calvin Smyre, (D) 132<sup>nd</sup>, Carolyn Hugley, (D) 133<sup>rd</sup>, would expand HB 1093 by requiring that any person who has a business that requires a business license to provide the mailing address of such business and the actual physical location of such business; the sales and use tax identification number assigned to such business by the Department of Revenue; and its North American Industry Classification Code number. Then, it would require a quarterly requirement that the city or county involved transmit that information to the Department of Revenue; then would require that the Department of Revenue send back a list identifying businesses and practitioners of occupations and professions within the municipality or county which have been assigned a sales and use tax identification number by the department but which have not been identified as having paid an occupation tax or an applicable regulatory fee.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/hb1137.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/hb1137.htm)

Status: Heard in the Sales Tax Subcommittee of the Ways and Means Committee on 2/17/10.

HB 1024 - Jobs, Opportunity, and Business Success Refund Act of 2010, sponsored by Martin Scott, (R) 2<sup>nd</sup>, Tom Graves, (R) 12<sup>th</sup>, Melvin Everson, (R) 106<sup>th</sup>, Allen Peake, (R) 137<sup>th</sup>, Edward Lindsey, (R) 54<sup>th</sup> and Jay Neal, (R) 1<sup>st</sup>, would gradually phase out and eliminate the sales tax deposit requirement over five years.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/hb1024.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/hb1024.htm)

Status: Passed out of the Sales Tax Subcommittee on 2/17/10, considered by the Ways and Means Committee on 2/18/10 - however, no action was taken

HB 1190 - Requiring and Annual Notice of Property Assessments, sponsored by Representative David Knight, (R) , would require that the Board of Assessments provide an annual written notice to the taxpayer of such taxpayer's returns regardless of whether any changes or corrections, including valuation increases, decreases, or equalizations, have been made in their property.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/hb1190.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/hb1190.htm)

Status: Assigned to the Ways and Means Committee

HB 1216 - Lowering the Percent Paid on Refunds of Tax Overpayments, sponsored by Chuck Martin, (R) 47<sup>th</sup>, would lower from 1 percent to .5 percent the interest paid on refund for taxes or fees are overpaid or levied improperly.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/hb1216.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/hb1216.htm)

Status: Assigned to the Ways and Means Committee

HB 1217 - Removing Sales Tax From Food Sold in Vending Machines, sponsored by Chuck Martin, (R) 47<sup>th</sup>, would make food sold in vending machines exempt for sales tax.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/hb1217.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/hb1217.htm)

Status: Assigned to Ways and Means Committee

HB 1167, Increasing Sales Tax by One Cent for Education, sponsored by David Lucas, (D) 139<sup>th</sup>, would add increase the state's 4% sales and use to tax to 5%.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/hb1167.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/hb1167.htm)

Status: Assigned to the Ways and Means Committee

## Income Tax Legislation

HB 17 - Elimination of Corporate Income Taxes, sponsored by Tim Bearden, a Republican from Villa Rica, entitled the "Small Business and Jobs Protection Act of 2009," would eliminate corporate income taxes, beginning January 1, 2010.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/hb17.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/hb17.htm)

Status: House Ways & Means Committee

HB 405 - Tax Credits for Reducing Water Use, sponsored by representatives Joe Wilkinson, (R) 52<sup>nd</sup>, Ron Stephens, (R) 164<sup>th</sup>, Mike Coan, (R) 101<sup>st</sup>, Jimmy Pruett, (R) 144<sup>th</sup>, DuBose Porter, (R) 143<sup>rd</sup>, would allow any taxpayer who is the ultimate purchaser of an item of designated as a "WaterSense" as part of new construction or for retrofit in this state shall be allowed a single credit against the tax not to exceed the lesser of 25 percent of the cost thereof or \$5,000.00 in the taxable year in which such qualified equipment is placed in service. The credit would be transferable by the taxpayer to a taxpayer that is a homebuilder, home remodeler, or manufacturer, seller, or installer of qualified equipment.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/hb405.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/hb405.htm)

Status: House Ways & Means Committee

HB 419 - Income Tax Credit For Solar Domestic Water Heaters, sponsored by representatives Lynn Smith, (R) 70<sup>th</sup>, Earl Ehrhart, (R) 36<sup>th</sup>, Ron Stephens, (R) 164<sup>th</sup>, Rich Golich, (R) 34<sup>th</sup>, Mike Jacobs, (D) 80<sup>th</sup>, and Stacey Abrams, (D) 84<sup>th</sup>, would extend the period when one may apply for a tax credit for the installation for a qualified solar water heater.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/hb419.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/hb419.htm)

Status: House Ways & Means Committee

HB 443 - Cost-of-Living Tax Fairness Act, sponsored by Martin Scott, (R) 2<sup>nd</sup>, Tom Graves, (R) 12<sup>th</sup>, Sean Jerguson, (R) 22<sup>nd</sup>, Kevin Levitas, (D) 82<sup>nd</sup>, Jay Roberts, (R) 154<sup>th</sup>, and Mike Jacobs, (R) 80<sup>th</sup>, would provide for annual adjustments to the taxable net income brackets, indexing them, to the CPI.

[http://www.legis.ga.gov/legis/2009\\_10/sum/hb443.htm](http://www.legis.ga.gov/legis/2009_10/sum/hb443.htm)

Status: House Ways & Means Committee

HB 519 - Allowing An Income Tax Credit For Qualified Water And Energy Efficient Product Expenses, sponsored by representatives Virgil Fludd, (D) 66<sup>th</sup>, Howard Mosby, (D) 90<sup>th</sup>, Stacey Abrams, (D) 84<sup>th</sup> and Debbie Buckner, (D) 130<sup>th</sup> would provide a \$500 tax credit for the purchase a qualified WaterSense OR EnergySTAR product.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/hb519.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/hb519.htm)

Status: House Ways & Means Committee

HB 1023 - Jobs, Opportunity and Business Success Act of 2010, sponsored by Representative Tom Graves, (R) 12<sup>th</sup>, would eliminate new state business fees for entrepreneurs for one year; would provide a tax credit of up to 50% for an investment made in a small or start up business with 20 or fewer employees; provide a quarterly credit towards unemployment insurance tax for each eligible employee hired; would provide a \$2,400 tax credit for hiring someone who had been unemployed for at least four weeks; would eliminate the net worth tax and set a trigger for reducing the capital gains tax by 50%.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/hb1023.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/hb1023.htm)

Status: Pending

HB 1029 - Abolishing Corporate Income Taxes, sponsored by representatives Austin Scott, (R) 153<sup>rd</sup>, David Casas, (R) 103<sup>rd</sup>, Clay Cox, (R) 102<sup>nd</sup>, Roger Lane, (R) 167<sup>th</sup>, Charlice Byrd, (R) 20<sup>th</sup>, would abolish state income tax for corporations.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/hb1029.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/hb1029.htm)

Status: Pending

HB 1037 - Reducing Capital Gains Taxes by 50%, sponsored by Austin Scott, (R) 153<sup>rd</sup>, beginning January 1, 2011, would reduce taxable income to an amount equal to 50 percent of the total net amount of long-term capital gains subject to federal income taxation.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/hb1037.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/hb1037.htm)

Status: Pending

HB 946 - Limiting New Business Tax Liability, sponsored by representatives Melvin Everson, (R) 6<sup>th</sup>, Tom Graves, (R) 12<sup>th</sup>, John Lunsford, (R) 110<sup>th</sup>, Mark Hamilton, (R) 23<sup>rd</sup>, and Steve Davis, (R) 109<sup>th</sup>, would exclude up to \$50,000 in income from taxation during the first two years of a new business.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/hb946.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/hb946.htm)

Status: Referred to Ways and Means Committee

HB 962 - Updating Tax Refunds, sponsored by Representative Larry O`Neal, (R) 146<sup>th</sup>, would amend Article 5 of Chapter 7 of Title 48 of the Official Code of Georgia to maintain that a tax refund has been made whenever the check has been issued by the commissioner removing the 90-day abandonment language and the 180-day un-cashed check voiding language.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/hb962.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/hb962.htm)

Status: Assigned to the Ways and Means Committee

HB 1066 - Income Tax Surcharge on Income over \$400,000, sponsored by representatives Virgil Fludd, (D) 66<sup>th</sup>, Debbie Buckner, (D) 130<sup>th</sup>, Brian Thomas, (D) 100<sup>th</sup>, Doug McKillip, (D) 115<sup>th</sup>, and Stephanie Stuckey Benfield, (D) 85<sup>th</sup>, would add a 1 percent income tax surcharge on net incomes over \$400,000.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/hb1066.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/hb1066.htm)

Status: Assigned to Ways and Means Committee

HB 1067 - Reducing Capped Tax Credits by 15%, sponsored by representatives Virgil Fludd, (D) 66<sup>th</sup>, Debbie Buckner, (D) 130<sup>th</sup>, Brian Thomas, (D) 100<sup>th</sup>, Doug McKillip (D) 115<sup>th</sup>, and Stephanie Stuckey Benfield, (D) 85<sup>th</sup>, would reduce any existing tax credit by 15%.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/hb1067.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/hb1067.htm)

Status: Assigned to Ways and Means, Income Tax Subcommittee

HB 1068 - Reducing Income Tax Credits by 15%, sponsored by representatives Virgil Fludd, (D) 66<sup>th</sup>, Debbie Buckner, (D) 130<sup>th</sup>, Brian Thomas, (D) 100<sup>th</sup>, Doug McKillip, (D) 115<sup>th</sup>, and Stephanie Stuckey Benfield, (D) 85<sup>th</sup>, would reduce any income tax credits by 15 percent until January 1, 2013.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/hb1068.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/hb1068.htm)

Status: Assigned to Ways and Means, Income Tax Subcommittee

HB 1069 -Tax Credit for Purchasing Energy Efficient, sponsored by representatives Joe Wilkinson, (R) 52<sup>nd</sup>, DuBose Porter, (R) 143<sup>rd</sup>, Ed Lindsey (R) 54<sup>th</sup>, Carolyn Hugley, (D) 133<sup>rd</sup>, and Ron Stephens, (R) 164<sup>th</sup>, would provide a tax credit for the purchase of certain Energy STAR or Water Sense items. Items included would include, but not be limited to, dishwashers, clothes washers, air conditioners, ceiling fans, fluorescent light bulbs, dehumidifiers, programmable thermostats, refrigerators, doors, or windows. The tax credit would be 25 percent of the purchase price or \$2,500.00, whichever is less.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/hb1069.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/hb1069.htm)

Status: Assigned to Ways and Means

HB 984 - Prohibiting the Levy of a Local Income Tax, sponsored by Representative Larry O'Neal, (R) 146<sup>th</sup>, would preclude the establishment of a local income tax.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/hb984.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/hb984.htm)

Status: Passed by Ways and Means Committee and sent to the Rules Committee on February 11, 2010.

HB 1241 - Income Tax Credit Utilization, sponsored by representatives Jeff May, (R) 111<sup>th</sup>, Lynn Smith, (R) 129<sup>th</sup>, and Carolyn Hugley, (D) 133<sup>rd</sup>, would provide that income tax credits generated in the current tax year and Georgia income tax credits carried forward to the current tax year, those tax credits from the oldest years shall be utilized first; provided, however, that if a taxpayer is eligible to claim more than one type of Georgia income tax credit, each having different carry forward periods, or no carry forward period, the taxpayer may elect which Georgia tax credit will be first utilized on the taxpayer's current year return. If two or more different Georgia income tax credits for which carry forward is allowed are generated in a single tax year and one or both cannot be fully utilized by the taxpayer in such tax year, the taxpayer could elect which and how much of each shall be utilized on the current year's return and which and how much of both or either shall be carried forward.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/hb1241.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/hb1241.htm)

Status: To be assigned to committee

## Pharmacy Legislation

SB 3 - Prior Authorization for Prescription Drugs, sponsored by senators Jack Murphy, (R) 7<sup>th</sup>, Lee Hawkins, (R) 49<sup>th</sup>, Tommie Williams, (R) 19<sup>th</sup>, Don Thomas, (R) 54<sup>th</sup>, Ed Harbison (R) 15<sup>th</sup>, and Bill Jackson, (R) 24<sup>th</sup>, would require that insurers establish procedures to ensure there is a response to a request for prior authorization for a prescription drug by telephone or other telecommunication device within 24 hours after receipt of such a request.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/sb3.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/sb3.htm)

Status: Senate Insurance & Labor Committee

SB 10 - Single Dose Pseudoephedrine (60 Milligram Or Less) From Controlled Substances, sponsored by Senator John Douglas, Republican 17<sup>th</sup>, would remove the exception for

pseudoephedrine in a single dose unit of 60 milligrams or less, when a single dosage unit is 60 mg. or less or when manufactured in an extended release form with a dosage unit of 240 mg or less from the list of controlled substances, thereby making it available by prescription only.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/sb10.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/sb10.htm)

Status: Senate Health & Human Services Committee

SB 56 - Georgia StopMeth Log, sponsored by senators Gloria Butler, (D) 55<sup>th</sup>, Valencia Seay, (D) 34<sup>th</sup>, David Adelman, (D) 42<sup>nd</sup>, Robert Brown, (D) 26<sup>th</sup>, Kasim Reed, (D) 35<sup>th</sup> and Horacena Tate, (D) 38<sup>th</sup>, would require the state to establish and retailers to participate in a real-time, on-line pseudoephedrine reporting log. This bill was passed by the Senate on March 12<sup>th</sup> and referred to the House Non-Civil Judiciary Committee.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/sb56.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/sb56.htm)

Status:

HB 194- Generic Substitution of Drugs, sponsored by representatives Fran Millar, (R) 79<sup>th</sup>, Sharon Cooper, (R) 41<sup>st</sup>, Tom Rice (R) 51<sup>st</sup>, Carolyn Hugley, (D)133<sup>rd</sup>, and Rob Teilhet, (D) 40<sup>th</sup>, would require that whenever a pharmacist substitutes a generic drug product for a brand name prescribed drug product he/she must place language on the prescription label explaining the generic substitution, unless the prescribing practitioner indicated that the name of the drug may not appear upon the prescription label."

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/hb194.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/hb194.htm)

Status: Senate Health & Human Services Committee

SB 195 - Request for A Pharmacy License, sponsored by senators Ronnie Chance, (R) 16<sup>th</sup>, Cecil Staton, (R) 18<sup>th</sup>, David Shafer, (R) 48<sup>th</sup> and Chip Pearson, (R) 51<sup>st</sup>, would redefine the procedures for making and an application for a pharmacy license and set a twice-a-year timetable for the board exam. The bill was amended and now requires that when a pharmacist substitutes a generic drug product for a brand name prescribed drug product, the brand name and the generic name of the drug product, with an explanation of 'generic for (insert name of brand name prescribed drug product)' or similar language to indicate substitution has occurred, must appear on the prescription label and be affixed to the container or an auxiliary label.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/sb195.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/sb195.htm)

Status: Passed by the House with amendment – not reconciled

HB 273 - Georgia Prescription Monitoring Program Act, sponsored by representatives Ron Stephens, (R) 164<sup>th</sup>, Buddy Carter, (R) 159<sup>th</sup>, Buddy Harden (R) 147<sup>th</sup>, and Butch Parrish, (R) 156<sup>th</sup>, would require that retail pharmacies collect and submit certain information Schedule II, III, IV, or V controlled substance.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/hb273.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/hb273.htm)

Status: House Health & Human Services Committee

HB 369 - Pharmacy Free Choice, sponsored by representatives Ron Stephens, (R) 164<sup>th</sup>, Butch Parrish, (R) 156<sup>th</sup>, Buddy Carter, (R) 159<sup>th</sup>, Harden of the 147<sup>th</sup>, and Bobby Parham, (D) 141<sup>st</sup>, would make it unlawful to prevent an plan enrollee from exercising free choice in selecting his or her pharmacy. It shall be unlawful for any pharmacy benefit manager, either directly or indirectly, to require or encourage the use of, or to favor in any way, a particular pharmacy or chain of pharmacies in approving the use of a prescription drug.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/hb369.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/hb369.htm)

Status: House Insurance Committee

HB 523 - Requiring Brand Name Pharmaceuticals, sponsored by representatives John Lunsford, (R) 110<sup>th</sup>, Sharon Cooper, (R) 41<sup>st</sup>, Ben Harbin, (R) 118<sup>th</sup>, Nikki Randall, (D) 138<sup>th</sup>, Sean Jerguson, (R) 22<sup>nd</sup>, and Mark Burkhalter, (R) 50<sup>th</sup>, would preclude a pharmacist from substituting a generic name drug in lieu of a brand name drug by including the words 'brand necessary' in the body of the prescription.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/hb523.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/hb523.htm)

Status: House Health & Human Services Committee

HB 681 - Generic Substitution of Drugs, sponsored by Charlice Byrd, (R) 20<sup>th</sup>, John Lunsford, (R) 110<sup>th</sup>, Robbin Shipp, (D) 58<sup>th</sup>, Calvin Hill, (R) 21<sup>st</sup>, Mike Cheokas, (D) 134<sup>th</sup> and Jimmy Pruett, (D) 144<sup>th</sup>, would require that whenever a pharmacist makes a drug substitution, that he record on the original prescription the fact that there has been a substitution and the identity of the dispensed drug product and its manufacturer.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/hb681.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/hb681.htm)

Status: House Health & Human Services Committee

SB 310 - Licensure of Pharmacy Benefits Managers, sponsored by senators Lee Hawkins, (R) 49<sup>th</sup>, Jack Murphy, (R) 27<sup>th</sup>, Greg Goggans, (R) 7<sup>th</sup>, Tommie Williams, (R) 19<sup>th</sup>, and Buddy Carter, (R) 1<sup>st</sup>, would provide for regulation and licensure of pharmacy benefits managers by the Commissioner of Insurance.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/sb310.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/sb310.htm)

Status: Assigned to the Insurance and Labor Committee

SB 353 - Reauthorizing Schedule I, II, IV and V Controlled Substances, sponsored by senators Buddy Carter, (R) 1<sup>st</sup> and Don Thomas, (R) 54<sup>th</sup>, would reauthorize Schedule I, II, IV and V controlled substances.

[http://www.legis.ga.gov/legis/2009\\_10/sum/sb353.htm](http://www.legis.ga.gov/legis/2009_10/sum/sb353.htm)

Status: Passed by Senate Health Committee on 2/12/10. Next step - goes to Senate Rules Committee

SB 367 - Revising the Definition of "Influenza Vaccine," sponsored by senators Don Balfour, (R) 9<sup>th</sup>, Steve Henson, (R) 41<sup>st</sup>, Greg Goggans, (R) 7<sup>th</sup>, Lee Hawkins, (R) 49<sup>th</sup> and Horacena Tate, (D) 38<sup>th</sup>, would amend the state's influenza vaccine protocol by adding nasal mists to the vaccines that are permitted. Last year language allowing injections was approved.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/sb367.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/sb367.htm)

Status: Passed by Senate Health Committee on 2/12/10. Next step - goes to Senate Rules Committee

### Theft and Loss Prevention Legislation

SB 423 - Smash and Grab Act, sponsored by senators Preston Smith, (R) 52<sup>nd</sup>, Bill Hamrick, (R) 30<sup>th</sup>, Butterworth, 50<sup>th</sup>, John Douglas, (R) 17<sup>th</sup>, and Jeff Mullis, (R) 53<sup>rd</sup>, would add smash and grab thefts as a designated felony.

[http://www.legis.state.ga.us/legis/2009\\_10/fulltext/sb423.htm](http://www.legis.state.ga.us/legis/2009_10/fulltext/sb423.htm)

Status: Unassigned as of 2/17/10

HB 1015 - Georgia Street Gang Terrorism and Prevention Act, sponsored by finds that the State of Georgia is in a state of crisis which has been caused by violent criminal street gangs whose members threaten, terrorize, and commit a multitude of crimes against the peaceful citizens of their neighborhoods. The bill makes street gang activity a crime and provides for the forfeiture of profits and instrumentalities used criminal activity

A 'Criminal street gang' is defined as a group of three or more persons, who engage in criminal gang activity. It would make it unlawful for a person to commit an offense which would obtain or earn membership, or increase one's status or position in a criminal street gang.

It would also make it unlawful for any person to cause, encourage, solicit, recruit, or coerce another to become a member or associate of a criminal street gang, to participate in a criminal street gang, or to conduct or participate in criminal gang activity.

Those convicted under the bill could be imprisoned for not less than three nor more than ten years.

The bill also calls for the establishment of a statewide criminal gang activity database.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/hb1015.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/hb1015.htm)

Status: Approved by the House Non-Civil Judiciary Committee on February 10, 2010 and transmitted to the Rules Committee

HB 1208 - Theft from a Designated Disaster Area, sponsored by representatives Don Wix, (D) 33<sup>rd</sup>, Elly Dobbs, (D) 53<sup>rd</sup>, Rob Teilhet, (D) 40<sup>th</sup>, Terry Johnson, (D) 37<sup>th</sup> and Alisha Morgan, (D), 39<sup>th</sup>, would make it a felonious offense to take by theft property from a designated disaster area.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/hb1208.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/hb1208.htm)

Status: Assigned to the Non-Civil Judiciary Committee

SB 52 - Creating a Metal Theft Registry, sponsored by senators Seth Harp (R) 29<sup>th</sup>, John Douglas, (R) 17<sup>th</sup>, Cecil Staton, (R) 18<sup>th</sup>, Jack Murphy (R) 27<sup>th</sup>, Gloria Bulter, (D) 55<sup>th</sup>, and Ross Tolleson (D) 29<sup>th</sup>, would create a registry for persons convicted of certain metal theft crimes.

[http://www.legis.ga.gov/legis/2009\\_10/sum/sb52.htm](http://www.legis.ga.gov/legis/2009_10/sum/sb52.htm)

Status: Senate Public Safety Committee

SB 162 - Requiring Training And Authorizing Security Guards/Detectives To Obtain Individual Licensure, sponsored by senators Johnny Grant, (R) 25<sup>th</sup> and Tommie Williams, (R) 19<sup>th</sup>, would require board mandating training within 180 days of hiring for all armed security guards and detectives.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/sb162.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/sb162.htm)

Status:

## Employment Legislation

HB 16 - Prohibiting Electronic Tracking of Individuals, sponsored by Kevin Levitas, Democrat, 82<sup>nd</sup> District, would prohibit the use of an electronic tracking device to determine the location or movement of another person without such other person's consent. Exclusions include the registered owner, lessor, or lessee of a vehicle who has consented to the use of the electronic tracking device with respect to that vehicle; use by an official law enforcement agency; actions of United States military personnel in the performance of their official duties; actions of a parent with respect to determining the location or movement of his or her child; and commercial service vehicles such as mobile telephone service or vehicle safety or security service which incidentally allows the provider of the service to determine the location or movement of a device provided to a customer of the

commercial service.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/hb16.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/hb16.htm)

Status: House & Senate Conference Committee

HB 37 - Parent Protection Act, sponsored by Representative Roger Bruce, (D) 64<sup>th</sup>, would mandate leave for employees to attend school conferences and medical appointments, above and beyond vacation days, sick days, personal leave days, FMLA, etc.

[http://www.legis.ga.gov/legis/2009\\_10/sum/hb37.htm](http://www.legis.ga.gov/legis/2009_10/sum/hb37.htm)

Status: House Industrial Relations Committee

HB 38- Prohibiting Forced Microchip Implantation, sponsored by Republican Representative Ed Setzler, 35<sup>th</sup>, would prohibit requiring a person to be implanted with a microchip for any reason.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/hb38.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/hb38.htm)

Status: House Judiciary Committee

HB 197 - Requiring that a Consumer Get a Copy of Every Credit Inquiry Report, sponsored by Representative Bob Smith, (R) 113<sup>th</sup>, would require each consumer reporting agency which provides an individual consumer report in response to an inquiry from any person to also automatically provide to that consumer within seven days the identical report.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/hb197.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/hb197.htm)

Status: House Agriculture & Consumer Affairs

SB 130 - Electronic Signatures for Lease-Purchase Agreements, sponsored by senators Jeff Mullis, (R) 53<sup>rd</sup>, and Chip Rogers, (R) 21<sup>st</sup>, would define electronic signatures and provide that persons entering into electronic lease-purchase agreements must receive certain information and have certain rights with regard to the goods that are the subject of such agreements; and would provide for certain requirements for merchants with regard to websites and data transmission.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/sb130.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/sb130.htm)

Status: House Judiciary Committee

HB 290 - Minimum Wage, sponsored by representatives Doug McKillup, (D) 115<sup>th</sup>, Brian Thomas, (D) 100<sup>th</sup>, Stacey Abrams, (D) 84<sup>th</sup>, Stephanie Benfield, (D) 85<sup>th</sup>, ;Virgil Fludd, (D) 66<sup>th</sup>, and Winfred Dukes, (D) 150<sup>th</sup>, would set the minimum wage \$7.25 per would provide for annual adjustments beginning in September of 2009.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/hb290.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/hb290.htm)

Status: House Industrial Relations Committee

SB 309 - Authorizing the Purchase of Out-of-State Health Insurance, sponsored by senators Mitch Seabaugh, (R) 32<sup>nd</sup>, and Chip Rogers, (R) 21<sup>st</sup>, would authorize the purchase of health insurance policies from out-of-state insurers.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/sb309.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/sb309.htm)

Status: Senate Insurance & Labor Committee

SR 794 - Health Care Freedom of Choice Constitutional Amendment, sponsored by senators Judson Hill, (R) 32<sup>nd</sup>, Chip Rogers, (R) 21<sup>st</sup>, Ralph Hudgens, (R) 47<sup>th</sup>, Lee Hawkins, (R) 49<sup>th</sup>, Jim Butterworth, (R) 50<sup>th</sup>, and John Douglas, (R) 17<sup>th</sup> would preclude the mandating of any person to participate in any health care system.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/sr794.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/sr794.htm)

Status: Senate Insurance & Labor Committee

HB 887 - Immunity For Providing Job References, sponsored by representatives Kevin Levitas, (D) 82<sup>nd</sup>, John Lunsford, (R) 110<sup>th</sup>, Sean Jerguson, (R) of the 22<sup>nd</sup>, Mike Coan, (R) 101<sup>st</sup>, and Allen Peake, (R) of the 137<sup>th</sup>, would permit an employer to provide accurate information about a current or former employee's job performance or reasons for separation shall with immunity from civil liability and other consequences of such disclosure unless the employer acts in bad faith. An employer would be guilty of acting in bad faith only if it can be shown by a preponderance of the evidence that the information disclosed was knowingly false and deliberately misleading.

Additionally, any prospective employer who reasonably relies on information pertaining to an employee's job performance or reasons for separation, would be immune from civil liability, including liability for negligent hiring, negligent retention, and other causes of action related to the hiring of such employee, based upon such reasonable reliance, unless further investigation, including, but not limited to, a criminal background check, is required by law.

An employer who conducts a background check of an employee or prospective employee after having obtained written consent from such employee or prospective employee or at the request of the owner or operator of any facility where the employer performs or may perform all or part of its work would be immune from civil liability for any and all claims arising out of the disclosure of the background information obtained. Such limitation of liability shall extend to all claims of the employee or prospective employee based upon a failure to hire, wrongful termination, and invasion of privacy, as well as all claims of any owner, operator, or any third person for claims of negligent hiring or negligent retention.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/hb887.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/hb887.htm)

Status: House Industrial Relations Committee

HR 1086 - Precluding Mandated Health Care Coverage, Sponsored by representatives Calvin Hill, (R) 21<sup>st</sup>, Jeff May, (R) 111<sup>th</sup>, Sharon Cooper, (R)41<sup>st</sup>, Charlice Byrd, (R) 20<sup>th</sup>, Donna Sheldon, (R) 105<sup>th</sup>, and Joe Wilkinson, (R) 52<sup>nd</sup>, proposes a state constitutional amendment which would preclude any law to compel that any person, employer, or health care provider to participate in any health care system and to authorize persons and employers to pay directly for lawful health care services without penalties or fines.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/hr1086.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/hr1086.htm)

Status: Assigned to the Health and Human Services Committee

SB 317 - Precluding Mandated Health Care Coverage, sponsored by senators Judson Hill, (R) 32<sup>nd</sup>, David Shafer, (R) 48<sup>th</sup>, Chip Rogers, (R) 21<sup>st</sup>, Tommie Williams, (R) 19<sup>th</sup>, and Jack Hill, (R) 4<sup>th</sup>, preclude any law, rule or regulation from compelling any person, employer, or health care provider to participate in any health care system and would authorize persons and employers to pay directly for lawful health care services without penalties or fines.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/sb317.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/sb317.htm)

Status: Assigned to Insurance and Labor Committee

SR 829 - Challenging the Patient Protection and Affordable Care Act, sponsored by senators Judson Hill, (R) 32<sup>nd</sup>, Lee Hawkins, (R) 49<sup>th</sup>, David Shafer, (R) 48<sup>th</sup>, Buddy Carter, (R) 1<sup>st</sup> and Johnny Grant, (R) 25<sup>th</sup> would urge the Attorney General of Georgia to begin preparations to challenge the constitutionality of H.R. 3590, the federal "Patient Protection and Affordable Care Act."

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/sr829.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/sr829.htm)

Status: Assigned to the Judiciary Committee

SR 830 - Challenging the Patient Protection and Affordable Care Act, sponsored by senators Judson Hill, (R) 32<sup>nd</sup>, Lee Hawkins, (R) 49<sup>th</sup>, David Shafer, (R) 48<sup>th</sup>, Buddy Carter, (R) 1<sup>st</sup> and Johnny Grant, (R) 25<sup>th</sup> would urge the Attorney General of Georgia to begin preparations to challenge the constitutionality of H.R. 3590, the federal "Patient Protection and Affordable Care Act."

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/sr830.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/sr830.htm)

Status: Assigned to the Judiciary Committee

SR 795 - Proposing a Constitutional Amendment to Protect Health Care Rights, sponsored by senators Seth Harp, (R) 29<sup>th</sup>, Johnny Grant, (R) 25<sup>th</sup>, John Crosby, (R) 13<sup>th</sup>, Tommie Williams, (R) 19<sup>th</sup>, and Chip Rogers, 21<sup>st</sup>, would propose a state constitutional amendment that would preclude the restriction of a person's freedom of choice of private health care systems or private plans of any type, which would interfere with a person's or entity's right to pay directly for lawful medical services, or impose a penalty or fine, of any type, for choosing to obtain or decline health care coverage or for participation in any particular health care system or plan.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/sr795.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/sr795.htm)

Status: Assigned to the Judiciary Committee

SB 331 - Allowing Small Employers to Join with Other Small Employers to Purchase Health Insurance, sponsored by senators Preston Smith, (R) 53<sup>rd</sup>, Chip Rogers, (R) 21<sup>st</sup>, Tommie Williams, (R) 19<sup>th</sup>, Mitch Seabaugh, (R) 28<sup>th</sup> and Judson Hill, (R) 32<sup>nd</sup>, would allow small employers to enter into arrangements with other small employers to provide group health insurance coverage for their employees.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/sb331.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/sb331.htm)

Status: Pending

HB 1101 - Exempting Workers' Compensation Self-insured Trusts From Attachment, sponsored by representatives Mike Coan, (R) 101<sup>st</sup>, Pedro Marin, (D) 96<sup>th</sup>, Kip Smith, (R) 129<sup>th</sup>, Billy Horne, (R) 71<sup>st</sup>, Dee Dawkins-Haigler, (D) 93<sup>rd</sup>, and Carl Rogers, (R) 26<sup>th</sup>, would exempt funds held in trust in Self-Insured Trusts from levy, attachment, garnishment, or civil judgment for any claim; would protect the fund administrator, the trustees, and the trustees' employers, agents, and employees from personal liability; and would double the amount from \$4,000 to \$8,000 that a trust would pay the Self-insurers Guaranty Trust Fund.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/hb1101.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/hb1101.htm)

Status: House second reader (not assigned to a committee at this time)

SB 408 - Providing for the Establishment of Small Employer Health Group Cooperatives, sponsored by senators Judson Hill, (R) 32<sup>nd</sup>, Preston Smith, (R) 52<sup>nd</sup>, Don Thomas, (R) 54<sup>th</sup>, Chip Rogers, (R) 21<sup>st</sup>, Lee Hawkins, (R) 49<sup>th</sup>, and John Douglas, (R) 17<sup>th</sup>, would allow small employee groups (fifty or fewer employees) to become part of a health insurance cooperative. The health group cooperative would need to have 1,000 eligible employees or 10 enrolled employees.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/sb408.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/sb408.htm)

Status: Assigned to Industry and Labor Committee

HB 1170 - Removing Tax Exemption from Health Maintenance Organizations, sponsored by representatives Jim Cole, (R) 125<sup>th</sup> and Matt Ramsey, (R) 72<sup>nd</sup>, would repeal the tax exemption for health maintenance organizations which provide health care services under the Medicaid program; to provide for related matters; to repeal conflicting laws;

and for other purposes.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/hb1170.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/hb1170.htm)

Status: Assigned to Health and Human Services

SB 411 - Health Georgians Act of 2010, sponsored by senators Ralph Hudgens, (R) 47<sup>th</sup>, Greg Goggans, (R) 7<sup>th</sup>, Mitch Seabaugh, (R) 28<sup>th</sup>, Jeff Mullis, (R) 53<sup>rd</sup> and John Wiles, (R) 37<sup>th</sup>, would exempt insurers who include and operate wellness and health promotion programs, disease and condition management programs, health risk appraisal programs, and similar provisions in their health benefit policies in keeping with federal requirements from prosecution for engaging in unfair trade practices with respect to practices of illegal inducements, unfair discrimination, and rebating."

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/sb411.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/sb411.htm)

Status: Assigned to Insurance and Labor Committee

HB 1204, Providing and Income Tax Credit for Hiring a New Employee, sponsored by Representative Ron Stephens, (R) 164<sup>th</sup>, would provide a \$700 or two percent tax credit for a company which hires a new full-time employee who works not less than 35 hours per week and paying an annual wage of not less than \$20,000.00 per year in the tax year.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/hb1204.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/hb1204.htm)

Status: Assigned to the Ways and Means Committee

HB 1163 - Establishing a Drug Screening Process for Unemployment Insurance Claimants, sponsored by Ben Harbin, (R) 118<sup>th</sup>, Sharon Cooper, (R) 41<sup>st</sup>, Alan Powell, (D) 29<sup>th</sup>, Carl Rogers, (R) 26<sup>th</sup>, Bob Smith, (R) 113<sup>th</sup>, and Jeff May, (R) 111<sup>th</sup>, would establish a system of random drug testing for unemployment benefit claimants. Anyone testing positive without a valid medical reason would be required to enter a drug counseling program. Those unwilling to do so would be denied benefits for a period of two years.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/hb1158.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/hb1158.htm)

Status: Not yet Assigned

## Legal Issues Legislation

HB 10 - Access to Criminal History Records, sponsored by representatives Kevin Levitas, (D) 82<sup>nd</sup>, Matt Ramsey, (R) 72<sup>nd</sup>, Willie Talton, (R) 145<sup>th</sup>, and Larry O'Neal, (R) 146<sup>th</sup>, would provide access by private individuals, businesses and government agencies to an individual's criminal history without that individual's consent.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/hb10.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/hb10.htm)

Status: House Judiciary Non-Civil Committee

HB 43 - Identifying Sellers to Scrap Metal Processors, sponsored by representatives Billy Mitchell, (D) 88<sup>th</sup> and Darryl Jordan (D) 77<sup>th</sup>, would require sellers of scrap metal to provide photo identification to scrap metal processors.

[http://www.legis.ga.gov/legis/2009\\_10/sum/hb43.htm](http://www.legis.ga.gov/legis/2009_10/sum/hb43.htm)

Status: House Judiciary Non-Civil Committee

SB 108 - Frivolous Lawsuits, sponsored by Bill Cowser, (R) 46<sup>th</sup>, Chip Pearson, (R) 51<sup>st</sup>, Bill Heath, (R) 31<sup>st</sup>, Judson Hill, (R) 32<sup>nd</sup> and John Wiles, (R) 37<sup>th</sup>, would allow the defendant to collect legal fees in frivolous lawsuits.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/sb108.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/sb108.htm)

Status: House Judiciary Committee

HB 451 - Electronic Warehousing Regulations, sponsored by representatives Mike Jacobs, (D) 80<sup>th</sup>, Edward Lindsey, (R) 54<sup>th</sup>, Wendell Willard, (R) 49<sup>th</sup>, Mike Glanton (D) 76<sup>th</sup>, Tom Weldon (R) 3<sup>rd</sup>, and David Ralston, (R) 7<sup>th</sup>, would define the ownership and storage of bills of lading and other electronic documents associated with commerce.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/hb451.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/hb451.htm)

Status: Senate Special Judiciary Committee

HB 1034 - Requiring Names for Managers of Limited Partnership Corporations, sponsored by representatives Austin Scott, (R) 153<sup>rd</sup> and Jay Powell, (R) 171<sup>st</sup>, would require limited partnership corporations to provide the names and addresses of persons who have responsibility for managing the business of the limited partnerships.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/hb1034.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/hb1034.htm)

Status: Pending

HR 1146 - Limited the Authority of "Czars" over Georgia Citizens, sponsored by representatives Clay Cox, (R) 102<sup>nd</sup>, Bobby Reese, (R) 98<sup>th</sup>, Jeff May, (R) 111<sup>th</sup>, Bobby Franklin, (R) 43<sup>rd</sup>, and Charlice Byrd, (R) 20<sup>th</sup>, would declare that neither the state nor its citizens are obligated to comply with the dictates of a presidentially appointed "czar".

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/hr1146.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/hr1146.htm)

Status: Assigned to State Planning and Community Affairs Committee

SB 314 - Littering of Unsolicited Material, sponsored by senators Bill Heath, (R) 31<sup>st</sup>, John Bulloch, (R) 11<sup>th</sup>, Jack Hill, (R) 4<sup>th</sup> and Jeff Mullis, (R) 53<sup>rd</sup> would make it a misdemeanor to distribute unsolicited printed material to yards, driveways, walkways, or porches which isn't retrieved within four-days of the distribution, with each item not picked up constituting a separate violation.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/sb314.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/sb314.htm)

Status: Assigned to Senate Special Judiciary Committee

HR 1359 - Creating a Study Committee on Video Gambling, sponsored by Craig Gordon, 162<sup>nd</sup>, Bob Bryant, (D) 160<sup>th</sup>, Mickey Stephens, (D) 161<sup>st</sup>, Ron Stephens, (R) 164<sup>th</sup>, Al Williams, (D) 165<sup>th</sup> and Billy Mitchell, (D) 88<sup>th</sup>, would create a five-member House study committee to recommend action to the House of Representatives.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/hr1359.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/hr1359.htm)

Status: Assigned to Special Rules Committee

HB 1016 - Allowing Businesses to be Categorized as Identity Fraud Victims, sponsored by Rich Golick, (R) 34<sup>th</sup>, Mark Hatfield, (R) 177<sup>th</sup>, Kevin Levitas, (D) 82<sup>nd</sup>, Matt Ramsey, (R) 72<sup>nd</sup>, Ed Setzler, (R) 35<sup>th</sup> and Melvin Everson, (R) 106<sup>th</sup>, would expand the definition of identity fraud to include acts perpetrated against businesses as well as individuals.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/hb1016.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/hb1016.htm)

Status: Passed by the House on 2/8/10 and referred to Senate Judiciary Committee

## Telephone and Electronics Legislation

HB 19 - Use of Cell Phones While Driving, sponsored by Representative Mary Margaret Oliver, a Democrat from Decatur (83<sup>rd</sup>), would amend Title 40 of the Official Code of Georgia to make it a misdemeanor, subject to one point, for the use of wireless communication device while driving.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/hb19.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/hb19.htm)

Status: House Motor Vehicles Committee

HB 21 - Prohibiting The Use Of Mobile Phones By Learning Permit Holders, sponsored by representatives Mary Margaret, (D) 83<sup>rd</sup>, Ron Stephens, (R) 164<sup>th</sup>, Carolyn Hugley, (D) 133<sup>rd</sup>, Stacey Abrams, (D) 84<sup>th</sup>, and Matt Ramsey (R) 72<sup>nd</sup>, would prohibit the use of cellular, hands-free, or mobile telephones by holders of instruction permits and Class D licenses.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/hb21.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/hb21.htm)

Status: House Motor Vehicles Committee

HB 23 - Prohibiting Cell Phone Use by Teens While Driving, sponsored by Representative Matt Ramsey, Republican 72<sup>nd</sup>, Tom Rice, Republican 51<sup>st</sup>, Edward Lindsey, Republican 54<sup>th</sup>, would amend Title 40 of the Official Code of Georgia to make it a misdemeanor, subject to one point, for the use of wireless communication device while driving.

[http://www.legis.ga.gov/legis/2009\\_10/versions/hb23\\_LC\\_34\\_1947\\_pf\\_2.htm](http://www.legis.ga.gov/legis/2009_10/versions/hb23_LC_34_1947_pf_2.htm)

Status: Senate Public Safety Committee

HR 139 - Telephone Subscriber Charges For Funding Trauma Services; sponsored by representatives Harry Geisinger, (R) 48<sup>th</sup>, Sharon Cooper, (R) 41<sup>st</sup>, Wendell Willard, (R) 49<sup>th</sup>, DuBose Porter, (D) 143<sup>rd</sup>, Mary Margaret Oliver, (D) 83<sup>rd</sup>, and Clay Cox, (R) 102<sup>nd</sup>, would allow the General Assembly to authorize the imposition of charges to telephone subscribers in this state to fund the costs of providing trauma services.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/hr139.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/hr139.htm)

Status: House Ways & Means Committee

HB 168 - Reselling Local Exchange Services, sponsored by representatives Clay Cox, (R) 102<sup>nd</sup>, Chuck Martin, (R) 47<sup>th</sup>, Bobby Reese, (R) 98<sup>th</sup>, Don Parsons (R) 42<sup>nd</sup>, and Jeff May, (R) 111<sup>th</sup>, would allow local exchange companies to resell the services purchased from other local exchange companies.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/hb168.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/hb168.htm)

Status: House Regulated Industries & Utilities

HB 183 - Georgia Trauma Hospital Support Act of 2009, sponsored by representatives Harry Geisinger, (R) 48<sup>th</sup>, Sharon Cooper, (R) 41<sup>st</sup>, Wendell Willard, (R) 49<sup>th</sup>, Dubose Porter, (D) 143<sup>rd</sup>, Mary Margaret Oliver, (D) 83<sup>rd</sup>, would require that each wireless service supplier to collect a wireless trauma charge from those telephone subscribers whose place of primary use is within Georgia.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/hb183.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/hb183.htm)

Status: House Ways & Means Committee

HB 267, Fair Practice Act - Telephones, sponsored by representatives Wendell Willard, (R) 49<sup>th</sup> and Joe Wilkinson, (R) 52<sup>nd</sup>, would allow the disclosure of persons who lodge complaints of telephone abuse and would prohibit the provider from provided new number information to those whose telephone service is disconnected due to such behavior.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/hb267.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/hb267.htm)

Status: House Energy, Utilities & Telecommunications Committee

HB 415 - Tax Credit for Wireless Construction, sponsored by representatives Allen Peake, (R) 137<sup>th</sup> and Joe Wilkinson, (R) 52<sup>nd</sup>, would for income tax credits for expenses involved with the construction, operation, and maintenance of broadband or wireless telephone towers constructed in Georgia.

[http://www.legis.state.ga.us/legis/2009\\_10/fulltext/hb415.htm](http://www.legis.state.ga.us/legis/2009_10/fulltext/hb415.htm)

Status: House Ways & Means Committee

SB 306, Allowing Hands-Free Communication Devices While Driving, sponsored by Senator Bill Heath (R) 31<sup>st</sup>, would allow the use Bluetooth-type devices while driving.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/sb306.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/sb306.htm)

Status: Passed the Senate on 1/28/10 by a 48-0 vote and will go to the House of Representatives

HB 944 - Allowing the Use of Ham Radios and CBs While Driving, sponsored by representatives Amos Amerson, (R) 9<sup>th</sup> and Roger Williams, (R) 4<sup>th</sup>, would allow the use of proper use of a radio, citizens band radio, or ham radio while driving.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/hb944.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/hb944.htm)

Status: Referred to Public Safety and Homeland Security Committee

HB 945 - Banning the use of Cell Phones While Driving, sponsored by representatives Amos Amerson, (R) 9<sup>th</sup> Roger Williams, (R) 4<sup>th</sup>, Joe Wilkinson, (R) 52<sup>nd</sup>, Lynn Smith, (R) 70<sup>th</sup>, Cecily Hill, (R) 180<sup>th</sup> and Randy Nix, (R) 69<sup>th</sup>, would make it illegal to use a cell phone while driving. CB radios are not included in the ban.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/hb945.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/hb945.htm)

Status: Referred to Public Safety and Homeland Security Committee

SB 360 - Banning Those 18 Years of Age or Younger From Texting While Driving, sponsored by senators Jack Murphy, (R) 27<sup>th</sup>, Horacena Tate, (D) 38<sup>th</sup>, Bill Hamrick, (R) 30<sup>th</sup>, Don Balfour, (R) 9<sup>th</sup>, Bill Jackson, (R) 24<sup>th</sup>, and John Douglas, (R) 17<sup>th</sup>, would ban texting while driving by those 18 or younger.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/sb360.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/sb360.htm)

Status: Assigned to Public Safety Committee

## Transportation Legislation

HB 22 - Seatbelts in Pickup Trucks, sponsored by representatives Mary Margaret Oliver (D) 83<sup>rd</sup>, Judy Manning (R) 32<sup>nd</sup>, Carolyn Hugley, (D) 133<sup>rd</sup>, Ron Stephens (R) 164<sup>th</sup>, and Stacey Abrams (D) 84<sup>th</sup>, would require the use of safety belts in pickup trucks and all passenger vehicles designed to carry ten or less people. It would also require the use of safety belts by occupants in the rear seats of passenger vehicles.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/hb22.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/hb22.htm)

Status: House Agriculture & Consumer Affairs Committee

SB 23 - Safety Belt Contributory Negligence, sponsored by senators Lee Hawkins, (R) 49<sup>th</sup>, Chip Pearson, (R) 51<sup>st</sup>, Jack Murphy, (R) 27<sup>th</sup>, Jim Butterworth, (R) 50<sup>th</sup>, Don Thomas, (R) 54<sup>th</sup> and Greg Goggans, (R) 7<sup>th</sup>, would establish that failure to wear and automobile seat belt may allow for the establishment of contributory negligence.

[http://www.legis.ga.gov/legis/2009\\_10/sum/sb23.htm](http://www.legis.ga.gov/legis/2009_10/sum/sb23.htm)

Status: House Judiciary Committee

HB 65 - Setting Maximum Weight for Commercial Trailers, sponsored by Representative Chuck Sims, (R) 169<sup>th</sup>, would provide a maximum weight per axle for trailers on a commercial highway. Under the bill the maximum load authorized on any tandem axle shall be 34,000 pounds, and any two consecutive sets of tandem axles may carry a gross load of 34,000 pounds each if the overall distance between the first and last axles of such consecutive sets of tandem axles is 36 feet or more. For vehicles and combinations of vehicles exceeding 55 feet in length, the maximum gross weight authorized on a tandem axle for a vehicle or combination of vehicles carrying a gross weight of less than 73,280 pounds would be 40,680 pounds.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/hb65.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/hb65.htm)

Status: House Transportation Committee

SB 164 - Sign Height and Vegetation Removal on Signs Along the State Highway System, sponsored by senators Don Balfour, (R) 9<sup>th</sup>, Ed Tarver (D) 22<sup>nd</sup>, Jeff Mullis, (R) 53<sup>rd</sup>, Doug Stoner, (R) 6<sup>th</sup>, Tommie Williams, (R) 19<sup>th</sup> and Chip Roger, (R) 21<sup>st</sup>, would set limits on sign heights to 55 feet and address the removal of vegetation in the site plane of the sign.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/sb164.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/sb164.htm)

Status: House Transportation Committee

HB 256, Culpability in Failure to Wear a Safety Belt, sponsored by Representative Kevin Levitas, (D) 82<sup>nd</sup>, would make the failure to wear an automotive safety belt admissible in legal proceedings consideration of contributory negligence.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/hb256.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/hb256.htm)

Status: House Judiciary Committee

HB1060 - Allowing the Georgia Ports Authority to Issue Commercial Paper, sponsored by representatives Ron Stephens, (R) 164<sup>th</sup>, Al Williams, (D) 165<sup>th</sup>, Terry Barnard, (D) 166<sup>th</sup>, Butch Parrish, (D) 156<sup>th</sup>, and Larry O'Neal (R) 146<sup>th</sup>, would permit the Georgia Ports Authority to borrow money for its corporate purposes and have the ability to execute and deliver long-term and short-term notes, commercial paper, bond anticipation notes, and other obligations or evidences of indebtedness.

[http://www.legis.state.ga.us/legis/2009\\_10/fulltext/hb1060.htm](http://www.legis.state.ga.us/legis/2009_10/fulltext/hb1060.htm)

Status: Assigned to the Public Policy Subcommittee

## Firearms Legislation

SB 9 - Removing the Requirement that Concealed Weapons Must Be Kept in a Holster, sponsored by Senator John Douglas, Republican 17<sup>th</sup>, would allow individuals to conceal a weapon in a person's clothing, handbag, purse, attaché case, briefcase, or other closed container, as well as a holster.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/sb9.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/sb9.htm)

Status: Senate Judiciary Committee

SB 12 - Handgun Ammunition Coding System, sponsored by Senator Ronald Ramsey, Democrat 43<sup>rd</sup>, would require that all handgun ammunition manufactured or sold in Georgia must contain a unique identifier etched onto the base of the bullet; and that bullets used for reloading or hand loading handgun ammunition contain unique identifier that has been applied by etching onto the base of the bullet.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/sb12.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/sb12.htm)

Status: Senate Judiciary Committee

HB 259 - Requiring Firearm Training for Carry Permits, sponsored by Pedro Marin, (D) 96<sup>th</sup> and Joe Wilkinson, (R) 52<sup>nd</sup>, would require that applicants for new or renewed firearm carry permits take an approved course in firearm use and safety.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/hb259.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/hb259.htm)

Status: House Judiciary Non-Civil Committee

HB 260 - Photos on Carry Permits, sponsored by representatives Pedro Marin, (D) 96<sup>th</sup> and Joe Wilkinson, (R) 52<sup>nd</sup>, would require that all firearm carry permits carry a photo of the licensee.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/hb260.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/hb260.htm)

Status: House Judiciary Non-Civil Committee

HB 420 - Requiring Sport Shooting Ranges to be Wheelchair Accessible, sponsored by representatives Burke Day, (R) 163<sup>rd</sup>, Ron Stephens, (R) 164<sup>th</sup>, Bob Bryant, (D) 160<sup>th</sup>, Buddy Carter, (R) 159<sup>th</sup>, Mickey Stephens, (D) 161<sup>st</sup>, and Craig Gordan, (D) 162<sup>nd</sup>, would require all licensed sport shooting ranges to make such facility accessible to persons in wheelchairs after July 1, 2009.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/hb420.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/hb420.htm)

Status: House Human Relations & Aging

HB 767, Exempting Firearms and Ammunition from Sales Tax, sponsored by Austin Scott, (R) 153<sup>rd</sup>, Earl Ehrhart, (R) 36<sup>th</sup>, Sean Jerguson, (R) 22<sup>nd</sup> and Tim Bearden, (R) 68<sup>th</sup>, would exempt the sale or use of firearms and/or ammunition from sales and use taxes. This bill was referred to the House Ways and means Committee and will be eligible for consideration in January 2010.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/hb767.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/hb767.htm)

Status: House Ways & Means Committee

SB 308 - Expanding the Carrying and Possession of Firearms, sponsored by Mitch Seabaugh, (R) 28<sup>th</sup>, Chip Rogers, (R) 21<sup>st</sup>, Preston Smith, (R) 52<sup>nd</sup>, Renee Unterman, (R) 45<sup>th</sup>, Jeff Mullis, (R) 53<sup>rd</sup> and John Wiles, (R) 37<sup>th</sup>, would expand the places where permitted gun owners could carry their weapons, including bars, college campuses, churches, the state Capitol, and parts of airports.

Exceptions are few and include government buildings, courtrooms, jails or prisons, schools and dormitories of public colleges.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/sb308.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/sb308.htm)

Status: Senate Special Judiciary Committee

HB 615 - Expanding Where a Firearm May Be Carried, sponsored Tim Bearden, (R) 68<sup>th</sup>, Billy Horne, (R) 71<sup>st</sup>, Rick Austin, (R) 10<sup>th</sup>, Alan Powell, (D) 29<sup>th</sup>, Sean Jerguson, (R) 22<sup>nd</sup>, and Bobby Reese (R) 98<sup>th</sup>, would expand the places where permitted gun owners could carry their weapons, including bars, college campuses, churches, the state Capitol, and parts of airports. (same as senate bill 308)

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/hb615.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/hb615.htm)

Status: Assigned to Judiciary, Non-Civil Committee

HB 1152 - Requiring a Firearms Safety Course for Carry Permit Holders, sponsored by Pedro Marin, (D) 96<sup>th</sup>, would require that anyone applying for a carry permit to take a firearms safety course and to furnish a passport photo before a license can be processed.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/hb1152.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/hb1152.htm)

Status: Assigned to Non-Civil Judiciary

## Alcohol and Tobacco Legislation

SB 16 - Sunday Package Sales of Alcohol, sponsored by Republican senators Set Harp, 29<sup>th</sup>, Doug Stoner, Republican 6<sup>th</sup>, Don Balfour, 9<sup>th</sup> and Jeff Mullis, 53<sup>rd</sup>, would authorize the sale of alcoholic beverages on Sunday at the discretion of each county or municipality (by referendum) in which package sales of certain alcoholic beverages are already lawful, for any period of time on Sundays from 12:00 Noon until 12:00 Midnight.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/sb16.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/sb16.htm)

Status: Senate Regulated Industries & Utilities

SB 68 - Prohibiting Alcoholic Beverages Sales Near Housing Property, sponsored by

senators Jack Murphy, (R) 27<sup>th</sup>, Seth Harp, (R) 29<sup>th</sup>, Tim Golden, (D) 8<sup>th</sup>, Johnny Grant, (R) 25<sup>th</sup>, Cecil Staton, (R) 18<sup>th</sup>, and Don Balfour, (R) 9<sup>th</sup> would prohibit the sale of any alcoholic beverages for consumption on the premises within 100 yards of any housing authority property.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/sb68.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/sb68.htm)

Status: Lost House

HB 115 - Limiting Distilled Spirit Licenses, sponsored by representatives Sean Jerguson, (R) 22<sup>nd</sup>, Matt Ramsey, (R) 72<sup>nd</sup>, Roger Williams, (R) 4<sup>th</sup>, Alan Powell, (R) 29<sup>th</sup>, Billy Maddox, (R) 127<sup>th</sup>, would not allow any person or family be issued more than two retail distilled spirits dealer licenses.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/hb115.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/hb115.htm)

Status: Senate Regulated Industries & Utilities Committee

HB 102 - Authorizing Samplings of Alcoholic Beverages, sponsored by representatives Sean Jerguson, (R) 22<sup>nd</sup>, Tom Dickson (R) 6<sup>th</sup>, Roger Williams (R) 4<sup>th</sup>, Alan Powell (D) 29<sup>th</sup>, and Billy Maddox (R) 127<sup>th</sup>, would authorize samplings of alcoholic beverages by licensed retailers.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/hb102.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/hb102.htm)

Status: House Regulated Industries Committee

HB 104 - Allowing the Sunday Sale of Alcohol in Sports and Entertainment Facilities, sponsored by Representatives Clay Cox, (R) 102<sup>nd</sup>, Mike Coan, (R) 101<sup>st</sup>, Brian Thomas, (D) 100<sup>th</sup>, Billy Mitchell, (D) 88<sup>th</sup> and Pedro Marin, (D) 96<sup>th</sup>, would permit the sale of alcoholic beverages in arenas, coliseums and auditoriums on Sundays in any county which authorizes the Sunday sale alcohol is permitted.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/hb104.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/hb104.htm)

Status: House Regulated Industries Committee

HB 138 - Sunday Sales of Alcoholic Beverages, sponsored by representatives Roger Williams, (R) 4<sup>th</sup>, Sean Jerguson, (R) 22<sup>nd</sup>, Wendell Willard, (R) 48<sup>th</sup>, Fran Milar, (R) 79<sup>th</sup> and Margaret Kaiser, (D) 79<sup>th</sup> would authorize and municipality or county in which the sale of alcoholic beverages on Sunday is authorized to allow the sale of alcoholic beverages in public stadiums, coliseums, and auditoriums owned or controlled by it or by a public authority and having seating capacity in excess of 2,500 people on Sunday and would allow local elected officials to permit the sale of wine and beer by retailers on Sunday.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/hb138.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/hb138.htm)

Status: House Regulated Industries Committee

HB 352 - Sunday Package Alcoholic Sales of Malt Beverages and Wine, sponsored by Roger Williams, (R) 4<sup>th</sup>, Tom Dickson, (R) 6<sup>th</sup>, Sean Jerguson, (R) 22<sup>nd</sup>, Margaret Kaiser, (D) 59<sup>th</sup>, and Brian Thomas, (D) 100<sup>th</sup>, would allow the package sales by a retailer of malt beverages and wine on Sundays from 12:30 P.M. until 7:00 P.M. when approved by referendum in each county or municipality in which package sales of malt beverages, wine, and distilled spirits by retailers is allowed.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/hb352.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/hb352.htm)

Status: House Regulated Industries Committee

HB 353 - Defining Flavored Malt Beverages, sponsored by representatives Roger Williams, (R) 4<sup>th</sup>, Tom Dickson, (R) 6<sup>th</sup>, and Sean Jerguson, (R) 22<sup>nd</sup>, would define the term "flavored malt beverage."

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/hb353.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/hb353.htm)

Status: House Regulated Industries Committee

HB - 355, Reclassifies "Little Cigars", representatives Roger Williams, (R) 4<sup>th</sup>, Tom Dickson, (R) 6<sup>th</sup>, and Sean Jerguson, (R) 22<sup>nd</sup>, would reclassify and define little cigars.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/hb355.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/hb355.htm)

Status: Senate Finance Committee

HB 1091 - Defining Distances for the Sale of Wine and Malt Beverages, sponsored by Representative Sean Jerguson, (R) 22<sup>nd</sup>, would establish a legal distance for the retail package sale of wine and malt beverages within a specified distance (to be determined locally) from a church, school or college.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/hb1091.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/hb1091.htm)

Status: Assigned to Regulated Industries

### Licenses, Fees and Regulatory Board Legislation

HB 107 - Creating a State Board of Locksmiths, sponsored by representatives Harry Geisinger (R) 48<sup>th</sup>, Jill Chambers (R) 81<sup>st</sup>, and Chuck Sims (R) 119<sup>th</sup>, would create a State Board of Locksmiths.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/hb107.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/hb107.htm)

Status: House Regulated Industries Committee

HB 263 - In Home Repairs, sponsored by Representative Peake, (R) 137<sup>th</sup>, would require that any person offering in-home services must conduct a criminal background investigation of each employee to ensure that he or she has not been convicted of a felony or a crime involving moral turpitude in this state or any other jurisdiction.

[http://www.legis.state.ga.us/legis/2009\\_10/fulltext/hb263.htm](http://www.legis.state.ga.us/legis/2009_10/fulltext/hb263.htm)

Status: House Agriculture & Consumer Affairs Committee

### Energy and Environment Legislation

HB 1077 - Adding 3¢ to Each Gallon of Gasoline, sponsored by representatives Virgil Fludd, (D) 66<sup>th</sup>, Ron Stephens, (R) 164<sup>th</sup>, and Howard Mosby, (D) 90<sup>th</sup>, would add three cents to the excise tax on fuel moving the tax from 7 ½ cents to 10 ½ cents. State residents would be allowed a 1 cent tax credit against this expense.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/hb1077.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/hb1077.htm)

Status: Assigned to Ways and Means

HB 239 - Water Conservation Act of 2009 (Creating Limits on Water Use), sponsored by representatives Richard Smith, (R) 131<sup>st</sup>, Bob Hanner, (R) 148<sup>th</sup>, and Bob Lane, (R) 167<sup>th</sup> would require that each county, municipality, or local government which holds a permit to draw on surface water shall report to the state if that use results in less than a 75% return of treated water to the surface systems.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/hb239.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/hb239.htm)

Status: House Natural Resource & Environment Committee

SB 237 - Prohibiting Gasoline Price Gouging During an Emergency, sponsored by senators Jeff Mullins (R) 53<sup>rd</sup>, Bill Cowsert, (R) 46<sup>th</sup>, Bill Hamrick, (R) 30<sup>th</sup>, Jack Murphy, (R) 27<sup>th</sup> and George Hooks, (R) 14<sup>th</sup> would prohibit increasing margins for gasoline during a declared state of emergency.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/sb237.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/sb237.htm)

Status: Assigned to Agriculture and Consumer Affairs Committee

HB 1143 - Requiring All Motor Fuel Taxes to be Used for Transportation Projects,

sponsored by representatives Ed Setzler, (R) 35<sup>th</sup>, Mark Hamilton, (R) 23<sup>rd</sup>, Donna Sheldon, (R) 105<sup>th</sup>, Mike Glanton, (D) 76<sup>th</sup> and Pat Gardner, (D) 57<sup>th</sup>, would require that all 4 cents of motor fuel taxes be applied to transportation projects.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/hb1143.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/hb1143.htm)

Status: Assigned to Ways and Means Committee

HB 1077 - Increasing Motor Fuel Tax, sponsored by representatives Virgil Fludd, (D) 66<sup>th</sup>, Ron Stephens, (R) 164<sup>th</sup>, and Howard Mosby, (D) 90<sup>th</sup>, would increase the tax on motor fuels from 7 ½ cents to 10 ½ cents per gallon. It would allow a taxpayer credit of 1 cent per gallon of the total gallons of fuel purchased.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/hb1077.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/hb1077.htm)

Status: Assigned to Ways and Means Committee

SB 401 - Georgia Energy Freedom Act of 2010, sponsored by Mitch Seabaugh, (R) 28<sup>th</sup>, Chip Rogers, (R) 21<sup>st</sup>, Bill Heath, (R) 31<sup>st</sup>, Jeff Chapman, (R) 3<sup>rd</sup>, and Jeff Mullis, (R) 53<sup>rd</sup>, would amend Chapter 9 of Title 12 of the Official Code of Georgia Annotated, relating to air pollution control, so as to permit the Governor to delay implementation of the requirements of any federal program to implement a cap and trade system or any other program to address greenhouse gas emissions or motor vehicle fuel economy until a comprehensive assessment of such program can be made and the Governor finds that the implementation will benefit the citizens of Georgia.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/sb401.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/sb401.htm)

Status: Assigned to the Natural Resources and Energy Committee

### Product Safety Legislation

HB 219 - 10 Percent Ethylene Glycol Antifreeze, sponsored by representatives Tommy Benton, (R) 31<sup>st</sup>, Terry England, (R) 108<sup>th</sup>, and Debbie Buckner, (D) 130<sup>th</sup>, would that antifreeze sold in Georgia that is manufactured after July 1, 2011, containing more than 10 percent ethylene glycol shall include denatonium benzoate at a minimum of 30 parts per million and a maximum of 50 parts per million as an aversive agent to render the antifreeze unpalatable.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/hb219.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/hb219.htm)

Status: House Judiciary Non-Civil Committee

HB 381- Food Processing Reporting of Violations, sponsored by representatives Terry England, (R) 108<sup>th</sup>, Jay Roberts, (R) 154<sup>th</sup>, Kevin Levitas, (D) 82<sup>nd</sup>, Tom McCall, (R) 30<sup>th</sup>, and Billy Maddox, (R) 127<sup>th</sup>, would require representatives of a county board of health to report suspected violations of food safety at food processing plants to the Department of Agriculture or United States Department of Agriculture Food Safety and Inspection Service as appropriate.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/hb381.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/hb381.htm)

Status: Senate Agriculture & Consumer Affairs Committee

HB 874 - Allowing the Sale of Raw Milk, sponsored by Representative Bobby Franklin, (R) 43<sup>rd</sup>, would provide for sale of raw whole milk directly to consumers.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/hb874.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/hb874.htm)

Status: House Agriculture & Consumer Affairs Committee

HB 883 - Sanitary Activity for Food-Processing Enterprises (SAFE) Act, sponsored by Kevin Levitas, (D) 82<sup>nd</sup>, Tom McCall, (R) 30<sup>th</sup>, Terry England, (R) 208<sup>th</sup>, Jay Roberts, (R) 254<sup>th</sup>, Jon Burns, (R) 157<sup>th</sup>, and Ellis Black, (D) 184<sup>th</sup>, would require that all food processing plants would have to submit a written food safety plan submitted to the State Department

of Agriculture. The State Agriculture Commissioner would be able to order any food processing plant to have samples of its foods and ingredients tested for the presence of any poisonous or deleterious substances or other contaminants whenever he determines that there are reasonable grounds to suspect that such foods or ingredients may be injurious to health whenever the Commissioner determines that the written food safety plan does not conform to the rules and regulations promulgated for purposes of this act.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/hb883.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/hb883.htm)

Status: House Agriculture & Consumer Affairs

HB 941 - Excusing Kosher Foods From Regulation, sponsored by Representative Greg Morris, (R) 155<sup>th</sup> would excuse kosher foods from Department of Agriculture inspections.

[http://www.legis.ga.gov/legis/2009\\_10/fulltext/hb941.htm](http://www.legis.ga.gov/legis/2009_10/fulltext/hb941.htm)

Status: Assigned to the Code Revision Committee



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About GRA: The Georgia Retail Association, with membership that comprises all retail formats and channels of distribution including department stores, specialty shops, discount stores, catalog sales, Internet sales, independent stores, and grocery stores, has been serving the state's business community since 1961. The Georgia Retail Association represents an industry with more than 49,501 retail establishments, and more than 789,000 employees - about one in five of Georgia's workers - with annual sales of more than \$144.52 billion.

John Heavener

Georgia Retail Association