

## Legislative Alert # 4

April 2, 2010

Status	Assigned to:	Bill #	Author(s)	Title and or Summary	GACP Comments
House Passed Adopted 3/26/10.	Awaiting Senate committee assignment	HB 938	Representatives: Peake, Allen 137 <sup>th</sup> ; Rice, Tom 51 <sup>st</sup> ; Ramsey, Matt 72 <sup>nd</sup> ; Lindsey, Edward 54 <sup>th</sup> ; and Oliver, Mary 83 <sup>rd</sup> .	<b>HB 938 - Motor vehicles; revocation of licenses; wireless telecommunication devices; prohibit use</b> To prohibit use of wireless telecommunications devices for sending or reading text messages while operating a motor vehicle; To view, click on this link: <a href="http://www.legis.ga.gov/legis/2009_10/versions/hb938_LC_35_1849S_hs_4.htm">http://www.legis.ga.gov/legis/2009_10/versions/hb938_LC_35_1849S_hs_4.htm</a>	Concepts of HB 944 added to this bill
Senate Passed Adopted on 03/24/10.	Moves to House Committee on Public Safety and Homeland Security	SB 291	Senators: Shafer, David 48 <sup>th</sup> ; Douglas, John 17 <sup>th</sup> ; Sims, Freddie 12 <sup>th</sup> ; Rogers, Chip 21 <sup>st</sup> ; Powell, J. 23 <sup>rd</sup> ; and Tolleson, Ross 20 <sup>th</sup> .	<b>SB 291 - Firearms; laws concerning carrying of concealed weapons; revise comprehensively</b> To revise comprehensively the laws concerning the carrying of concealed weapons; to revise the method by which licenses to carry weapons are issued; to prohibit the carrying of certain items in certain buildings; to provide exceptions;... To view current version, click on this link: <a href="http://www.legis.ga.gov/legis/2009_10/versions/sb291_As_passed_Senate_8.htm">http://www.legis.ga.gov/legis/2009_10/versions/sb291_As_passed_Senate_8.htm</a>	No Comment
Senate Passed Adopted on 3/24/10.  House First Reader 3/26/10.	Moves to House Committee on Judiciary (Non-Civil)	SB 308	Senators: Seabaugh of the 28 <sup>th</sup> , Rogers of the 21 <sup>st</sup> , Smith of the 52 <sup>nd</sup> , Unterman of the 45 <sup>th</sup> , Mullis of the 53 <sup>rd</sup> and others	<b>SB 308 - Firearms; carrying and possession; change provisions; definitions</b> Comprehensive changes in firearms laws ...provisions regarding the carrying and possession of firearms; ... To view Senate passed version, click on this link: <a href="http://www.legis.ga.gov/legis/2009_10/versions/sb308_As_passed_Senate_17.htm">http://www.legis.ga.gov/legis/2009_10/versions/sb308_As_passed_Senate_17.htm</a>	No further comments at this time on any of the gun bills.
Senate Passed Adopted on 3/26/10.	Awaiting a House committee assignment	SB 373	Senators: Grant of the 25th, Murphy of the 27th, Crosby of the 13th, Douglas of the 17th and Staton of the 18th	<b>SB 373 - Peace Officers; investigation of a applicant's good moral character; applying for appointment or certification</b> Relating to the employment and training of peace officers, so as change certain provisions relating to the investigation of an applicant's good moral character when applying for appointment or certification as a peace officer; to provide immunities relating thereto; ... Senate substitute bill offered. The most current version (that amends the Senate Public Safety Committee substitute) is not yet available on the General Assembly's website.  The amended substitute bill will provide immunity to the employer providing information to law enforcement agency and the documents are not be subject to the Open Records Act.	GACP's Bill and a good one for law enforcement.
Senate Passed Adopted on 3/24/10.	House Committee on Health and Human Services	SB 418	Senators: Carter of the 1st, Hawkins of the 49th, Harp of the 29th, Thomas of the 54th, Goggans of the 7th and others	<b>SB 418 - Controlled Substance; establishment of a program; monitoring of prescribing/dispensing Schedule II, III, IV, or V</b> A BILL to be entitled an Act to amend Chapter 13 of Title 16 of the Official Code of Georgia Annotated, relating to controlled substances, so as to provide for the establishment of a program for the monitoring of prescribing and dispensing Schedule II, III, IV, or V controlled substances by the Georgia Drugs and Narcotics Agency; to provide for definitions; to require dispensers to submit certain information regarding the dispensing of such controlled substances;... To view, click on this link: <a href="http://www.legis.ga.gov/legis/2009_10/versions/sb418_As_passed_Senate_7.htm">http://www.legis.ga.gov/legis/2009_10/versions/sb418_As_passed_Senate_7.htm</a>	Good bill and needed to keep some from prescribing drugs without a physical examination for someone who says, I need...

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Senate Passed Adopted on 3/24/10.	House Committee on Health and Human Services	SB 458	Senators Thomas of the 54th, Williams of the 19th, Moody of the 56th, Hawkins of the 49th, Harp of the 29th and others.	<b>SB 458 - Safety Belts; eliminate certain exceptions to the required use of safety belts</b> Requires seat belt use in trucks and SUVs To view, click on this link: <a href="http://www.legis.ga.gov/legis/2009_10/versions/sb458_As_passed_Senate_3.htm">http://www.legis.ga.gov/legis/2009_10/versions/sb458_As_passed_Senate_3.htm</a>  See HB 22.	Appears to be a good piece of legislation.

*The following bills did not pass either the House or the Senate by crossover day; consequently, the proposed bills are dead unless they are attached to another bill that has already one of the Chambers.*

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House Second Reader 1/15/09.	House Committee on Agriculture and Consumer Affairs	HB 22	Representatives: Oliver of the 83 <sup>rd</sup> , Manning of the 32 <sup>nd</sup> , Hugley of the 133 <sup>rd</sup> , Stephens of the 164 <sup>th</sup> , Abrams of the 84 <sup>th</sup> , and others	<p><b>HB 22 - Safety belts; pickup trucks; rear seats of vehicles; require</b>            This bill will require the use of safety belts in passenger vehicles, so as to require the use of safety belts in all passenger vehicles, including pickup trucks; to require the use of safety belts by occupants in the rear seats of a passenger vehicle;...</p> <p>To view, click on this link  <a href="http://www.legis.ga.gov/legis/2009_10/versions/hb22_LC_29_3553_a_3.htm">http://www.legis.ga.gov/legis/2009_10/versions/hb22_LC_29_3553_a_3.htm</a></p> <p><i>See SB 458.</i></p>	A good bill but more then likely will not go anywhere!
House Withdrawn, Recommitted by Rules Committee on 3/11/10.	House Committee on Public Safety and Homeland Security	HB 124	Representatives: Day, Burke 163 <sup>rd</sup> ; Talton, Willie 145 <sup>th</sup> ; Frazier, Gloria 123 <sup>rd</sup> ; Horne, Billy 71 <sup>st</sup> , Neal, Jay 1 <sup>st</sup> .	<p><b>HB 124 - Georgia Public Safety Training Center; training of elected members; require</b>            Requires newly elected members of a municipal governing authority to complete a public safety training course to better prepare municipal officials to respond in a state of public emergency; to provide for contingencies; to provide for related matters...</p> <p>To view, substitute bill click on this link:  <a href="http://www.legis.ga.gov/legis/2009_10/versions/hb124_LC_35_1601S_hs_4.htm">http://www.legis.ga.gov/legis/2009_10/versions/hb124_LC_35_1601S_hs_4.htm</a></p>	
House Second Reader 1/29/10.	House Committee on Judiciary Non-Civil	HB 182	Representatives: Austin, Rick 10 <sup>th</sup> ; Scott, Martin 2 <sup>nd</sup> ; Jerguson, Sean 22 <sup>nd</sup> ; Williams, Mark 178 <sup>th</sup> ; Horne, Billy 71 <sup>st</sup> , and Roberts, Jay 154 <sup>th</sup> .	<p><b>HB 182 - Firearms; discharge; counties or municipalities; provisions</b>            Provide that no county or municipality shall impose any limitation or prohibition on the discharge of firearms that is applicable to tracts of property of five or more acres located within such municipality or county;</p> <p>To view, click on this link:  <a href="http://www.legis.ga.gov/legis/2009_10/versions/hb182_LC_28_4427_a_2.htm">http://www.legis.ga.gov/legis/2009_10/versions/hb182_LC_28_4427_a_2.htm</a></p>	Concerns about the distance a projectile can travel. This is just not a good idea. GMA clearly opposes the bill.
House Second Reader 3/4/09.	House Committee on Judiciary Non-Civil	HB 615	Representatives: Bearden of the 68 <sup>th</sup> , Horne of the 71 <sup>st</sup> , Austin of the 10 <sup>th</sup> , Powell of the 29 <sup>th</sup> , Jerguson of the 22 <sup>nd</sup> , and others	<p><b>HB 615 - Firearms; carrying of concealed weapons; revise laws</b>            Greatly expands where concealed weapons may be carried (churches, universities, etc.), transfer license issuing to Secretary of State and removes the Governor's emergency powers over firearms in a state emergency. Establishes "permanent" license provisions for \$40 fee. <i>This is a very comprehensive bill.</i> To fully understand all of the provisions of this legislation, click on this link:  <a href="http://www.legis.ga.gov/legis/2009_10/versions/hb615_LC_28_4596ER_a_2.htm">http://www.legis.ga.gov/legis/2009_10/versions/hb615_LC_28_4596ER_a_2.htm</a></p>	The GACP President and several members of the Board met with the author about their concerns. No additional comments.
House Committee Favorably Reported 3/24/10.	House Committee on Public Safety and Homeland Security	HB 944	Representatives: Amerson, Amos 9 <sup>th</sup> ; Williams, Roger 4 <sup>th</sup> ; Wilkinson, Joe 52 <sup>nd</sup> ; Smith, and others.	<p><b>HB 944 - Motor vehicles; use of wireless telecommunications devices; prohibit</b>            To prohibit certain use of wireless telecommunications devices by persons while operating a motor vehicle...</p> <p>To view the substitute bill, click on this link:  <a href="http://www.legis.ga.gov/legis/2009_10/versions/hb944_LC_35_1842S_hs_4.htm">http://www.legis.ga.gov/legis/2009_10/versions/hb944_LC_35_1842S_hs_4.htm</a></p>	Two thumbs up on this bill!

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House Second Readers on 1/26/10.	House Committee on Public Safety and Homeland Security	HB 945	Representatives: Amerson of the 9 <sup>th</sup> and Williams of the 4 <sup>th</sup> .	<p><b>HB 945 - Uniform rules of the road; use of radios and mobile telephones; change certain provisions</b>            Relating to miscellaneous provisions of uniform rules of the road, so as to change certain provisions relating to drivers' exercise of due care and proper use of radios and mobile telephones; to prohibit certain use of wireless telecommunications devices; to provide for enforcement;...</p> <p>To view, click on this link:  <a href="http://www.legis.ga.gov/legis/2009_10/versions/hb945_LC_28_4906_a_2.htm">http://www.legis.ga.gov/legis/2009_10/versions/hb945_LC_28_4906_a_2.htm</a></p>	Evaluating. This bill may be combined with others.
House Second Reader 1/28/10.	House Committee on Judiciary Non-Civil	HB 978	Representatives: Bearden of the 68 <sup>th</sup> , Bruce of the 64 <sup>th</sup> , and Powell of the 29 <sup>th</sup>	<p><b>HB 978 - Speed detection devices; name roads to be used; visible at 500 feet; repeal</b>            Repeal the requirement that applications for the use of speed detection devices name the roads on which such devices are to be used; to repeal the requirement that vehicles using speed detection devices be visible for a distance of at least 500 feet...</p> <p>To view, click on this link:  <a href="http://www.legis.ga.gov/legis/2009_10/versions/hb978_LC_28_4939_a_2.htm">http://www.legis.ga.gov/legis/2009_10/versions/hb978_LC_28_4939_a_2.htm</a></p>	Scheduled for a sub-committee but the author said he was not ready to proceed. Time may kill this good bill.
House Second Reader on 2/1/10.	House Committee on the Judiciary	HB 1009	Representatives: Marin of the 96 <sup>th</sup> , Mitchell of the 88 <sup>th</sup> , Brooks of the 63 <sup>rd</sup> , Taylor of the 55 <sup>th</sup> , Drenner of the 86 <sup>th</sup> , and others.	<p><b>HB 1009 - Motor vehicles; prohibit law enforcement from using race or ethnicity; provisions</b>            Requires policies that prohibit law enforcement officers from impermissibly using race or ethnicity in determining whether to stop a motorist or pedestrian; to require annual training of law enforcement officers on impermissible uses of race and ethnicity in stopping motorists or pedestrians; to require law enforcement officers to document the race, ethnicity, and gender of a motorist and passengers or pedestrian;...</p> <p>To view, click on this link:  <a href="http://www.legis.ga.gov/legis/2009_10/fulltext/hb1009.htm">http://www.legis.ga.gov/legis/2009_10/fulltext/hb1009.htm</a></p>	Cross Reference SB 325. GACP agrees racial profiling is wrong; however, this bill & SB 325 does nothing to help the profession.
Senate Recommitted 1/11/10.	Senate Committee on Special Judiciary	SB 127	Senator Wiles, John 37 <sup>th</sup>	<p><b>SB 127 - Judicial Accounting; add a penalty, late fees, and interest for failure to remit certain funds/reports to Ga. Superior Court Clerks' Cooperative</b>            Adds a penalty, late fees, and interest for failure to remit certain funds and reports to the Georgia Superior Court Clerks' Cooperative Authority;...</p> <p>To view, click on this link:  <a href="http://www.legis.ga.gov/legis/2009_10/versions/sb127_As_introduced_LC_25_5461_2.htm">http://www.legis.ga.gov/legis/2009_10/versions/sb127_As_introduced_LC_25_5461_2.htm</a></p>	This would cost the cities a lot of money. GMA is clearly against the bill. We stand by GMA on this one.
Senate Committee Favorably Reported on 3/17/10.  Senate read second time 3/18/10.	Senate Committee on Public Safety	SB 295	Senator: Seabaugh, Mitch 28 <sup>th</sup>	<p><b>SB 295 - Motor Vehicles; prohibit municipalities from using speed detection devices on federal aid systems</b>            Substitute bill offered...the substitute bill reduces from 40% to 35% - "<i>the rebuttable presumption that a law enforcement agency is employing speed detection devices for purposes other than the promotion of public health, welfare, and safety if the fines levied based on the use of speed detection devices for speeding offenses are equal to or greater than 40% of that law enforcement agency's budget; ... (See OCGA 40-14-11)</i>"</p> <p>To view substitute bill, click on this link:  <a href="http://www.legis.ga.gov/legis/2009_10/versions/sb295_Committee_sub_LC_34_2569S_4.htm">http://www.legis.ga.gov/legis/2009_10/versions/sb295_Committee_sub_LC_34_2569S_4.htm</a></p>	Both GMA and GACP oppose.

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Senate Read and Referred on 1/14/10.	Senate Committee on Judiciary	SB 312	Senator: Harbison of the 15 <sup>th</sup>	<p><b>SB 312 - Proceedings; indictment of a peace officer for crimes in performing his/her duties; provisions</b></p> <p>To change provisions relating to the procedure for indictment of a peace officer for crimes in the performance of his or her duties; ...</p> <p>To view, click on this link:  <a href="http://www.legis.ga.gov/legis/2009_10/versions/sb312_As_introduced_LC_21_0540_2.htm">http://www.legis.ga.gov/legis/2009_10/versions/sb312_As_introduced_LC_21_0540_2.htm</a></p>	Bad bill for law enforcement
Senate Committee Favorably Reported on 3/8/10.	Senate Committee on Public Safety	SB 318	Senators: Murphy of the 27 <sup>th</sup> , Rogers of the 21 <sup>st</sup> , Hill of the 32 <sup>nd</sup> , Wiles of the 37 <sup>th</sup> , Hill of the 4 <sup>th</sup> and others.	<p><b>SB 318 – Civil Practice; provide for affidavit to accompany a complaint against certain law enforcement professional</b></p> <p>To provide for an affidavit to accompany a complaint against certain law enforcement professionals...</p> <p>To view Senate Public Safety Committee substitute, click on this link:  <a href="http://www.legis.ga.gov/legis/2009_10/versions/sb318_Committee_sub_LC35_1760S_4.htm">http://www.legis.ga.gov/legis/2009_10/versions/sb318_Committee_sub_LC35_1760S_4.htm</a></p>	
Senate Read and Referred on 1/27/10.	Senate Committee on Public Safety	SB 325	Senators: Butler of the 55th, Jones of the 10th, Sims of the 12th, Tate of the 38th, Seay of the 34th and others	<p><b>SB 325 - Traffic; require policies that prohibit law enforcement officers from impermissibly using race in determining whether to stop a motorist</b></p> <p>Requires policies that prohibit law enforcement officers from impermissibly using race or ethnicity in determining whether to stop a motorist or pedestrian; to require annual training of law enforcement officers on impermissible uses of race and ethnicity in stopping motorists or pedestrians; to require law enforcement officers to document the race, ethnicity, and gender of a motorist and passengers or pedestrian; ...</p> <p>To view, click on this link:  <a href="http://www.legis.ga.gov/legis/2009_10/versions/sb325_As_introduced_LC_34_2389_2.htm">http://www.legis.ga.gov/legis/2009_10/versions/sb325_As_introduced_LC_34_2389_2.htm</a></p>	Cross Reference HB 1009. GACP agrees racial profiling is wrong; however, this bill & SB 325 does nothing to help the profession.
Senate Read Second Time 3/9/10.	Senate Committee on Judiciary	SB 342	Senators: Smith of the 52nd, Butterworth of the 50th, Mullis of the 53rd, Shafer of the 48th, Pearson of the 51st and others	<p><b>SB 342 - Governor; revise powers to suspend, limit the sale, dispensing, or transportation of firearms during states of emergency</b></p> <p>Revises the powers of the Governor to suspend or limit the sale, dispensing, or transportation of firearms during states of emergency; to provide for related matters;...</p> <p>To view Senate Judiciary Committee substitute, click on this link:  <a href="http://www.legis.ga.gov/legis/2009_10/versions/sb342_Committee_sub_LC_29_4189S_4.htm">http://www.legis.ga.gov/legis/2009_10/versions/sb342_Committee_sub_LC_29_4189S_4.htm</a></p>	