

# 2007 Enacted Legislation

Prepared by: **Judicial Council of Georgia**  
**Administrative Office of the Courts, Governmental Affairs Division**

## Section I: Budget\*

### HB 94—FY2007 Supplemental Budget **HIGHLIGHTS**

This bill:

- Provides funds for a 2.89% pay raise for judges and a 3% pay raise for staff effective January 1, 2007.
- Increases funds to reflect an adjustment in the employer's share of State Health Benefit Plan premiums from 14.20% to 16.713%.
- Increases funds to reflect an adjustment in Workers' Compensation premiums.
- Allocates funds to GCAC for software certification in the amount of \$18,583.

### HB 95—FY2008 Budget **HIGHLIGHTS**

This bill:

- Increases funds to annualize the FY2007 2.89% pay raise for judges and the 3% pay raise for staff.
- Increases funds to annualize the FY2007 adjustment in the employer's share of State Health Benefit Plan (SHBP) premiums.
- Increases funds to annualize the FY2007 adjustment in Workers' Compensation premiums.
- Increases funds for a 3% pay raise for judges and staff effective January 1, 2008.
- Increases funds to reflect the increase in the employer's share of State Health Benefit Plan premiums from 16.713% to 22.843%.
- Increases funds to reflect the FY2008 adjustment in Workers' Compensation premiums.
- Reduces the Office of Dispute Resolution funds by \$100,000 in

state funds, and replaces them with \$150,000 of fees collected by the office from registration taking total reduction to \$250,000.

- Reduces ICJE funds for the UGA contract by \$200,000 and replaces them with \$60,000 of fees collected by the Institute from registration taking the total reduction to \$260,000.
- Increases funds for WestLaw for the Council of Magistrate Court Judges and the Council of Probate Court Judges in the amount of \$40,000.
- Increases funds for a new guardianship video for Probate Courts (one time change) in the amount of \$65,000.
- Increases funds to GCAC for software certification in the amount of \$74,747.
- Increases funds to the County and Municipal Probation Advisory Council for an increased workload due to the passage of SB 44 in the 2006 Legislative Session in the amount of \$222,219.
- Increases funds to match federal funds for the Child Placement Project in the amount of \$173,857.
- Increases funds for a 4.5% increase in legal services for the Victims of Domestic Violence Grant in the amount of \$94,279.
- Increases funds to the Council of State Court Judges for the Mock Trial competition in the amount of \$15,000.
- Increases funds to GCAC for the establishment of standards for information exchange for Georgia's five classes of trial court in the amount of \$225,000 (one time change).
- Increases funds for GCAC to pay 100% of the personnel costs of the Executive Director in the amount of

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\$27,867.

- Increases funds for the Child Support Guidelines Commission to increase the federal match and provide for a staff attorney in the amount of \$101,764.
- Increases funds to the Judicial Council Standing Committee on Drug Courts for drug courts in the amount of \$750,000.
- Increases funds to the Judicial Council Standing Committee on Drug Courts for DUI Courts in the amount of \$400,000.
- Increases funds for three additional software support positions for the AOC in the amount of \$81,745.
- Increases funds for the continuation of the Citation Automation Project in the amount of \$161,566.
- Eliminates \$300,000 in funds received in HB 1181 (FY2005) to provide services to the newly created Georgia Public Defender Standards Council; as of July 1, 2007, the Judicial Council will no longer provide these services.
- Increases funds for a paralegal/investigator position in the amount of \$25,000 for the Judicial Qualifications Commission.
- Increases funds for a 2% pay raise for staff effective January 1, 2007 for Judges per O.C.G.A. 15-11-18 (d)(2)(E) for the Grants to Counties for Juvenile Court Judges. Note: SB 223 was withdrawn by the House on the last day of the 2007 Legislative Session.
- Increases funds for temporary labor in the amount of \$27,200 (one time change) for the Council of Superior Court Judges.
- Increases funds for a 3% pay raise for judicial secretaries effective July 1, 2007, for the Council of Superior Court Judges.
- Increases funds for security training to judges and staff in the amount of \$25,000 (one time change) for the Judicial Administrative Districts/Council of Superior Court Judges.
- Increases funds to annualize the new judge-ships created in HB 1018 (2007 session) for the Cobb, Dublin, Gwinnett, Enotah, and Cordele Judicial Circuits in the amount of \$1,297,223 for the superior court judges.

- Funds an additional law clerk for the Atlantic Judicial Circuit in the amount of \$53,541.

\*To view a full budget report please go to:

[http://www.legis.state.ga.us/legis/2007\\_08/senate/budgetreports.htm](http://www.legis.state.ga.us/legis/2007_08/senate/budgetreports.htm)

## Section II: Criminal

### HB 155 - Human Resources, Department of; personal care home owners; criminal history; permit

This bill permits the Department to obtain criminal background information on owners of personal care homes, private home care providers, community living arrangements, and child welfare agencies. This bill also prohibits certain owners with certain criminal records from operating licensed facilities.

Effective Date: July 1, 2007

***Signed by the Governor on May 23, 2007***

### HB 197 - Imprisonment sentence reviews; more than 12 years; three-judge panel; repeal

This bill repeals provisions allowing for the review of sentences of imprisonment for a period exceeding 12 years by a three-judge panel. This bill also provides that failure to raise objections shall preclude appellate review except under limited circumstances. The right of a defendant to have a sentence reviewed by a three-judge panel shall be terminated for sentences imposed by a trial or appellate court on July 1, 2007.

- No new application for review of a sentence shall be accepted by the three-judge panel unless such application has been received by the panel on or before September 1, 2007.
- Any sentence that has an application for review with the panel pending on September 1, 2007, shall have such review completed by the panel by November 1, 2008.
- It shall be the duty of the president of the Council of Superior Court Judges to cause all administrative measures which may be necessary to conclude the business of the panel to be completed no later than January 2, 2009.

Effective Date: July 1, 2007

***Signed by the Governor on May 30, 2007***

### HB 233 - Long-term Care Facility Resident Abuse Reporting Act; change definition

This bill revises the term 'exploitation' to mean an unjust or improper use of another person or the person's property through undue influence, coercion, harassment, duress, deception, false representation, false pretense, or other similar means.

Effective Date: July 1, 2007

***Signed by the Governor on May 22, 2007***



**HB 314 - Persons convicted of certain sex offenses; probation; DNA analysis; provide**

This bill provides for DNA analysis of persons convicted of certain felonies and sexual offenses who are placed on probation. On and after July 1, 2007, any person who is placed on probation shall have a sample obtained from a noninvasive procedure taken for DNA analysis to determine identification characteristics specific to the person if such person is convicted of a felony violation listed on page 2 lines 27-37 and page 3 lines 1-11 of the bill.

Effective Date: July 1, 2007

***Signed by the Governor on May 24, 2007***

**HB 586 - Alternative attorneys; capital cases; counsel appointment and fees; change matters**

This bill provides that any costs incurred in providing defense services pursuant to the 'Georgia Indigent Defense Act of 2003' for a person accused of crimes shall not be considered continuing expenses of the superior court. This bill would change matters relating to appointment of counsel and attorneys' fees in capital cases. A maximum of two attorneys shall be paid by the council at an hourly rate established by the council with state funds. The presiding judge may appoint not more than one additional attorney to represent the defendant, however, that such attorney shall be paid by the county with county funds at a rate established by the council.

Effective Date: July 1, 2007

***Signed by the Governor on May 17, 2007***

**SB 15 - Drivers' Licenses; suspended/ revoke; change certain provisions**

This bill sets forth the following:

- Upon the first conviction of driving while license suspended, disqualified, or revoked, a person shall be guilty of a misdemeanor (unless HV) and imprisonment (may also impose a fine). The court may suspend the conviction due to residency considerations.
- Upon the second or third conviction within five years of driving while license is suspended or revoked, a person shall be guilty of a high and aggravated misdemeanor and shall be punished by imprisonment (may also impose a fine).
- Upon a fourth or subsequent violation within five years, a person shall be guilty of a felony and punished by imprisonment (may also impose a fine).
- Upon DDS' receipt of a conviction for driving while license suspended, disqualified, or revoked the department shall impose a six month extension to the period of suspension

or disqualification.

- The court shall be required to confiscate the license and remit to the Department within ten days of conviction.
- One nolo contendere plea shall be accepted to a charge of driving while license suspended, disqualified, or revoked within a five year period (all other nolo pleas in this time period will be considered convictions).
- Municipal courts have the authority to impose punishment on persons charged with a misdemeanor or a misdemeanor of a high and aggravated nature.
- This bill also provides for the determination of nationality of persons charged with a felony or a DUI and confined in a jail facility.

Effective Date: July 1, 2007

***Vetoed by the Governor on May 30, 2007  
Governor Perdue's Press Release:***

**VETO NUMBER 32 - SB 15**

**SB 15 seeks to increase the penalties for driving without a valid license. In addition to other punishments, it provides that a first offense would result in a misdemeanor to be punished by imprisonment of at least two days and not more than twelve days. It also authorizes a \$500 to \$1,000 fine for first offenses. This broad provision would catch not only those who willfully drive without any valid license, but also persons who move into the State with a valid out-of-state driver's license that have not obtained a Georgia driver's license within 30 days of establishing residency. Though judges may suspend the period of imprisonment if the new resident had a valid driver's license from another state and had good cause for not yet obtaining a Georgia one, SB 15 does not prevent that new resident from being booked and fingerprinted. I fear an unintended consequence of this legislation, as drafted, would subject persons with valid out-of-state driver's licenses to stout criminal penalties even absent the commission of a willful act. Thus, although I support the intent of tracking persons that possess no valid driver's license, the potential harms of this legislation cause me to VETO SB 15.**



**SB 23 - Criminal Sentencing Procedure: probation/suspension; court may inquire/consider the legality of prisoner's presence in United States**

This bill provides that in making determinations with respect to probation and suspension of sentences, the court may inquire into and consider the legality of a prisoner's presence in the United States. This bill also provides that the State Board of Pardons and Paroles may inquire into and consider the legality of a prisoner's presence in the United States when making parole decisions. It is the intention of the legislature that this bill should be applied retroactively but if the Judicial Branch determines that retroactive application is prohibited then it is the intention of the legislature that retrospective application be severable.

**Effective Date:** Effective with or without the signature of the Governor July 1, 2007

**Signed by the Governor on May 30, 2007**

**SB 34 - Penal Institutions; possession of photograph of victims by certain persons confined; prohibit**

This bill provides that any inmate who is serving a sentence for a violation of Chapter 5 of Title 16 relating to crimes against the person shall be prohibited from possessing or carrying about his or her person or maintaining in any prison cell or similar area under his or her control any photograph, picture, or similar depiction of any victim of the offense for which he or she is serving. Violation of this Code Section will result in a misdemeanor. This Code Section shall not apply where the photo or picture is needed for use in any civil or criminal proceeding provided that the inmate receives permission by the court and only for so long as, and in such a manner as, directed by court order.

**Effective Date:** Effective with or without the signature of the Governor July 1, 2007

**Signed by the Governor on May 17, 2007**

**SB 61 - Child-Placing Agency; require petitioner to submit to a criminal history records check**

This bill provides that the court shall require the petitioner to submit to a criminal history records check. The GCIC shall notify the court in writing of the presence or absence of any derogatory finding, including, but not limited to any conviction data.

**Effective Date:** July 1, 2007

**Signed by the Governor on May 30, 2007**

**SB 79 - Criminal Attempt; increase maximum punishment for convictions; felonies punishable by death/life imprisonment**

This bill provides that a person convicted of the offense of criminal attempt to commit a crime punishable by death or by life imprisonment shall be punished by imprisonment for not less than one and not more than 30 years. A person convicted of the offense of criminal attempt to commit a felony, other than a felony punishable by death or life imprisonment, shall be punished by imprisonment for not less than one year nor more than one-half the maximum period of time for which he/she could have been sentenced if he/she had been convicted of the crime attempted, by one-half the maximum fine to which he/she could have been subjected if he/she had been convicted of the crime attempted, or both.

**Effective Date:** July 1, 2007

**Signed by the Governor on May 24, 2007**

**SB 98 - Crimes/Offenses; Georgia Bureau of Investigation investigate certain offenses against minors, including subpoena power**

This bill provides the GBI with the authority to investigate certain offenses against minors. Any law enforcement unit who is conducting an investigation of a violation involving the use of a computer, cell phone, or any other electronic device used in furtherance of the act may require the disclosure by a provider of electronic communication service or remote computing service of the contents of a wire or electronic communication that is in electronic storage in an electronic communications system for 180 days or less. This bill also provides the director, assistant director, and deputy director for investigations has the power to issue a subpoena with the consent of the Attorney General.

**Effective Date:** Effective with or without the signature of the Governor July 1, 2007

**Signed by the Governor on May 23, 2007**

**SB 100 - Crime; knowingly manufacturing, selling, or distributing false identification documents; increase certain penalties**

This bill changes the penalties for the offense of knowingly manufacturing, selling, or distributing false identification documents based upon the age of the person convicted. Any violator under the age of 21 shall be guilty of a misdemeanor.



***Vetoed by the Governor on May 30, 2007***  
**Governor Perdue's Press Release:**  
**VETO NUMBER 33 - SB 100**  
**SB 100 increases all identity document fraud crimes to a felony for those over 21 years of age and decreases from a felony to a misdemeanor certain identity document fraud crimes by persons younger than 21 years of age. I agree with the legislative intent of preventing document fraud, but the reduction from a felony to a misdemeanor for those under age 21 who are trafficking false documents is too broad. For this reason, I VETO SB 100.**

**[SB 135 - Criminal Reproduction/Sale of Recorded Material; increase penalties; provide forfeiture of certain items](#)**

This bill increases penalties for reproducing, transferring, selling, distributing, or circulating certain recorded material. It also provides for forfeiture of property used in violation of this Code Section.

***Vetoed by the Governor on May 30, 2007***  
**Governor Perdue's Press Release:**  
**VETO NUMBER 34 - SB 135**  
**SB 135 would increase the minimum financial penalties for the unlawful reproduction, transfer, sale, distribution and circulation of recorded material. It would also allow a trade association representing victims of such unlawful acts to receive restitution and investigation costs associated with bringing an enforcement action in court. Permitting trade associations to recover funds that are owed to a victim statutorily expands the types of recovery – both in terms of amount and scope of recipients – allowed in criminal prosecutions. This sets a dangerous statutory precedent, and I am concerned about the potential proliferation of trade association-solicited lawsuits of any kind. Consequently, I VETO SB 135.**

**[SB 190 - Pretrial Proceedings: insanity/mental incompetency; definitions; evaluation](#)**

This bill provides that the committing court may have discretion to allow evaluation in the community for certain defendants. The committing court can order an evaluation of the defendant and can conduct a civil commitment hearing on the defendant.

Effective Date: July 1, 2007

***Signed by the Governor on May 30, 2007***

**[SB 203 - Secondary Metals Recyclers; public utilities/transportation; increased penalties](#)**

This bill changes provisions relating to actions to recover property. When stolen regulated metal property is recovered, the court shall order the defendant to make full restitution, including the costs of repair to any property damaged during the theft. Violators shall be guilty of a misdemeanor unless the value of the property exceeds \$500, then the violator shall be guilty of a felony and subject to imprisonment, a fine, or both.

Effective Date: July 1, 2007

***Signed by the Governor on May 30, 2007***

**[SR 555 - Hate Crime Legislation: create Senate Study Committee](#)**

This resolution creates the Senate Study Committee on Hate Crime Legislation.

Effective Date: July 1, 2007

***Signed by the Governor on May 30, 2007***

## Section III: Civil

**[HB 139 - Estates and wills; descent and distribution; provisions](#)**

This bill defines 'abandon', 'abandonment', and 'minor child'.

- For the right of recovery for the wrongful death of a child, when a minor child dies without a will, a parent who willfully abandons his or her minor child and continues such abandonment until the death of the minor child shall lose all right to intestate succession to the minor child's estate and shall not have the right to administer the minor child's estate unless the abandoning parent resumes the parental relationship with the minor child at least one year prior to the minor child's death and continues that parental relationship until the death of the minor child.
- For cases in which abandonment is alleged, the moving party shall file a motion with the probate court requiring the judge to determine the issue of abandonment and shall serve all parties.
- The burden of proof to show abandonment is on the person asserting the abandonment.
- The judge's decision shall not be disturbed absent an abuse of discretion.

Effective Date: July 1, 2007

***Signed by the Governor on May 22, 2007***



### **HB 270 - Juvenile proceedings; appointment of guardian ad litem; change provisions**

This bill defines 'Court appointed special advocate' or 'CASA' and 'Affiliate court appointed special advocate program'. Before executing duties and upon completion of a CASA program, the CASA shall be sworn in by a judge of the juvenile court. When a juvenile court judge determines that a child needs a CASA, the judge shall sign an order appointing a CASA. The role of the CASA shall be to advocate for the best interest of the child. This bill lists CASA duties and states that upon presentation of an order appointing a CASA as a guardian ad litem, a CASA shall have access to all records and information relevant to the child's case. Any CASA, acting in good faith, shall have civil and criminal immunity from liability. Any CASA who discloses confidential information obtained during the course of his or her appointment shall be guilty of a misdemeanor.

**Effective Date:** Effective with or without the signature of the Governor July 1, 2007

**Signed by the Governor on May 24, 2007**

### **HB 316 - Public Service Commission; towing of certain vehicles; provide**

This bill provides the Public Service Commission and the governing authority of municipalities concurrent jurisdiction on matters related to regulating and controlling the towing of certain vehicles under certain circumstances.

**Effective Date:** July 1, 2007

**Signed by the Governor on May 22, 2007**

### **HB 369 - Domestic relations; child custody proceedings; provisions**

This bill provides that appeals may be taken to the Supreme Court and the Court of Appeals in all judgments or orders in child custody cases.

- Child custody, awarding or refusing to change child custody, and child custody judgment or orders no longer require an application for appeal but are directly appealable.
- Appeals from orders terminating parental rights now require an application for appeal (they are no longer directly appealable).
- In all cases in which the custody of any child

is at issue between the parents, each parent shall prepare a parenting plan or the parties may jointly submit a plan except when a parent seeks emergency relief for family violence.

- The bill lists the information that is to be included in the parenting plan. If parties cannot

agree on a plan, each party shall file a plan on or before the date set by the judge. Failure to comply may result in the judge adopting the plan of the opposing party.

- In all proceedings under this article, it shall be permissible for the parents to agree to binding arbitration on the issue of child custody and matters relative to visitation and a parenting plan.
- There shall be no presumption in favor of any particular form of custody nor in favor of either parent. Joint custody may be considered as an alternative form of custody by the judge. The judge shall make a determination of custody and such matter shall not be decided by a jury. In determining the best interests of the child, the judge may consider any relevant factor. The parental selection by a child who has reached the age of 14 may, in and of itself, constitute a material change of conditions or circumstance in any action seeking a modification or change in the custody of that child; provided, however, that such selection may only be made once within a period of two years. The judge shall have complete discretion in making this determination, and the child's desires shall not be controlling. The judge shall further have broad discretion as to how the child's desires are to be considered. The best interests of the child standard shall be controlling.
- The parental selection of a child who has reached 11 but not 14 years, shall not, in and of itself, constitute a material change of condition or circumstance in any action seeking a modification or change in the custody of that child. The judge may issue an order granting temporary custody to the selected parent for a trial period not to exceed six months regarding the custody of a child who has reached the age of 11 but not 14 where the judge hearing the case determines such temporary orders appropriate.
- If requested by any party on or before the close of evidence in a contested hearing, the permanent court order awarding child custody shall set forth specific findings of fact as to the basis for the judge's decision in making an award of custody.
- In any case in which judgment awarding the custody of a child has been entered, the court entering such judgment shall retain jurisdiction of the case for the purpose of ordering the custodial parent to notify the court of any changes in the residence of the child. The custodial parent must provide the non custodial parent, and anyone else



granted visitation, with change of address information in writing if ordered by the court.

- The judge may order reasonable attorney's fees and expense of litigation, experts, and the child's guardian ad litem and other costs of the child custody action and pretrial proceedings to be paid by the parties in proportions and at times determined by the judge.

This bill includes changes to the:

- Domestic Relations Case Filing Information Form
- Domestic Relations Case Final Disposition Information Form

Effective Date: July 1, 2007

***Signed by the Governor on May 30, 2007***

#### **HB 497 - Adoption: surrender rights; provisions**

This bill provides for the pre-birth surrender of rights for the biological father to a child being placed for adoption and provides a sample form for such surrender.

- A person executing a pre-birth surrender shall have the right to withdraw the surrender within ten days of the date of execution.
- Pre-birth surrender shall be executed prior to birth
- This bill also provides for the dissolution of surrender rights signed by the birthmother if the biological father legitimates the child and the adoption is not granted.
- If a legal mother has voluntarily and in writing surrendered all of her parental rights and has not withdrawn her surrender within the ten day period permitted, she shall have no right or authority to sign either a voluntary acknowledgment of legitimation or a voluntary acknowledgment of paternity.
- If the child is legitimated by his or her biological father and in the subsequent adoption proceeding, the petition for adoption is either withdrawn with prejudice or denied by the court, then a surrender of parental rights final release for action executed by the legal mother shall be dissolved and her parental right shall be restored.

Effective Date: July 1, 2007

***Signed by the Governor on May 23, 2007***

#### **HB 551 - State False Medicaid Claims Act; enact**

This bill provides for civil actions for false Medicaid claims. The Attorney General is authorized to investigate violations of this article.

Effective Date: Effective with or without the signature of the Governor July 1, 2007

***Signed by the Governor on May 24, 2007***

#### **SB 94 - Dispossession Proceedings: clarify the process for judgments by defaults**

This bill defines 'writ of possession' and 'non-refundable fee'. This bill also changes the definition of 'security deposit'. If the tenant fails to answer, the court shall issue a writ of possession instanter. The court, without the intervention of a jury, shall not require any further evidence nor hold any hearings and the plaintiff shall be entitled to a verdict and judgment by default for all rents due.

Effective Date: July 1, 2007

***Signed by the Governor on May 24, 2007***

#### **SB 188 - Foster Parents Bill of Rights; children who are privately placed; provide administrative hearing for aggrieved parties**

This bill provides that the Foster Parents Bill of Rights applies to foster parents caring for children who are privately placed and provides for an administrative hearing for aggrieved parties. This Code Section shall apply to foster parents caring for privately placed children in the same manner and to the same extent, as far as possible, to foster parents who are volunteers providing care for children who are in the custody of the DHR.

Effective Date: July 1, 2007

***Signed by the Governor on May 30, 2007***

## Section IV: Civil/Torts

#### **HB 221 - Professional malpractice charges; affidavit; change certain provisions**

This bill changes certain provisions regarding when an affidavit is required to accompany an action for damages alleging professional malpractice.

Effective Date: July 1, 2007

***Signed by the Governor on May 22, 2007***

#### **SB 182 - Torts; asbestos/silica claims; change provisions**

This bill changes provisions relating to asbestos claims and silica claims. This bill provides different definitions of prima facie evidence of an asbestos claim that accrued before April 12, 2005, and after May 1, 2007. Prima facie evidence of physical impairment of the exposed person shall be an essential element of an asbestos or silica claim. If the trial court



finds that the plaintiff has failed to establish prima facie evidence of physical impairment then the court shall dismiss the plaintiff's complaint without prejudice. The limitations period shall not begin to run until the exposed person, or any plaintiff making a claim based on the exposed person's exposure, obtains, or through the exercise of reasonable diligence should have obtained, prima-facie evidence of physical impairment. After May 1, 2007, the plaintiff must file a medical report of the prima-facie evidence, and the defendant may file opposition challenging this evidence within 90 days. A civil action alleging an asbestos claim or silica claim may only be brought or maintained in Georgia if the plaintiff, whether a citizen of Georgia or a another state, is a resident of Georgia at the time of filing the action or the exposure on which the claim is based occurred in Georgia.

Effective Date: Section 1 of this Act shall become effective on May 1, 2007, and shall apply to certain accrued or future accruing asbestos claims or silica claims in which trial has not commenced as of May 1, 2007, in accordance with its terms. Section 2 of this Act shall become effective on May 1, 2007, and shall apply to asbestos claims that accrued or may accrue on or after that date.  
**Signed by the Governor on May 1, 2007**

## Section V: Fines/Fees

### HB 386 - Superior court fees; instrument recordings; provide additional fees

This bill provides for an additional filing fee for recording an instrument that requires cross-indexing to other previously recorded documents. This bill also changes the sunset dates for real estate or personal property filing fees and collection and remittance of real estate or personal property filing fees to 2014.

**Vetoed by the Governor on May 30, 2007**  
**Governor Perdue's Press Release:**

**VETO NUMBER 18- HB 386**

**HB 386 clarifies provisions for superior court clerks regarding fees and cross-indexing. It also extends the sunset date for superior court clerks real estate and personal property filing fees from July 1, 2012 to July 1, 2014. I believe that sunset provisions should carry meaning. Extending a**

**program that is not set to expire for another five years even further into the future undermines the concept of a legislative sunset. I therefore VETO HB 386.**

### SB 14 - Superior Court Clerks; personal property filing fees; collection/remittance; change sunset dates

This bill changes the sunset dates for real estate or personal property filing fees and collection and remittance of real estate or personal property filing fees to 2014.

**Vetoed by the Governor on May 30, 2007**

**Governor Perdue's Press Release:**

**VETO NUMBER 31 – SB 14**

**SB 14 extends the sunset date for superior court clerks real estate and personal property filing fees from July 1, 2012 to July 1, 2014. I believe that sunset provisions should carry meaning. Extending a program that is not set to expire for another five years even further into the future undermines the concept of a legislative sunset. I therefore VETO SB 14.**

### SB 42 - Child Support Recovery; authorize Dept. of Human Resources to impose fees on child support collections

This bill authorizes the Department of Human Resources to impose fees on child support collections and alimony for public assistance recipients and abandoned minor public assistance recipients.

Effective Date: July 1, 2007

**Signed by the Governor on May 30, 2007**

### SB 234 - Secretary of State; collect a filing fee for certificates of conversion; Georgia corporation to foreign corporation

This bill provides for the Secretary of State to collect a filing fee for certificates of conversion filed when a Georgia corporation, LLP, or LLC converts to a foreign corporation, limited partnership, or limited liability company. A copy of the certificate of conversion will be filed with the clerk of the superior court in any county in which a converting entity owns property.

Effective Date: July 1, 2007

**Signed by the Governor on May 24, 2007**



## Section VI: Local/Compensation

### HB 53 - Piedmont Circuit; terms of court; change provisions

This bill changes the terms of court for Banks, Barrow, and Jackson counties.

Effective Date: Effective with or without the signature of the Governor July 1, 2007

***Signed by the Governor on May 22, 2007***

### HB 120 - Supreme Court; Court of Appeals; certain judges; travel allowances; provide

This bill provides for travel allowances for appellate Justices and Judges who reside 50 miles or more from the judicial building in Atlanta.

Effective Date: May 24, 2007

***Signed by the Governor on May 24, 2007***

### HB 190 - State Court of Mitchell County; full-time judge; provide

This bill provides that the state court judge of Mitchell County shall be full time paid at 60% of the superior court judge's salary provided by the state.

Effective Date: July 1, 2007

***Signed by the Governor on May 30, 2007***

### HB 206 - Probate and Magistrate Courts of Clinch County; same judge; January 1, 2009; provide

This bill provides that the judge of the Probate Court of Clinch County shall also serve as the chief magistrate of the Magistrate Court of Clinch County on and after January 1, 2009

Effective Date: May 30, 2007

***Signed by the Governor on May 30, 2007***

### HB 215 - State Court of Athens-Clarke County; second state court judgeship; provide

This bill adds a second state court judge in Athens-Clarke County State Court to be paid 90% of the annual base salary of a judge of the superior courts plus 50% of the annual amount of any supplement paid to the judges of the superior court. The current judge will become the Chief Judge. The Chief Judge shall be paid 90% of the annual base salary of a Judge of the Superior Courts plus 90% of the annual amount of any supplement paid to Judges of the Superior Court.

Effective Date: July 1, 2007

***Signed by the Governor on May 30, 2007***

### HB 349 - Colquitt County; judge; State Court judge; practice of law; prohibit

This bill makes the State Court of Colquitt County judgeship a full time position. The judge shall be

paid 70% of the superior court judge's salary.

Effective Date: July 1, 2007

***Signed by the Governor on May 21, 2007***

### HB 459 - Rockdale Judicial Circuit; judges; compensation supplement; change amount

This bill provides that the judges of the Superior Court of Rockdale County be paid a supplement of 20% of the superior court judge's salary provided by the state.

Effective Date: July 1, 2007

***Signed by the Governor on May 30, 2007***

### HB 499 - Chatham County; certain judges; change compensation

This bill changes the compensation of certain officials in Chatham County.

- Tax commissioner to \$53,000.00
- Sheriff to \$54,000.00
- Clerk of superior court to \$56,000.00
- Clerk of state court to 45,000.00
- Coroner to \$12,000.00
- Chief judge of the recorders court to 85% of the annual salary of a judge of superior court plus 85% of the supplement plus 85% of the salary supplement paid to the chief judge of the Eastern Judicial Circuit
- The judge of the recorder's court to 85% of the salary of a judge of the superior court plus 85% of the supplement
- The judge of the probate court to 80% of the annual salary of a judge of the superior court plus 80% of the supplement
- The presiding judge of the juvenile court to 90% of the salary of a judge of superior court plus 90% of the supplement plus 90% of the salary supplement paid to the chief judge of the Eastern Judicial Circuit
- The chief judge of state court, juvenile court judge to 90% of the salary paid the judge of superior court plus 90% of the supplement
- The chief judge of state court to 95% of the annual salary of a judge of superior court plus 95% of the supplement plus 95% of the salary supplement paid to the chief judge of the Eastern Judicial Circuit
- The judge of state court to 95% of the salary of a judge of superior court plus 95% of the supplement
- The chief magistrate to 80% of the salary of a judge of superior court plus 80% of the supplement plus 80% of the salary supplement paid



to the chief judge of the Eastern Judicial Circuit

- The magistrate to 80% of the salary of a judge of the superior court plus 80% of the supplement.

Effective Date: Effective with or without the signature of the Governor.

***Signed by the Governor on May 30, 2007***

**HB 506 - Stone Mountain Judicial Circuit; judges; provide compensation supplement**

This bill provides a supplement to the compensation, expenses, and allowances of the judges of the Superior Court of the Stone Mountain Judicial Circuit in the amount of \$7,465.00.

Effective Date: Effective with or without the signature of the Governor.

***Signed by the Governor on May 30, 2007***

**HB 508 - Rockdale County State Court; salary of the judge; change provisions**

This bill changes the salary of state court judges of Rockdale County to 92.5% of the salary of a superior court judge in Rockdale County (state funds and supplement).

Effective Date: July 1, 2007

***Signed by the Governor on May 22, 2007***

**HB 513 - Eastern Judicial Circuit; salary of chief judge; provide additional supplement**

This bill adds an additional supplement to the salary of the chief judge of the Superior Court of the Eastern Judicial Circuit of not less than \$5,400.00 per year.

Effective Date: Effective with or without the signature of the Governor.

***Signed by the Governor on May 30, 2007***

**HB 537 - Cobb County State Court; clerk and chief deputy clerk; change compensation**

This bill changes the compensation of the clerk to \$101,966.14 and the chief deputy clerk to \$91,769.60 of the State Court of Cobb County.

Effective Date: Effective with or without the signature of the Governor

***Signed by the Governor on May 30, 2007***

***Signed by the Governor on May 21, 2007***

**HB 582 - Lanier County; probate judge serves as chief magistrate; January 1, 2009; provide**

This bill provides that on and after January 1, 2009, the probate judge shall serve as chief magistrate. On and after July 1, 2007, the number of magistrates to serve as judges of the magistrate court shall be determined by the Lanier County Board of Commissioners and such board shall also select such judges.

Effective Date: July 1, 2007

***Signed by the Governor on May 30, 2007***

**HB 600 - Cobb County Probate Court; chief investigator and others; change compensation**

This bill changes the salary of the chief deputy to \$115,157.55. This bill also provides that additional deputies shall not be paid less than \$4,880.00. The chief investigator shall be paid \$104,489.15 and the executive assistant shall be paid \$62,806.19.

Effective Date: Effective with or without the signature of the Governor

***Signed by the Governor on May 30, 2007***

**HB 621 - Cobb County Probate Court; judge and clerk; change compensation**

This bill changes the compensation of the clerk of the Probate Court of Cobb County to \$77,861.05 and the judge of the Probate Court of Cobb County to \$112,592.97.

Effective Date: Effective with or without the signature of the Governor

***Signed by the Governor on May 30, 2007***

**HB 623 - Cobb Judicial Circuit; superior court judges; provide supplement**

This bill provides for a \$53,711.00 supplement to be paid to each of the judges of the superior court and an additional \$8,800.00 supplement for the chief judge.

Effective Date: Effective with or without the signature of the Governor

***Signed by the Governor on May 30, 2007***

**HB 690 - Cook County; Magistrate Court; chief magistrate; provisions**

This bill provides for the election of the chief magistrate of the Magistrate Court of Cook County.

Effective Date: Effective with or without the signature of the Governor

***Signed by the Governor on May 21, 2007***

**HB 554 - Richmond County Civil Court; marshal; election and terms; provide**

This bill provides for the election and terms of the marshal of the Civil Court of Richmond County.

Effective Date: May 21, 2007



**HB 736 - Winterville, City of; charter; provisions**

This bill changes provisions relating to vacancies of chief judge and associate judge of the municipal court. This bill also provides for the convening of municipal court, for certiorari, and for rules of court.

**Effective Date:** This Act shall become effective on the first day of the month following the month in which it is approved by the Governor or in which it becomes law without such approval (June 1, 2007).

**Signed by the Governor on May 22, 2007**

**HB 780 - Cobb County; superior court; deputy clerk; change compensation**

This bill changes the compensation of the deputy clerk of the superior court to \$91,769.60.

**Effective Date:** Effective with or without the signature of the Governor

**Signed by the Governor on May 30, 2007**

**HB 782 - Appalachian Judicial Circuit; investigators make arrests; provide**

This bill provides that investigators appointed to assist the district attorney of the Appalachian Judicial Circuit may be authorized by the district attorney to make arrests and to provide a procedure for such written authorization.

**Effective Date:** May 30, 2007

**Signed by the Governor on May 30, 2007**

**HB 827 - Pickens County; board of elections and registration; change provisions**

This bill changes provisions relating to the terms of office and composition of members of the board of elections and registration for Pickens County.

**Effective Date:** Section 1 of this Act shall become effective on January 1, 2008, and Section 2 of this Act shall become effective on July 1, 2007

**Signed by the Governor on May 30, 2007**

**SB 107 - Richmond County, City of; change second division's jurisdiction; create third division of state court**

This bill changes the second division's jurisdiction to make the second division judge coequal with those judges of Division 1 and to create a third division of the State Court of Richmond County. The chief judge shall receive additional compensation.

**Effective Date:** May 21, 2007

**Signed by the Governor on May 21, 2007**

**SB 158 - Gwinnett Judicial Circuit; salary supplements for the judges; change provisions**

This bill changes the Gwinnett Judicial Circuit supplement to \$49,711.00.

**Effective Date:** July 1, 2007

**Signed by the Governor on May 30, 2007**

**SB 177 - Superior Courts; Pike County in Griffin Circuit; change certain terms of court**

This bill changes the terms of the Superior Court of Pike County to the third Monday in April and October.

**Effective Date:** May 14, 2007

**Signed by the Governor on May 14, 2007**

**SB 193 - Local Government; employment benefits for county employees; general provisions**

This bill requires that if a county governing authority provides group health insurance benefits for county employees, such benefits must also be offered to the judge of the probate court, clerk of superior court, full time magistrate court judges, and others on the same terms and conditions as other county employees.

**Effective Date:** Section 1 of this Act shall become effective on July 1, 2007.

**Vetoed by the Governor on May 30, 2007**  
Governor Perdue's Press Release:

**VETO NUMBER 35 - SB 193**

**SB 193 mandates that counties providing health insurance benefits to employees also provide benefits to certain county officers. A decision regarding health insurance benefits in these counties is a local matter; it should be determined at the local level and not by an unfunded mandate from the General Assembly. I therefore VETO SB 193.**

**SB 209 - Augusta Judicial Circuit; judges of Superior Court; supplement; change provisions**

This bill gives an additional supplement of \$20,000.00 to the judges of the Superior Court of Columbia County.

**Effective Date:** July 1, 2007

**Signed by the Governor on May 30, 2007**



**SB 247 - Cobb County, State Court of: change compensation of judges**

This bill changes the salary of the judges of Division 1 of the State Court of Cobb County to \$150,917.12.

Effective Date: Effective with or without the signature of the Governor

***Signed by the Governor on May 30, 2007***

**SB 248 - Cobb County, State Court of: change compensation of solicitor-general**

This bill changes the salaries of the solicitor general to \$135,486.00. This bill also changes the chief assistant solicitor's salary to not less than \$74,400.00 and not more than \$120,900.00. This bill changes the assistant solicitor's salary to not less than \$47,900.00 and not more than \$84,400.00. This bill changes the intake solicitor's salary to not less than \$47,900.00 and not more than \$76,500.00.

Effective Date: Effective with or without the signature of the Governor

***Signed by the Governor on May 30, 2007***

**SB 298 - Pulaski County: office of probate judge; nonpartisan elections**

This bill makes future elections for the office of probate judge of Pulaski County nonpartisan elections.

Effective Date: Effective with or without the signature of the Governor

***Signed by the Governor on May 22, 2007***

**SB 309 - State Court of Jefferson County: compensation of the judge/solicitor-general of the court; change provisions**

This bill changes the salary of the judge of the State Court of Jefferson County based on years of service.

- The judge shall not be paid less than \$27,000.00.
- Beginning with the 5th year the judge shall be paid \$33,000.00.
- Beginning with the 9th year the judge shall be paid \$39,000.00.
- Beginning in the 13th year and each year after the judge shall be paid \$45,000.00.

- The solicitor general shall not receive a salary less than \$24,000.00
- Beginning the 5th year, the solicitor general shall be paid \$30,000.00,
- Beginning with the 9th year, the solicitor general shall be paid \$36,000.00.
- Beginning with the

13th year, the solicitor general shall be paid \$42,000.00.

Effective Date: January 1, 2009

***Signed by the Governor on May 30, 2007***

**SB 312 - Superior Court of Fulton County: judges; increase amount of supplement**

This bill provides for a supplement for the judges of the Superior Court of Fulton County to \$41,932.33.

Effective Date: January 1, 2008

***Signed by the Governor on May 30, 2007***

**Section VII: Retirement****HB 318 - Public Retirement Systems Investment Authority Law; change certain provisions**

This bill provides that certain foreign corporations shall be deemed to be U.S. corporations for purposes of investment by public retirement systems. The public retirement system may also invest in certain real estate investment trusts. This bill also changes the maximum amount of assets that may be invested into certain vehicles.

Effective Date: July 1, 2007

***Signed by the Governor on May 14, 2007***

**Section VIII: Traffic****HB 69 - Driver's records; online; Department of Driver Services; charging fee; prohibit**

This bill prohibits the Department of Driver Services from charging a fee for viewing a driver's record online.

Effective Date: July 1, 2007

***Vetoed by the Governor on May 30, 2007***

**Governor Perdue's Press Release:**

**VETO NUMBER 6 – HB 69**

**HB 69 would limit the Department of Driver Services from charging a fee to access driving records online. Costs are associated with maintaining driving records and public access to those records. This legislation would require the State to make up lost funds with general revenue provided by taxpayers. Because those who choose to use the public resources ought to bear the cost of that use, I VETO HB 69.**



**HB 79 - Motor vehicles; light transmission through windows; materials; provisions**

This bill provides exemptions to window tint laws for certain vehicles.

Effective Date: Effective with or without the signature of the Governor July 1, 2007

***Signed by the Governor on May 22, 2007***

**HB 231 - Public roads; lack of removal of vehicles; liable for gross negligence**

This bill provides that where towing services are ordered to remove vehicles or obstructions from roadways by law enforcement (including fire fighters) shall be liable only for instances of gross negligence.

Effective Date: July 1, 2007

***Signed by the Governor on May 17, 2007***

**HB 419 - Commercial drivers' licenses; definitions; issuance; provisions**

This bill defines several terms relating to Title 5 Chapter 40. The department is authorized to waive certain restrictions relating to the commercial drivers' license or instructor's permit. This bill also changes the expiration date of a commercial drivers' license. This bill lists CDL disqualifications. The bill also provides civil penalties for employers of commercial vehicles in violation of certain regulations.

Effective Date: Sections 1, 3, 8A, and 10 are effective July 1, 2007, and Sections 2, 4, 5, 6, 7, 8, and 9 are effective July 1, 2008

***Signed by the Governor on May 14, 2007***

**SB 5 - Secure and Verifiable Identity Document Act; drivers' licenses; provisions**

This bill permits the Governor to delay implementing the requirements of the Real ID Act until the Department of Homeland Security has issued regulations that the Governor finds will adequately protect the interests of the citizens of Georgia. SB 5 also requires the presentation of secure and verifiable documents for purposes of obtaining a driver's license by a non-citizen.

Effective Date: July 1, 2007

***Signed by the Governor on May 30, 2007***

**SB 15 - Drivers' Licenses; suspended/ revoke; change certain provisions**

*Full summary under Section I: Criminal on page 2.*

**SB 38 - Motor Vehicles; registration of a vehicle; require driver's license/ identification card**

This bill requires presentation of a valid Georgia driver's license or Georgia identification card to obtain a motor vehicle tag and provides for ex-

emptions.

Effective Date: July 1, 2007

***Signed by the Governor on May 24, 2007***

**SB 251 - Motor Vehicles; require establishment by Dept. of Revenue of internet website for stolen/towed motor vehicles**

This bill requires the establishment by the DOR of an internet website for stolen and towed motor vehicles displaying the vehicle's VIN and license plate number along with a notation of the location where such vehicle is stored and a contact number for such facility. Each operator who fails timely post will be subject to a civil penalty. Any person who tampers with such website will be guilty of a misdemeanor of a high and aggravated nature.

Effective Date: January 1, 2008

***Vetoed by the Governor on May 30, 2007***  
**Governor Perdue's Press Release:**

**VETO NUMBER 38 - SB 251**

**SB 251 requires that the Department of Revenue establish and maintain a website that will include the license plate numbers and vehicle identification numbers of vehicles that have been reported as stolen and vehicles that have been towed without the knowledge or consent of the owner. This bill also sets up penalties for tow companies and others that must submit information for the website. As drafted, SB 251 would require the Department of Revenue – through general revenue funds paid by all taxpayers – to support the creation and maintenance of such a website and the resulting enforcement. As the requirements in this bill would not be funded through the beneficiaries of the service created, I VETO SB 251.**

## Section IX: Elections

**HB 191 - Colquitt County Board of Education; nonpartisan elections; provide**

This bill provides for non-partisan elections of members of the Board of Education of Colquitt County.

Effective Date: Effective with or without the signature of the Governor

***Signed by the Governor on May 30, 2007***



**HB 388 - Jeff Davis County; create board of elections; provisions**

This bill creates a Board of Elections and Registration for Jeff Davis County. The board shall have the powers, duties, and responsibilities of the judge of the Probate Court of Jeff Davis County.

**Effective Date:** July 1, 2007, or upon receiving preclearance approval under Section 5 of the Federal Voting Rights Act of 1965

**Signed by the Governor on May 21, 2007**

**HB 757 - Bacon County; board of elections and registration; create**

This bill creates a Board of Elections and Registration for Bacon County and provides for its powers and duties. The board shall have the powers, duties, and responsibilities of the judge of the Probate Court of Bacon County.

**Effective Date:** This Act shall become effective upon its approval by the Governor or upon its becoming law without such approval for purposes of making initial appointments to the board only. This Act shall become fully effective on July 1, 2007, or upon receiving preclearance approval under Section 5 of the federal Voting Rights Act of 1965, whichever occurs later.

**Signed by the Governor on May 21, 2007**

**HB 773 - Paulding County; board of elections and registration; create**

This bill creates a Board of Elections and Registration for Paulding County and provides for its powers and duties. The board shall have the powers, duties, and responsibilities of the judge of the Probate Court of Paulding County.

**Effective Date:** July 1, 2007, with or without the signature of the Governor

**Signed by the Governor on May 30, 2007**

**SB 40 - Elections; fraudulent acts; increase penalties**

This bill provides that any person who knowingly falsifies information so as to vote illegally by absentee ballot or who illegally gives or receives assistance in voting shall be guilty of a felony. This bill increases the penalties for certain election related offenses involving fraudulent and will-

ful acts to a felony and, upon conviction, the violator shall be sentenced to imprisonment or fined, or both. If force is involved the person shall be guilty of a felony. Any person who votes or attempt to vote absentee who is not qualified shall be guilty of a felony.

**Effective Date:** May 30, 2007

**Signed by the Governor on May 30, 2007**

**SB 124 - O.C.G.A.; correct errors/omissions; Title 21**

This bill corrects typographical, stylistic, and other errors and omissions.

**Effective Date:** Effective with or without the signature of the Governor July 1, 2007

**Signed by the Governor on May 30, 2007**

**SB 194 - Election; county election superintendent; tabulation of absentee ballots; prior to the close of the polls on the day of primary, election or runoff**

This bills provides that in certain circumstances the county election superintendent may begin the tabulation of absentee ballots prior to the close of the polls on the day of a primary, election, or runoff. This bill also changes the date of the presidential preference primary and the date by which the parties must submit names to the Secretary of State for inclusion on the ballot and the date on which the Secretary of State shall publish such list of names. This bill provides that the ballots could begin to be counted upon the opening of the polls on the day of the primary, election, or runoff. The presidential preference primary shall be held on February 5, 2008 and on the first Tuesday in February every four years thereafter.

**Effective Date:** July 1, 2007

**Signed by the Governor on May 30, 2007**

**Section X: General****HB 16 - Public employees; fraud, waste, abuse in state operations; change definitions**

This bill broadens the definition of 'public employee' and 'public employer'. It also amends the definition of 'retaliate'.

**Effective Date:** July 1, 2007

**Signed by the Governor on May 23, 2007**

**HB 24 - Georgia Advance Directive for Health Care Act; enact**

This bill provides for an advance directive for health care. This bill combines provisions of a living will and a durable power of attorney for health care and includes a "Georgia Advance Directive for Health Care" form. This bill also outlines witness requirements, provides for duties and responsibilities of health care agents and health care providers, conditions precedent to carrying out health care treatment prefer-



ences and a physician's responsibilities.

- Unless an advance directive provides otherwise, if after executing an advance directive the declarant marries, such marriage shall revoke the designation of a person other than the spouse as the health care agent. If the marriage is dissolved then it will revoke the designation of the declarant's former spouse as agent.
- An advance directive which survives disability, incapacity, or incompetency shall not be revoked solely by the appointment of a guardian or receiver for the declarant. Absent an order of the probate court or superior court directing a guardian of the person to exercise the powers of the declarant under an advance directive, the guardian of the person has no power, duty, or liability with respect to any health care matter covered by the advance directive; provided, however, that no order usurping the authority of a health care agency known to the proposed guardian shall be entered unless notice is sent by first class mail to the health care agent's last known address and it is shown by clear and convincing evidence that the health care agent is acting in a manner inconsistent with the power of attorney.
- A court may remove a health care agent if it finds that the agent is not acting properly.
- Death as a result of following an advance directive will not be considered suicide or homicide.
- Any person who, without the declarant's consent, conceals, cancels, or alters an advance directive shall be guilty of a misdemeanor.
- Any person who falsifies or forges an advance directive with intent to cause a withholding or withdrawal of life sustaining procedures or provision of nourishment or hydration shall be subject to prosecution for criminal homicide.

Effective Date: July 1, 2007

***Signed by the Governor on May 17, 2007***

#### **HB 81 - Salt water fishing; charter fishing guide and pier fishing licenses; provisions**

This bill changes certain provisions relating to charter fishing licenses, fees, and maintenance of records, and provides for new licenses relative to salt water fishing. It also provides for a veteran's lifetime sportsman's license at a reduced cost and defines 'veteran'.

Effective Date: July 1, 2007

***Signed by the Governor on May 14, 2007***

#### **HB 91 - Executive branch of government; certain reports; provide to General Assembly**

This bill requires that the state auditor file a report annually beginning September 30, 2007, containing information covering the immediately preceding fiscal year including a listing of all revenue received by each agency, the statutory basis for collection, the amount collected, expended, or reserved, and the reconciliation of the revenue balance. For the following reports, an electronic document or access to the state accounting system shall be sufficient: a list of all written contracts entered into by the agency, a list of employment or consultant contracts, a list of the names of each entity that has received from the agency payments in excess of \$20,000, and a list of consultant expenses and other professional service expenses.

***Vetoed by the Governor on May 30, 2007***

**Governor Perdue's Press Release:**

**VETO NUMBER 8 – HB 91**

**HB 91 requires State agencies to annually provide certain detailed financial information to the Department of Audits and Accounts for subsequent reporting to the General Assembly by September 30. Essentially all of the non-confidential information requested in the bill is currently available to members of the General Assembly on-line through their budget offices or published State reports – such as the travel, salary, per diem and fee, and non-profit contractor reports, which are annually published through the Department of Audits and Accounts. Other information is available through the federal Single Audit Report, Comprehensive Annual Financial Report (CAFR) and the Budgetary Compliance Report published by the State Accounting Office. In addition, both legislative budget offices can run reports and queries from the PeopleSoft accounting system and have access to on-line inquiries. They each have access to the State's asset management, accounts payable, accounts receivable, general ledger, labor distribution, and budget module financial systems. In addition, public disclosure of other information, like a listing of unduplicated recipients of health care services or benefits, could violate the federal Health Insurance Portability and Ac-**



countability Act. Because the bill is overly broad, and because members of the legislature already have access to the non-confidential information sought, I VETO HB 91.

**HB 118 - Additional superior court judges; provide**

This bill provides for a 10<sup>th</sup> judge in the Cobb Circuit, a 3<sup>rd</sup> judge in the Cordele Circuit, a 3<sup>rd</sup> judge in the Dublin Circuit, a 3<sup>rd</sup> judge in the Enotah Circuit, and a 10<sup>th</sup> judge in the Gwinnett Circuit.  
Effective Date: Effective with or without the signature of the Governor

***Signed by the Governor on May 30, 2007***

**HB 153 - Juveniles; Division of Family and Children Services; provide certain requirements**

This bill provides that in any case or class of cases involving alleged delinquent, unruly, or deprived children, the judge shall determine whether such case shall be conducted by the judge or by the associate juvenile court judge. Not less than five days in advance of any placement change, the division shall notify the court and others of such change in location. If the child's health and welfare is in danger, only the court and any attorney of record shall be notified within 24 hours of the change. Certain persons may request a hearing with regard to the child's case plan and permanency plan in order for the court to consider the change in the location of the child and any changes to the case plan or permanency plan. This bill also provides for the transfer of a child to a public agency not including the Department of Juvenile Justice. Legal custody rights shall be subject to judicial oversight and review.  
Effective Date: July 1, 2007

***Signed by the Governor on May 30, 2007***

**HB 168 - Associate juvenile court judges; appointment; change qualifications**

This bill provides that each associate juvenile court judge shall have the same qualifications as required for a judge of the juvenile court. Any person serving as an associate juvenile court

judge on July 1, 2007 shall be qualified for appointment thereafter to serve as an associate juvenile court judge. The judge may appoint one or more persons to serve as associate juvenile court judge on a full or part time basis.  
Effective Date: July 1, 2007

***Signed by the Governor on May 24, 2007***

**HB 181 - Public safety and judicial facilities authorities; bond indebtedness; provide limitations**

This bill provides limitations with respect to the creation, activation, and activities of public safety and judicial facilities authorities and requires resolutions or referendums prior to issuing bonds for new projects.

Effective Date: Effective with or without the signature of the Governor July 1, 2007

***Signed by the Governor on May 24, 2007***

**HB 218 - Georgia Ports Authority; employees; power of arrest; peace officers; require**

This bill requires that Georgia Ports Authority employees designated as Peace Officers shall be authorized to exercise the powers of arrest.

***Vetoed by the Governor on May 30, 2007  
Governor Perdue's Press Release:***

**VETO NUMBER 12 - HB 218**

**HB 218 would restrict the flexibility that the Georgia Ports Authority currently has in hiring certain personnel. Such limitations on the Authority are not needed at this time, for the Authority already generally employs personnel with the qualifications required by the bill. For these reasons, I VETO HB 218.**

**HB 274 - Notaries; qualifications; application; change certain provisions**

This bill lists the requirements for becoming a notary public. Any person who performs any notarial service without complying with the provisions of this article shall, upon the first or second conviction, be guilty of a misdemeanor and upon any third or subsequent conviction be guilty of a felony, punishable by imprisonment, a fine, or both.

Effective Date: July 1, 2007

***Signed by the Governor on May 22, 2007***

**HB 527 - Probation; private supervision services; minimum fee; establish**

This bill precludes the requirement of a registration fee for private or governmental probation services registering with the County and Municipal Probation Advisory Council.

Effective Date: July 1, 2007

***Signed by the Governor on May 24, 2007***

**HB 529 - General Assembly; budgetary functions; reflect changes**

This bill amends provisions to reflect changes in



the organization of the General Assembly with respect to courts, criminal procedure, public officers, state government, and others. This bill reflects the abolition of the Legislative Budget Office and provides for the Senate Budget Office and the House Budget Office to be provided the reports previously required by the abolished office. The director of such offices is authorized to request information and material from all state entities. A Budgetary Oversight Committee is created and is charged with review and evaluation of programs and the development of an annual report of their findings and activities.

***Vetoed by the Governor on May 30, 2007***

**Governor Perdue's Press Release:**

**VETO NUMBER 25 - HB 529**

**HB 529 changes certain functions relating to the State's budget and reporting processes. The bill however does not change various budgeting terms such as "object classes" and "budget units," which have not been used in years and were positive changes previously included in SB 254. Neither term is germane to program budgeting, therefore, I VETO HB 529.**

**[HR 352 - House Study Committee on Eyewitness Identification Procedures; create](#)**

This resolution creates the House Study Committee on Eyewitness Identification Procedures.

Effective Date: July 1, 2007

***Signed by the Governor on May 30, 2007***

**[SB 106 - Bonds; surety for good behavior; extend the period](#)**

This bill extends the period for which any judicial officer authorized to hold a court of inquiry may require a bond with surety for good behavior from 60 days to 6 months.

Effective Date: July 1, 2007

***Signed by the Governor on May 24, 2007***

**[SB 128 - Child Advocate, Office of; provide confidentiality of records](#)**

This bill provides for the confidentiality of records held by the Office of the Child Advocate for the Protection of Children.

Effective Date: Effective with or without the signature of the Governor July 1, 2007

***Signed by the Governor on May 24, 2007***

**[SB 139 - Georgia Public Defender Standards Council; transfer from judicial branch to executive branch](#)**

This bill transfers the Georgia Public Defenders Standards Council from the Judicial Branch of government to the Executive Branch.

Effective Date: July 1, 2007

***Signed by the Governor on May 30, 2007***

**[SR 246 - Indigent Defense; create Joint Study Committee](#)**

This resolution creates the Joint Study Committee on Indigent Defense.

Effective Date: July 1, 2007

***Signed by the Governor on May 30, 2007***





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