Summary of Enacted Legislation 2020

Prepared by the Judicial Council/
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Director, Cynthia H. Clanton

Judicial Council of Georgia
Administrative Office of the Courts
244 Washington Street, SW • Suite 300
Atlanta, GA 30334

www.georgiacourts.gov

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FOREWORD

The *Summary of Enacted Legislation* provides summaries of bills and resolutions that are pertinent to the judiciary passed by the 155th Georgia General Assembly during the 2020 Regular Session.

This publication organizes the summaries in numerical order based on their subject matter. For bills that were vetoed, the veto message, as provided by Governor Brian Kemp, is included with the bill summary and are categorized in the "Vetoed by the Governor" section.

The *Summary of Enacted Legislation* is intended to be a convenient reference guide. Please note: a bill summary should not be used as the definitive source of legal interpretation. For detailed information, the Act itself should be examined.

Last, but certainly not least, the Judicial Council/Administrative Office of the Courts would like to thank our 2020 Legislative Interns – Athena Zhang and Franchesca Badia for their contributions during the legislative session.

SUMMARY OF THE 2020 REGULAR SESSION

The 2020 Regular Session of the 155th Georgia General Assembly convened on January 13, 2020, and adjourned Sine Die on June 26, 2020. The 2020 session was heavily affected by the COVID-19 pandemic. Following an abbreviated Legislative Day 29 on March 13, the General Assembly remained in an extended recess before eventually returning on June 15 with significant changes to meeting and voting procedures. Additionally, the economic effects of the pandemic necessitated major changes to the FY 2021 Budget when compared to the Governor's original recommendation. As a result, a smaller than usual number of bills and resolutions received final passage. Despite this fact, the General Assembly did manage to pass legislation relating to a wide range of subjects including hate crime penalties, maternal health coverage, surprise medical billing, and protections for senior home residents.

A number of bills that affect the judiciary were passed, including the budget for Fiscal Year 2021, a revision of the probate code, updates to garnishment proceedings, restrictions to bond practices, and creation of three additional superior court judgeships.

To view the summaries of all bills tracked by the Judicial Council/Administrative Office of the Courts, please visit legislation.georgiacourts.gov.

To view all bills introduced during the Georgia General Assembly's 2020 session, go to www.legis.ga.gov/.
To view the bills signed by the governor in 2020, visit https://gov.georgia.gov/executive-action/legislation/signed-legislation/2020-signed-legislation.

BUDGET

HB 792 - Supplemental appropriations; State Fiscal Year July 1, 2019 - June 30, 2020
House Author: Rep. David Ralston (R – Blue Ridge)
Senate Sponsor: Sen. Jack Hill (R – Reidsville)

HB 792 is the Amended Budget for State Fiscal Year 2020 (July 1, 2019 – June 30, 2020).
To view the budget as passed by the General Assembly, please click here.

Signed by the Governor: March 17, 2020
Effective Date: March 17, 2020

Statewide Common Budget Changes for AFY 2020 include increases to reflect adjustments in agency premiums for Department of Administrative Services administered self-insurance programs. Highlights of the AFY 2019 budget (state funds) include the following:

Court of Appeals

- Increase funds for cyber security assessments - $32,570
- Increase funds for expenses due to relocating to the new Judicial Building - $55,089
- Reduce funds for personnel based on actual start date for a new position - ($6,839)
- Reduce funds to reflect six months of increased rent associated with the move to the Nathan Deal Judicial Center- ($46,418)
- Reduce funds - ($196,417)

Georgia State-wide Business Court

- Increase funds for personnel effective January 1, 2020- $155,977
- Increase funds for operations effective January 1, 2020- $37,300
- Increase funds for one-time funding for the establishment of a case management system- $400,000
- Increase funds for one-time funding for the establishment of technology for the State-wide Business Court- $210,860
- Increase funds for one-time funding for furniture, fixtures, and equipment for the State-wide Business Court- $176,874
- Increase funds for travel and per diem expenses for the State-wide Business Court Commission- $17,363

Judicial Council

Council of Accountability Court Judges

- No changes

Office of Dispute Resolution

- No changes

Institute of Continuing Judicial Education

- Reduce funds - ($12,199)

Judicial Council

- Increase funds for grants for legal services for Kinship Care families - $100,000
- Reduce funds to reflect savings from vacant positions - ($25,856)

Judicial Qualifications Commission

- Increase funds for contracts - $40,000

Resource Center

- No changes

Juvenile Courts

Council of Juvenile Court Judges

- Reduce funds to reflect savings from vacant positions-($19,730)
- Reduce funds to reflect actual reimbursements for Family Treatment Courts - ($130,000)

Grants to Counties for Juvenile Court Judges

- Reduce funds to reflect actual grant requests- ($7,888)

BUDGET cont.

Superior Courts

Council of Superior Court Judges

- Reduce Funds - ($16,230)

Judicial Administrative Districts

- Reduce funds - ($29,933)

Superior Court Judges

Reduce funds to reflect savings from vacant positions. - ($606,466)

Supreme Court

- Increase funds for nine leased copiers in the Nathan Deal Judicial Center- $18,210
- Increase funds for Endpoint Detection and Response (EDR) services- $9,250
- Increase funds for web application firewalls - $10,230
- Increase funds for research fees - $6,000
- Increase funds for one-time funding for stationery and signage costs for the Nathan Deal Judicial Center - $25,379
- Reduce funds to reflect six months of increased rent associated with the move to the Nathan Deal Judicial Center - ($31,059)
- Reduce Funds - ($134,330)

HB 793 - General appropriations; State Fiscal Year July 1, 2020 - June 30, 2021
House Author: Rep. David Ralston (R – Blue Ridge)
Senate Sponsor: Sen. Blake Tillery (R – Vidalia)

HB 793 is the Budget for State Fiscal Year 2021 (July 1, 2020 – June 30, 2021). To view the budget as passed by the General Assembly, please click here.

Signed by the Governor: June 30, 2020
Effective Date: July 1, 2020
Statewide Common Budget Changes for FY 2021 include reduction in funds for the Georgia Technology Authority administrative fee for GETS contract management adjustments and merit system adjustments. Highlights of the FY 2020 budget (state funds) include the following:

Court of Appeals

- Provide one-time funds for cyber security insurance and reevaluate the required funding following the implementation of a judicial branch cyber security insurance policy- $75,000
- Provide one-time funds for the Cyber Security Operations Center and reevaluate the required funding following the implementation of a judicial branch cyber security insurance policy- $55,000
- Reduce funds for operating expenses - ($254,715)
- Reduce funds for personal services for salaries over $100,000 - ($216,370)

Georgia State-wide Business Court

Increase funds to establish the State-wide Business Court and reflect delayed start dates for staff- $1,185,047
Increase funds for annual operating costs for new State-wide Business Court - $222,514
Reduce funds for personal services for salaries over $100,000 - ($10,621)

Judicial Council

Council of Accountability Court Judges

- Reduce funds for contractual services and memorandums of understanding - ($74,207)

Office of Dispute Resolution

- No changes

BUDGET cont.

Institute of Continuing Judicial Education

- Reduce funds for administrative costs - ($24,000)
- Reduce funds for programming costs - ($40,000)

Judicial Council

- Reduce funds for operating expenses - ($304,200)
- Reduce funds for travel - ($97,079)
- Reduce funds for equipment- ($67,840)
- Reduce funds for contractual services - ($213,636)
- Reduce funds for information technology - ($92,272)
- Reduce funds to temporarily reduce pass-through funding for legal aid - ($1,147,502)
- Reduce funds for operating expenses for the Council of Municipal Court Judges - ($2,266)
- Reduce funds for the Council of Court Administrators - ($2,668)
- Reduce funds for operating expenses for the Council of Probate Court Judges - ($25,964)
- Reduce funds for operating expenses for the Council of State Court Judges - ($36,691)
- Reduce funds for operating expenses for the Council of Magistrate Court Judges- ($27,023)

Judicial Qualifications Commission

Reduce funds for personal services - ($24,253)
Reduce funds for personal services for salaries over $100,000 - ($3,795)

Resource Center

- Reduce funds for travel - ($25,000)

Juvenile Courts

Council of Juvenile Court Judges

- Reduce funds to freeze one vacant Judicial Detention Alternative Initiative Assistant Coordinator position - ($78,382)
- Reduce funds to freeze one vacant training position - ($58,085)
- Reduce funds for travel - ($20,000)
- Reduce funds for Family Treatment Court Grants to match prior year expenditures - ($128,549)

Grants to Counties for Juvenile Court Judges

- Reduce funds to reflect an adjustment in the employer contribution rate for the Judicial Retirement System from 9.13% to 8.38% - ($58,674)

Superior Courts

Council of Superior Court Judges

- Provide funds for additional security software and software licensing - $24,220
- Provide funds to conduct security audits - $10,000
- Reduce funds for operating expenses - ($2,008)
- Reduce funds for personal services for salaries over $100,000 - ($8,569)

Judicial Administrative Districts

Reduce funds for operating expenses - ($335,739)

Superior Court Judges

- Reduce funds to reflect an adjustment in the employer contribution rate for the Judicial Retirement System from 9.13% to 8.38% - ($218,360)
- Increase funds to annualize the cost of one new judgeship in the Griffin Circuit created in accordance with HB 28 - $196,830
- Increase funds to annualize the cost of one new judgeship in the Gwinnett Circuit created in accordance with HB 21 - $196,830
- Increase funds for security protection software - $13,060
- Reduce funds for payments to the Retirement System for Emeritus Retirement Payments to reflect projected expenditures - ($55,289)
- Reduce funds for emergency needs from $69,700 to $10,000 - ($59,700)
- Eliminate funds for Senior Judge usage for ac-

countability courts - ($882,268)

- Reduce funds for Senior Judge general usage from the current allocation of 8.75 Senior Judge days per active Judge to 0.75 Senior Judge days per active Judge - ($992,857)
- Reduce funds to freeze the Judicial Assistant salary step plan - ($243,763)
- Reduce funds to create a 2% lapse factor for Judicial Assistant positions to reflect turnover throughout the year - ($251,701)
- Eliminate funds for Westlaw online legal research - ($115,006)
- Eliminate funds for statutorily defined reimbursement to counties for Habeas cost - ($30,000)
- Reduce funds for staff travel - ($80,912)
- Reduce funds for continuing judicial education - ($150,000)
- Reduce funds for personal services for salaries over $100,000, while allowing circuits to have flexibility in implementation - ($706,534)

Supreme Court

- Reduce funds for leases for copiers - ($19,193)
- Increase funds for Endpoint Detection and Response (EDR) services - $9,250
- Increase funds for web application firewalls - $10,230
- Reduce funds to reflect projected expenses for rent - ($21,512)
- Reduce funds to temporarily suspend payments for membership dues for the National Center for State Courts - ($247,559)
- Reduce funds for personal services to freeze one vacant position in the Justice's Chambers - ($50,776)
- Reduce funds for the ThomsonReuters/WestLaw research contract - ($12,269)
- Reduce funds for information technology - ($214,113)
- Reduce funds for supplies and materials - ($65,516)
- Reduce funds for Justice's Official Business reimbursements - ($30,041)
- Reduce funds for building maintenance and repairs - ($23,672)
- Reduce funds for personal services for salaries over $100,000 - ($123,726)

COMPENSATION/RETIREMENT

HB 663 - Georgia Judicial Retirement System; membership for certain persons employed in certain full time positions requiring admission to the State Bar of Georgia as a condition of employment; require

House Author: Rep. Chuck Efstration (R – Dacula)
Senate Sponsor: Sen. Ellis Black (R – Valdosta)

HB 663 amends Chapter 23 of Title 47 of the OCGA to provide membership eligibility for the Georgia Judicial Retirement System for a judge of the State-wide Business Court. The bill further entitles these members to retirement credit for service rendered in the State-wide Business Court between January 1, 2020 and June 30, 2020. Credit from the Employees' Retirement System of Georgia will be eligible for transfer into the Georgia Judicial Retirement System. The bill provides that state-wide business court judges will be subject to all provisions of said chapter that are applicable to solicitors-general of the state courts. Finally, the bill provides membership eligibility for the Employees' Retirement System of Georgia for all other individuals employed by the State-wide Business Court.

Signed by the Governor: June 29, 2020
Effective Date: July 1, 2020

HB 664 - Georgia Judicial Retirement System; membership for certain persons employed in certain full time positions requiring admission to the State Bar of Georgia as a condition of employment; require

House Author: Rep. Barry Fleming (R – Harlem)
Senate Sponsor: Sen. William Ligon, Jr. (R – Brunswick)

HB 664 amends Title 47 Chapter 23 of the OCGA to provide that, on and after July 1, 2020, employees of the Office of Legislative Counsel serving in a full-time position requiring admission to and good standing with the State Bar of Georgia as a condition of employment shall be members of the Judicial Retirement System. Such employees serving before July 1, 2020, who are members of the Employee's Retirement System may elect to become members of the Judicial Retirement System.

Signed by the Governor: June 29, 2020
Effective Date: July 1, 2020

SB 26 - Employees' Retirement System of Georgia; prior service as a member of Georgia Defined Contribution Plan; creditable service; provide

Senate Author: Sen. William Ligon, Jr. (R – Brunswick)
House Sponsor: Rep. Noel Williams, Jr. (R – Cordele)

SB 26 amends Title 47 of the OCGA to allow service as a member of the Georgia Defined Contribution Plan to be creditable toward retirement benefits under the Employees' Retirement System of Georgia.

Signed by the Governor: June 29, 2020
Effective Date: July 1, 2020

SB 295 - Courts and Revenue and Taxation; cost-of-living and general performance based increases; revise

Senate Author: Sen. John Wilkinson (R – Toccoa)
House Sponsor: Rep. Ginny Ehrhart (R – Marietta)

SB 295 amends Titles 15 and 48 of the OCGA to revise the minimum annual salary schedule for superior court clerks, probate court judges, sheriffs, tax collectors, and tax commissioners to consider cost-of-living and general performance-based increases provided on or after January1, 2020.

Signed by the Governor: July 29, 2020
Effective Date: January 1, 2021

CRIMINAL

HB 341 - Crimes and offenses; reproduction of recorded material; update terminology

House Author: Rep. Matt Dollar (R – Marietta)
Senate Sponsor: Sen. Renee Unterman (R – Buford)

HB 341 amends Code Section 16-8-60 of the OCGA to include memory cards, flash drives, hard drives, and other data storage devices to the list of storage mediums that are protected from illegal reproduction or distribution.

Signed by the Governor: June 29, 2020
Effective Date: January 1, 2021

HB 426 - Criminal procedure; imposition of punishment for crimes involving bias or prejudice; revise criteria

House Author: Rep. Chuck Efstration (R – Dacula)
Senate Sponsor: Sen. Bill Cowsert (R – Athens)

HB 426 amends Title 17 of the OCGA to provide enhanced penalties for felonies or designated misdemeanors in which the defendant intentionally selected a victim or group of victims based on such victim's or group of victims' actual or perceived race, color, religion, national origin, sex, sexual orientation, gender, mental disability, or physical disability. The bill further requires judges to state when they impose such an enhanced sentence and how much of the increased sentence is based on this penalty. HB 426 also provides for reporting of investigations of these crimes to the Georgia Bureau of Investigation for annual publication in the Georgia Uniform Crime Reports.

Signed by the Governor: June 26, 2020
Effective Date: July 1, 2020

HB 759 - Controlled substances; Schedule IV; change certain provisions

House Author: Rep. Butch Parrish (R – Swainsboro)
Senate Sponsor: Sen. Dean Burke (R – Bainbridge)

HB 759 amends Chapter 13 of Title 16 of the OCGA as part of the annual drug schedule update to make Georgia state law in accordance with federal law. The bill adds Solriamfetol and its derivatives to a list of Schedule IV controlled substances and 46 drugs to the list of dangerous drugs. The drugs Ethinamate and Lorcaserin hydrochloride are removed from this list.

Signed by the Governor: June 29, 2020
Effective Date: June 29, 2020

HB 799 - Motor vehicles; prohibition regarding eligibility of certain violators to receive early reinstatement of their driver's licenses and limited driving permits; repeal

House Author: Rep. Shaw Blackmon (R – Bonaire)
Senate Sponsor: Sen. Jesse Stone (R – Waynesboro)

HB 799 amends Article 3A of Chapter 5 of Title 40 of the OCGA to repeal language prohibiting persons charged for driving under the influence of a controlled substance or marijuana from receiving early reinstatement of their driver's licenses or limited driving permits.

Signed by the Governor: July 29, 2020
Effective Date: July 29, 2020

HB 823 - Crimes and offenses; lifetime disqualification from operating a commercial motor vehicle by persons convicted of trafficking other persons for labor or sexual servitude; provide

House Author: Rep. Houston Gaines (R – Athens)
Senate Sponsor: Sen. John Albers (R – Roswell)

HB 823 amends Code Sections 16-5-46 and 40-5-151 of the OCGA to provide for a lifetime disqualification from operating a commercial motor vehicle and revocation of a commercial driver's license for persons convicted of trafficking an individual for labor or sexual servitude while operating a commercial motor vehicle.

Signed by the Governor: July 21, 2020
Effective Date: July 21, 2020

HB 838 - Law enforcement officers and agencies; Office of Public Safety Officer Support; change the name

House Author: Rep. Bill Hitchens (R – Rincon)
Senate Sponsor: Sen. John Albers (R – Roswell)

HB 838 renames Office of Public Safety Officer Support at the Department of Public Safety to the Office of Public Safety Support. The bill also amends Chapter 8 of Title 35 of the OCGA to provide peace officers the right to bring civil suit against persons or groups for damages suffered while the peace officer was performing their official duties or for damages suffered as a result of a false claim being filled against the officer. Finally, the bill creates the offense of bias motivated intimidation. A person commits this offense when they cause death, serious bodily harm of another person maliciously and with the specific intent to intimidate, harass, or terrorize the other person because of their actual or perceived employment as a first responder. The offense also applies if a person causes damages in excess of $500 to another person's property under the same circumstances. Convictions for this offense shall be punishable with imprisonment between one and five years, a fine of up to $5000, or both. The bill further states that each violation of this law will constitute a separate offence which shall not be merged and that sentences for this offense shall run consecutively to sentences for any other offenses. Charges for this offense shall not be prosecuted by way of an accusation but only by indictment or special presentment by a grand jury.

Signed by the Governor: August 5, 2020
Effective Date: January 1, 2021

HB 847 - Hemp farming; definitions, penalties and criminal background checks; provide

House Author: Rep. John Corbett (R – Lake Park)
Senate Sponsor: Sen. Tyler Harper (R – Ocilla)

HB 847 amends Chapter 23 of Title 2 of the OCGA to provide various regulations relating to the growing, transportation, selling and processing of hemp. The bill also mandates that proper documentation accompany shipped hemp or hemp products proving that the shipped items comply with regulations and that they do not exceed the legal THC levels. Persons transporting hemp or hemp products are also required to carry certain documentation.

Signed by the Governor: July 22, 2020
Effective Date: July 22, 2020

HB 911 - Crimes and offenses; offenses of improper sexual conduct by a foster parent in the first and second degrees; provide

House Author: Rep. Ed Setzler (R – Acworth)
Senate Sponsor: Sen. John Albers (R – Roswell)

HB 911 amends Code Section 16-6-5.1 of the OCGA to create the offense of improper sexual contact by a foster parent in the first degree when a foster parent engages in sexually explicit conduct with his or her foster child; and, the offense of improper sexual contact by a foster parent in the second degree when a foster parent engages in sexual contact, excluding sexually explicit conduct, with his or her foster child.

Signed by the Governor: July 20, 2020
Effective Date: January 1, 2021

HB 984 - Criminal procedure; sentencing; change provisions

House Author: Rep. James Burchett (R – Waycross)
Senate Sponsor: Sen. Jesse Stone (R – Waynesboro)

HB 984 amends Article 1 of Chapter 10 of Title 17 of the OCGA to grant the sentencing court more time to hear arguments in regard to motions that would modify a defendant's sentence by removing the requirements for an issued order or for time limits on hearing the matter. If a defendant is at liberty under bond during an appeal's pendency, the prosecuting

attorney must notify the defendant of the sentence's commencement within 90 days of a remittitur from the appellate court. The bill also clarifies the computation of sentence time to include pre and post-trial confinement and exceptions to this computation.

Signed by the Governor: July 29, 2020
Effective Date: January 1, 2021

HB 1057 - Agriculture; further regulation of soil amendments derived from industrial by-products by local governments; authorize

House Author: Rep. Trey Rhodes (R – Greensboro)
Senate Sponsor: Sen. Lee Anderson (R – Grovetown)

HB 1057 amends Chapter 12 of Title 2 of the OCGA to provide for various regulations regarding fertilizers and soil amendments. The bill adds domestic septage to the list of substances considered to be fertilizer adulterators. Anyone found to have distributed or applied fertilizer containing domestic septage would be guilty of a misdemeanor on the first violation. Any subsequent violations would be considered misdemeanors of a high and aggravated nature. These offenses would also carry civil penalties of no more than $25,000 for the first offense and $50,000 for all subsequent offenses.

Signed by the Governor: July 29, 2020
Effective Date: January 1, 2021

SB 288 - Criminal History Record Information; automatic restriction; final disposition other than a conviction; provide

Senate Author: Sen. Tonya Anderson (D – Lithonia)
House Sponsor: Rep. Houston Gaines (R – Athens)

SB 288 amends Article 2 of Chapter 3 of Title 35 of the OCGA to allow any individual convicted of a misdemeanor or nonviolent offense that has been pardoned by the State Board of Pardons and Paroles to petition the court to restrict access to his/her criminal history record as long as the individual has not been convicted of any crime for at least four years and has no pending charges. The jurisdictional court shall grant this petition if the harm resulting to the individual clearly outweighs the public's interest in the criminal history. At the time of sentencing for offenses relating to alcoholic beverages or controlled substances, a defendant who has not previously been convicted may also petition restriction of this information. In civil proceedings against an employer, employees, or agents, this information will not be admissible if it is not directly related to such proceedings.

Signed by the Governor: August 5, 2020
Effective Date: January 1, 2021

SB 301 - Detainers; inmates charged with subsequent felony offenses under sentence and in custody; temporary custody provisions; revise

Senate Author: Sen. Blake Tillery (R – Vidalia)
House Sponsor: Rep. Bill Werkheiser (R – Glennville)

SB 301 amends Article 1 of Chapter 6 of Title 42 of the OCGA to make it optional rather than required that the Department of Corrections offer temporary custody of an inmate with subsequent felony charges under sentence or in custody to the sheriff of the county with the pending indictment.

Signed by the Governor: July 29, 2020
Effective Date: January 1, 2021

SB 337 - Invasion of Privacy; prohibition against the transmission of photography depicting nudity; include falsely created videographic or still images

Senate Author: Sen. Bruce Thompson (R – White)
House Sponsor: Rep. Chuck Efstration (R – Dacula)

SB 337 amends Part 3 of Article 3 of Chapter 11 of Title 16 of the OCGA to prohibit the transmission of

falsely created videographic or still images of other persons without the consent of the depicted person. This liability will not be imposed on any computer or information service for content provided by another person.

Signed by the Governor: August 3, 2020
Effective Date: August 3, 2020

SB 375 - Cigarettes and Tobacco Related Products; additional penalties regarding any person under 21 years of age; provide; definition of vapor product; revise

Senate Author: Sen. Jeff Mullis (R – Chickamauga)
House Sponsor: Rep. Bonnie Rich (R – Suwanee)

SB 375 amends Title 16 of the OCGA to increase the minimum age of an individual for sale or distribution of cigarettes, tobacco, and vapor products from 18 to 21 years old. For individuals under the age of 21 who violate specified Code Sections, the Department of Driver Services shall withhold or suspend the driving privileges of such individuals for 45 days. Individuals who are 21 years of age or older and knowingly use a vapor product within a school safety zone will be guilty of a misdemeanor and required to pay fines. All vapor products violating Code shall be considered contraband and may be seized by any special agent or enforcement officer of the state revenue commissioner. Lastly, the bill amends Title 20 to require the State Board of Education to prescribe minimum mandatory instruction on the dangers of smoking and vaping by July 1, 2020, and local Boards of Education to implement these plans by December 31, 2020. Required resource materials will also be made available to student clubs and organizations.

Signed by the Governor: July 22, 2020
Effective Date: January 1, 2021 for Section 2, July 22 for all other provisions.

SB 393 - Law Enforcement Officers and Agencies; duties and powers; revise; campus policemen and other security personnel of the university system; arrests for felony offenses

Senate Author: Sen. Brian Strickland (R – McDonough)
House Sponsor: Rep. Bert Reeves (R – Marietta)

SB 393 amends Chapter 3 of Title 35 of the OCGA to create a Legal Division within the Georgia Bureau of Investigation and authorize GBI personnel to serve as special assistant attorneys general, special assistant district attorneys, special assistant solicitors-general, or special assistant United States Attorneys when requested by other agencies.

Signed by the Governor: June 29, 2020
Effective Date: July 1, 2020

SB 394 - Attorney General; authority to investigate and prosecute certain crimes and offenses; provide

Senate Author: Sen. John Albers (R – Roswell)
House Sponsor: Rep. Chuck Efstration (R – Dacula)

SB 394 amends Title 16 of the OCGA to authorize the Attorney General to employ peace officers for the purposes of investigating cases involving human trafficking and to authorize such peace officers to exercise all powers of a peace officer. Additionally, the bill amends Title 45 to allow the Attorney General to employ peace officers for the purposes of issuing subpoenas.

Signed by the Governor: June 29, 2020
Effective Date: July 1, 2020

SB 435 - "The Debbie Vance Act"; court imposing sentence may grant the relief of vacatur for convictions and sentences of defendants; provide

Senate Author: Sen. Brian Strickland (R – McDonough)
House Sponsor: Rep. Bonnie Rich (R – Suwanee)

SB 435 amends Title 17 of the OCGA to provide that a court may vacate the sentence of a defendant convicted of an offense and sentenced as a direct result of being the victim of an offense of human trafficking. The bill provides for a process for submitting a petition to the court and includes provisions accounting for the consent or the objection of the prosecuting attorney to such petition. SB 435 also amends Title 35 of the OCGA to provide for the restriction of criminal history record information for a defendant convicted of an offense and sentenced as a direct result of being the victim of an offense of human trafficking.

Signed by the Governor: June 29, 2020
Effective Date: June 29, 2020

CIVIL

HB 865 - Wills, trusts, and administration of estates; Revised Probate Code of 1998; revise and update provisions.

House Author: Rep. Mitchell Scoggins (R – Cartersville)
Senate Sponsor: Sen. Jesse Stone (R – Waynesboro)

HB 865 amends Titles 7, 9, 10, 15, 19, 23, 50, and 53 of the OCGA to provide comprehensive revisions of laws regarding wills, trusts, and estates. The jurisdiction of all probate courts is expanded to include DNA testing and approval of settlement agreements. Additionally, the jurisdiction of Article 6 probate courts is expanded to include declaratory judgments involving fiduciaries and construction of wills and trust matters. The qualifications of Article 6 court judges are aligned with those of superior and state court judges. The bill also clarifies that probate courts are allowed to appoint a temporary administrator in the absence of a personal representative. HB 865 revises language across several subjects to provide clarification and improve consistency across Code Sections. The bill extends the time limit for filing objections in probate matters from ten to thirty days. It also clarifies that the execution of will formalities requires physical presence and electronic signatures are not sufficient. The bill further outlines which actions do not violate a no contest clause in a will or trust. The bill states that year's support is to be preferred before all other debts or demands and clarifies year's support provisions applied to a decedent's minor children born to individuals other than the decedent's surviving spouse. The bill also outlines the circumstances in which property taxes can be divested. The bill provides for a prudent investor standard for trust assets all allows for trustees to consider the personal beliefs of beneficiaries when making investment decisions. Finally, HB 865 amends the 'Georgia Power of Attorney Act' to bring uniform act provisions in line with statutes regarding real property transfers and Medicaid qualification trusts and codifies several common law practices.

Signed by the Governor: July 29, 2020
Effective Date: January 1, 2021

SB 359 - 'Surprise Billing Consumer Protection Act'; certain consumer protections against surprise billing; provide (The original language of this bill has been removed and the title is no longer accurate.)

Senate Author: Sen. Chuck Hufstetler (R – Rome)
House Sponsor: Rep. Trey Kelley (R – Cedartown)

SB 359, or the "Georgia COVID-19 Pandemic Business Safety Act" states that no healthcare facility or provider nor any entity or individual can be held liable for damages related to COVID-19 unless gross negligence, willful and wanton misconduct, reckless infliction of harm, or intentional infliction of harm can be proven. The bill further provides language that, if posted at the entry of a location or upon a receipt or proof of purchase for entry such as a ticket or wristband, creates rebuttable presumption that individuals entering the location are assuming the risk of exposure. The bill provides guidance to how the language should be presented. This act shall apply to causes of action accruing until July 14, 2021, and not to any accruing after this time.

Signed by the Governor: August 5, 2020
Effective Date: August 5, 2020

SB 439 - Juvenile Code; enhanced notice to and improved participation of foster, preadoptive, and relative caregivers in certain hearings; provide

Senate Author: Sen. Matt Brass (R – Newnan) v
House Sponsor: Rep. Marcus Wiedower (R – Watkinsville)

SB 439 amends Chapter 11 of Title 15 of the OCGA to require a court to make specific fact findings regarding participation by a child's caregiver, foster parent, or preadoptive parents during certain hearings such as hearings on the termination of parental rights. In regard to notices of changes in placement hearings and presumption, the Council of Juvenile Court Judges shall provide methods for persons entitled to such notices to electronically file objection to such changes. After granting the termination of parental rights, a court shall consider the testimony

and evidence of any willing individual whose has had physical custody of the child for at least 12 months. The court may limit the scope of evidence to material it deems relevant.

Signed by the Governor: July 21, 2020
Effective Date: January 1, 2021

SB 443 - Garnishment Proceedings; revise; uniform procedures for garnishment actions; provide

Senate Author: Sen. Jesse Stone (R – Waynesboro)
House Sponsor: Rep. Andrew Welch (R – McDonough)

SB 443 amends Chapter 4 of Title 18 of the OCGA to revise several provisions related to garnishment proceedings. The bill states that the Civil Practice Act shall only apply in proceedings in superior and state courts. The bill also makes it so that that a person or entity not originally named as a garnishee in an action may not be added as a garnishee by any amended pleading unless it is shown that the amended pleading was done to correct or clarify the identity of an intended garnishee. SB 443 further clarifies which costs may be added to subsequent garnishment balances, and that collateral in the hands of a creditor is not subject to garnishment as long as there is a balance owed to the creditor even if that balance is not due. The bill extends the length of continuing garnishments from six months to three years and provides exemptions to current time limits for additional or renewed summons in single garnishments to account for this extended timeline. The bill provides a definition for "private student loan" and reduces the maximum amount of income that can be subject to garnishments arising from one of these loans. SB 443 clarifies when a garnishee may answer a summons without liability for lack of knowledge of a defendant's disposable earnings. The bill also establishes a form that is to be used when the parties agree to lower the garnishment from the statutorily allowed maximum and provides guidelines regarding the form. SB 443 also provides several modifications and clarifications regarding notice including relaxing the requirements regarding proof that a defendant has received notice. The bill states that garnishees are allowed to a physical answer and that courts may not reject such filling even when the court is overwise subject to e-filling requirements. Additionally, any individual or organization providing payroll services to a garnishee has been added to the list of entities that can file answers on behalf of that garnishee. The bill also allows a court to decline to hear or issue a denial of a defendant's claim which is filed after the dismissal of a garnishment action against the defendant. Except in instances of continuing garnishments, courts are allowed to decline or dismiss any claim filed by defendant which comes after a judgment is entered, an order to disburse funds is issued, or money or other property subject to garnishment is distributed by the court. The bill further states that no claim by a defendant can succeed if it was capable of being raised and adjudicated in any clam previously made in the same garnishment action by the defendant. SB 443 also states that a defendant may file a transverse against a garnishee's motion to modify a default judgment and outlines how the transverse is to be adjudicated. SB 443 removes the court's discretion to disallow the amendment of a summons of garnishment when the amount shown to be due on a plaintiff's affidavit is incorrect. The bill also provides clarification on when. SB 443 makes several modifications to Code Section 18-4-23 of the OCGA relating to relief of liability in garnishment proceedings. The bill states that plaintiffs are entitled the process of continuing garnishments against both employees of and people who are "under periodic obligations for payment" to the defendant. Finally, SB 443 updates relevant forms to confirm to changes to the law made by the bill.

Signed by the Governor: August 5, 2020
Effective Date: January 1, 2021

COURTS

HB 576 - Courts; distribution priority of partial payments of fines, bond forfeitures, and costs; provide

House Author: Rep. Ricky Williams (R – Milledgeville)
Senate Sponsor: Sen. Burt Jones (R – Jackson)

HB 576 amends Title 15 of the OCGA to revise the order of priority for the distribution of fines, bond forfeitures, surcharges, additional fees, and costs in cases of partial payments into the court. County law libraries have been moved from eighth to tenth in the priority list. The bill further provides that any rules or regulations promulgated in regard to priority of distribution of such amounts from courts other than superior or state court must follow the priority set forth in OCGA 15-6-95.

Signed by the Governor: August 3, 2020
Effective Date: January 1, 2021

HB 786 - Superior courts; additional judge of the Flint Judicial Circuit; provide (Includes language from HB 1003 as filed and SB 405 as passed by the Senate)

House Author: Rep. Andrew Welch (R – McDonough)
Senate Sponsor: Sen. Jesse Stone (R – Waynesboro)

HB 786 provides for an eleventh superior court judgeship in the Cobb Judicial Circuit; a fourth superior court judgeship in the Flint Judicial Circuit; and a fourth superior court judgeship in the Ogeechee Judicial Circuit. The initial terms for the new judgeships will begin January 1, 2022 and expire December 31, 2024.

Signed by the Governor: July 29, 2020
Effective Date: July 29, 2020 the purposes of making the appointments of the judges to fill the superior court judgeships created by this Act; January 1, 2022 for all other purposes.

HB 912 - Social services; authorize foster parents to arrange for short-term babysitting
(Includes language from SB 335).

House Author: Rep. Bert Reeves (R – Marietta)
Senate Sponsor: Sen. Brian Strickland (R – McDonough)

HB 912 allows for foster parents to arrange for a babysitter for a child in foster care. The babysitter can only care for the foster child for up to seventy-two hours. The foster parent must use a reasonable and prudent selection standard and provide the babysitter with important information such as medical needs and emergency contacts. The bill also amends Chapter 11 of Title 15 of the OCGA to clarify the rule-making authority in OCGA §15-11-64(c) and provides a new Code Section 15-11-64(d) to require, pursuant to rules adopted by the Supreme Court of Georgia, the collection and transmission of data on all cases in which a child alleged or adjudicated to be a child in need of services or a delinquent child is placed in foster care and has also been alleged or adjudicated to be a dependent child. These data shall include adherence by the court to statutory time frames. HB 912 amends OCGA §15-11-110(c) to prioritize hearings with dependency time limits and termination of parental rights hearings over all other civil and criminal hearings and nonjury appearances in any other class of trial court. OCGA Code Section 15-11-340(d) is amended to change the schedule in with a DFCS case worker shall determine if a child is still eligible for youth care services from every 60 days to every 12 months. The bill also amends OCGA §49-5-8 to authorize the Department of Human Services to contract or partner with child-placing agencies and to determine the number of training hours required by foster parents based on the foster parents' experience, the foster child's needs, and the type of care provided by the foster parents.

Signed by the Governor: June 30, 2020
Effective Date: July 1, 2020

HR 1023 - Judiciary; people may petition for declaratory relief from certain acts of this state or certain local governments or officers or employees; provide – CA

House Author: Rep. Andrew Welch (R – Mconough)
Senate Sponsor: Sen. John Kennedy (R – Macon)

HR 1023 proposes a constitutional amendment to be placed on the ballot in November 2020 to waive sovereign immunity and allow citizens to petition superior courts to seek declaratory relief from acts of the state or local governments that are done outside of the scope of legal authority or that violate the law. Such a wavier would apply to apply to past, current, and prospective acts which occur on or after January 1, 2021. Petitions against actions of the state shall be brought exclusively against the State of Georgia and petitions against actions of local governments shall be brought exclusively against the relevant governmental entity. This amendment would not affect the power of the court including the power to dismiss or deny relief, though it does allow the General Assembly to limit this power. No damages, attorney's fees, or costs of litigation shall be awarded in an action authorized by this amendment.

Signed by the Governor: August 5, 2020
Effective Date: August 5, 2020

SB 402 - Bonds and Recognizances; conditions for unsecured judicial release on a person's own recognizance; provide

Senate Author: Sen. Randy Robertson (R – Cataula)
House Sponsor: Rep. Todd Jones (R – South Forsyth)

SB 402 amends Article 1 of Chapter 6 of Title 17 and related sections of the OCGA to rename release on a defendant's own recognizance as an "unsecured judicial release." An elected judge or judge sitting by designation may issue an unsecured judicial release if such designation is noted on the release order and if the person is not charged with a bail restricted offense. Any bond issued by a judge that purports a dollar amount shall be executed in the full amount of such bond through secured means or executed by use of property as approved by the sheriff in the county where the offense was committed. The bill also provides a procedural mechanism to release an inmate from custody in cases of medical emergency with judicial consent.

Signed by the Governor: August 3, 2020
Effective Date: January 1, 2021

GENERAL

HB 969 - Housing; certain provisions pertaining to unlawful practices in selling or renting dwellings and the procedures, remedies, and judicial review related thereto; change

House Author: Rep. Chuck Efstration (R – Dacula)
Senate Sponsor: Sen. Harold V. Jones II (D – Augusta)

HB 969 amends Article 4 of Chapter 3 of Title 8 of the OCGA relating to fair housing. The bill requires the Attorney General to pursue civil action for housing discrimination if the aggrieved party elects to do so or if recommended by the Administrator of the Commission on Equal Opportunity. If the parties do not elect to do so, the Administrator will refer the complaint to an administrative law judge Office of State Administrative Hearings. In current law, the complaint is referred to the Board of Directors of the Commission on Equal Opportunity. The bill then states that the Administrator may review and reject or modify any finding, conclusion, or order issued by the administrative law judge. If the actions taken by the Administrator are not appealed in thirty days, the order becomes final. The bill further states that all appeals of this final order must be made to the Superior Court of Fulton County. Currently the appeal is made in the superior court in which unlawful practice occurred or in the superior court of the residence of the respondent. The bill also states that respondents may only be awarded court costs and attorney's fees if they prevail on all alleged violations and prove that the action was frivolous. The bill also removed the requirement that discovery and enforcement in actions for housing discrimination, be conducted in the same manner as discovery under the Civil Practices Act.

Signed by the Governor: August 3, 2020
Effective Date: January 1, 2021

HB 983 - Sexual Offender Registration Review Board; information required to be provided by sexual offenders when they register; revise

House Author: Rep. Rick Williams (R – Milledgeville)
Senate Sponsor: Sen. Burt Jones (R – Jackson)

HB 983 amends Article 2 of Chapter 1 of Title 42 of the OCGA to add a sex offender's landline and mobile telephone numbers to the lists of required registration information that must be submitted to the Sexual Offender Registration Review Board. A sexual offender who resides in a private or state-operated health care facility, hospice facility, or skilled nursing home may complete the annual registration requirement at any time during their birthday month with the permission of the sheriff of the county where the offender resides. The sheriff may also waive that offender's requirement to be fingerprinted. The sheriff's office in each county shall no longer collect a $250.00 annual registration fee from the sexual offender and transmit such fees into the general state fund.

Signed by the Governor: August 3, 2020
Effective Date: January 1, 2021

HR 1163 - Justice Robert Benham Bridge; Bartow County; dedicate

House Author: Rep. Matthew Gambill (R – Cartersville)
Senate Sponsor: Sen. Brandon Beach (R – Alpharetta)

HR 1163 recognizes Georgia Supreme Court Justice Robert Benham and dedicates a bridge in Bartow County as the Justice Robert Benham Bridge in his honor. Other bridge and road naming are also included in the bill.

Signed by the Governor: August 5, 2020
Effective Date: August 5, 2020

SB 315 - Mechanics and Materialmen; waiver and release of lien and bond rights/other remedies under the law; provide

Senate Author: Sen. Lindsey Tippins (R – Marietta)
House Sponsor: Rep. Dale Washburn (R – Macon)

SB 315 amends Part 3 of Article of Chapter 14 of Title 44 of the OCGA to separate the language between the right to file a lien from the right to recover payment under contract for mechanics and materialmen. The bill extends the number of days a notice of non-payment must be submitted from 60 to 90 days to be consistent with the number of days given to the right to file a lien.

Signed by the Governor:
Effective Date: January 1, 2021

SB 410 - Ad Valorem Tax Appeals; alternative means of recovering costs of litigation and attorney's fees; provide

Senate Author: Sen. John Kennedy (R – Macon)
House Sponsor: Rep. Trey Kelley (R – Cedartown)

SB 410 amends Chapter 5 of Title 48 of the OCGA to make various changes to the ad valorem tax appeals process. The states that when either the taxpayer or the board of assessors appeals to the superior court and the final determination is f value on appeal is 85 percent or less of the valuation set by the county board of equalization, hearing officer, or arbitrator as to any real property, the taxpayer is entitled to recover costs of litigation and attorney's fees. Any appeal of an award of attorney's fees by the county shall be specifically approved by the governing authority of the county. This bill is applicable to tax years staring on or after January 1, 2021

Signed by the Governor: July 22, 2020
Effective Date: July 22, 2020

SB 429 - Code Revision Commission; statutory portion of said Code; revise, modernize, correct errors or omissions in, and reenact

Senate Author: Sen. William Ligon, Jr. (R – Brunswick)
House Sponsor: Rep. Timothy Barr (R – Lawrenceville)

SB 429 is the annual code revision bill, which revises, modernizes, corrects errors or omissions, and reenacts various portions of the OCGA.

Signed by the Governor: July 29, 2020
Effective Date: July 29, 2020

SB 446 - Cash Bonds; unclaimed cash bonds; provide

Senate Author: Sen. Larry Walker III (R – Perry)
House Sponsor: Rep. Shaw Blackmon (R – Bonaire)

SB 446 amends Code Section 17-6-4 of the OCGA to revise the amount of time a cash bond must go unclaimed from seven years to two years in order to be paid into the general county fund. The bill also states that that this time starts upon the surety's release from liability or the disposition of the case, whichever is earlier.

Signed by the Governor: July 29, 2020
Effective Date: January 1, 2021

PUBLIC SAFETY & TRAFFIC

HB 463 - Motor vehicles; issuance of a Class C driver's license to operators of certain three-wheeled motor vehicles; provide

House Author: Rep. Martin Momtahan (R – Dallas)
Senate Sponsor: Sen. John Albers (R – Roswell)

HB 463 amends Title 11 and Title 40 of the OCGA to allow the Department of Driver Services to allow "certificate of mailing" to the means by which the Department of Driver Services can send notice of a license suspension that arises from child support non-compliance. The bill also provides a definition of "certificate of mailing". HB 463 also allows the Department of Driver Services to issue drivers licenses and identification cards in an electronic format. The bill states that the act of a person uses a mobile device to so such an electronic license or identification card to a police office does not infer consent for the police officer to search the mobile device.

Signed by the Governor: June 30,2020
Effective Date: June 30,2020

HB 998 - Game and fish; effective date of rules and regulations promulgated by the Board of Natural Resources; change

House Author: Rep. Trey Rhodes (R – Greensboro)
Senate Sponsor: Sen. Tyler Harper (R – Ocilla)

HB 998 amends Title 27 of the OCGA to clarify that submitting to a chemical test in regard to boating or hunting while under the influence of alcohol or drugs is optional. The effective date of rules and regulations promulgated by the Board of Natural Resources' regarding criminal violations is changed from January 1, 2019 to January 1, 2020.

Signed by the Governor: August 5, 2020
Effective Date: August 5, 2020

SB 38 - Courts; electronic filing requirements of superior and state courts; certain types of filings; exclude
(The original language of this bill has been removed and now includes language from SB 317. The original bill title is no longer accurate.)

Senate Author: Sen. William Ligon, Jr. (R – Brunswick)
House Sponsor: Rep. Don Hogan (R – St. Simon's Island)

SB 38 amends Code Section 36-8-6 of the OCGA to allow for county police departments to be abolished via either a local act passed by the General Assembly or a resolution from the county governing authority. Abolishment through either action must be approved by a local referendum. If the referendum is approved, the county police department would be abolished 180 days following the date of the referendum and all assets of the county police department would be transferred to the county sheriff. The bill contains a sunset provision which would automatically repeal the law on January 1, 2022.

Signed by the Governor: August 5, 2020
Effective Date: August 5, 2020

SB 249 - Peace Officers' Annuity and Benefit Fund; amount of monthly dues paid; increase; amounts collected from fines; revise

Senate Author: Sen. John Albers (R – Roswell)
House Sponsor: Rep. Micah Gravley (R – Douglasville)

SB 249 amends Chapter 17 of Title 47 of the OCGA to increase the dues each member of the Peace Officers' Annuity and Benefit Fund pays from $20 per month to a sum determined annually by the fund's Board of Commissioners between $25 and $30. Each member is required to pay this sum for a minimum of 10 years or 15 years for individuals who became members starting on July 1, 2010. The portion the fund collects from each fine or bond forfeiture is revised to increase incrementally along with amount

of the fine or bond forfeiture as opposed to a flat fee. The bill further amends the monthly payment for a single life annuity from $17.50 to $35 per month for each full year of creditable service.

Signed by the Governor: August 3, 2020
Effective Date: July 1, 2020

SB 477 - Investigation of Family Violence; terminology used in determining whom to arrest; revise

Senate Author: Sen. Kay Kirkpatrick (R – Marietta)
House Sponsor: Rep. Bonnie Rich (R – Suwanee)

SB 477 amends Code Section 17-4-20.1of the OCGA to change the term "primary" aggressor to "predominant" aggressor in cases involving family violence. The bill also provides that an officer conducting a family violence investigation involving two or more parties shall not threaten, suggest, or indicate that all parties will be arrested. The legislation also adds "threats that create the fear of physical injury" to the criteria that may be considered when an officer is determining which party is the predominant aggressor.

Signed by the Governor: August 5, 2020
Effective Date: January 1, 2021

LOCAL

HB 831 - Cook County; Probate Court; charge technology fee

House Author: Rep. Penny Houston (R – Nashville)
Senate Sponsor: Sen. Ellis Black (R – Valdosta)

HB 831 authorizes the Probate Court of Cook County to collect a technology fee until July 1, 2030, to provide for the court's technological needs. The judge will set the amount which shall not exceed $5.00.

Signed by the Governor: June 29, 2020
Effective Date: June 29, 2020

HB 851 - Cobb County; State Court; change compensation of judges

House Author: Rep. Albert Reeves (R – Marietta)
Senate Sponsor: Sen. Michael 'Doc' Rhett (D – Marietta)

HB 851 provides that the Cobb County State Court chief judge receive an additional compensation of $9,492.67 per annum and that the Division 1 judges of the Cobb County State Court receive an annual salary of $181,950.72.

Signed by the Governor: June 30, 2020
Effective Date: June 30, 2020

HB 967 - Columbus, City of; Municipal Court; provide that the sheriff of Muscogee County shall be the ex officio marshal of said court

House Author: Vance Smith (R – Pine Mountain)
Senate Sponsor: Sen. Ed Harbison (D – Columbus)

HB 967 amends the Act establishing the Municipal Court of Columbus to make the Muscogee County sheriff the ex officio marshal of said court and to specify his or her powers.

Signed by the Governor: February 28, 2020
Effective Date: February 28, 2020

HB 1029 - Twiggs County; office of probate judge; provide nonpartisan elections

House Author: Rep. Danny Mathis (R – Cochran)
Senate Sponsor: Sen. David Lucas (D – Macon)

HB 1029 provides that future elections for the office of the Twiggs County probate judge be nonpartisan.

Signed by the Governor: June 30, 2020
Effective Date: June 30, 2020

HB 1030 - Twiggs County; office of chief judge of the Magistrate Court; provide nonpartisan elections

House Author: Rep. Danny Mathis (R – Cochran)
Senate Sponsor: Sen. David Lucas (D – Macon)

HB 1030 provides that future elections for the Twiggs County Chief Magistrate office be nonpartisan.

Signed by the Governor: June 30, 2020
Effective Date: June 30, 2020

HB 1033 - Cobb County; State Court; change salary of the executive assistant to the clerk

House Author: Rep. Ginny Ehrhart (R – Marietta)
Senate Sponsor: Sen. Lindsey Tippins (R – Marietta)

HB 1033 amends an Act creating the State Court of Cobb County to change the salary of the executive assistant to the state court's clerk to $64,645.56 annually plus any cost-of-living increase or merit increases.

Signed by the Governor: June 29, 2020
Effective Date: June 29, 2020

HB 1119 - Paulding County; State Court; create

House Author: Rep. Joseph Gullett (R – Dallas)
Senate Sponsor: Sen. Bill Heath (R – Bremen)

HB 1119 creates the State Court of Paulding County effective July 1, 2022. All misdemeanor criminal cases

pending in the Paulding County's Superior Court, Probate Court, and Magistrate Court shall be transferred to the Paulding County's State Court as of its creation. The trial jury will be composed of jurors that are processed in the same manner as done in the superior court. The first judge and the first solicitor-general of the state court will be appointed by the Governor and his/her successors will be elected at the state-wide nonpartisan general election in 2024.

Signed by the Governor: June 29, 2020
Effective Date: June 29, 2020

HB 1137 - Washington County; State Court; authorize assessment and collection of a technology fee

House Author: Rep. Mack Jackson (D – Sandersville)
Senate Sponsor: Sen. David Lucas (D – Macon)

HB 1137 authorizes the State Court of Washington County to collect a technology fee until July 1, 2030, to provide for the technological needs of the Office of the Sheriff of Washington County. The judge will set the amount of the fee, which shall not exceed $5.00.

Signed by the Governor: June 29, 2020
Effective Date: June 29, 2020

HB 1148 - Berrien County; Magistrate Court; provide for election of future chief magistrates

House Author: Rep. Penny Houston (R - Nashville)
Senate Sponsor: Sen. Tyler Harper (R - Ocilla)

HB 1195 makes all future elections of the Berrien County Chief Magistrate Judge nonpartisan.

Signed by the Governor: June 30, 2020
Effective Date: July 1, 2020

HB 1154 - Dade County; Probate Court; charge technology fee

House Author: Rep. Colton Moore (R – Trenton)
Senate Sponsor: Sen. Jeff Mullis (R – Chickamauga)

HB 1154 authorizes the Probate Court of Dade County to collect a technology fee until July 1, 2030, to provide for the technological needs of court. The judge will set the amount which shall not exceed $5.00.

Signed by the Governor: June 30, 2020
Effective Date: June 30, 2020

HB 1157 - Barrow County; State Court; create

House Author: Rep. Terry England (R – Auburn)
Senate Sponsor: Sen. Frank Ginn (R – Danielsville)

HB 1157 creates the State Court of Barrow County effective January 1, 2021. The bill outlines the terms of court and states that all misdemeanor cases pending in the Superior, Probate and Magistrate courts of Barrow county will be transferred to the new State Court on January 1, 2021. The bill also outlines the terms and election cycles for the judge and solicitor general of the court. Finally, the bill states that the Superior Court Clerk of Barrow County will serve as the clerk of the State Court and shall receive a salary supplement for this service.

Signed by the Governor: June 29, 2020
Effective Date: January 1, 2021

HB 1160 - Uvalda, City of; provide new charter

House Author: Rep. Greg Morris (R – Vidalia)
Senate Sponsor: Sen. Blake Tillery (R – Vidalia)

HB 1160 provides a new charter for the City of Uvalda.

Signed by the Governor: July 29, 2020
Effective Date: July 29, 2020

HB 1191 - Bacon County; Magistrate Court; impose and collect county law library fees

House Author: Rep. James Burchett (R – Waycross)
Senate Sponsor: Sen. Tyler Harper (R – Ocilla)

HB 1191 allows the Magistrate Court of Bacon County to impose and collect a law library fee. The fee shall not exceed the amount authorized under Code Section 36-15-9 of the OCGA.

Signed by the Governor: June 29, 2020
Effective Date: July 29, 2020

HB 1192 - Pierce County; Magistrate Court; impose and collect county law library fee

House Author: Rep. James Burchett (R – Waycross)
Senate Sponsor: Sen. Tyler Harper (R – Ocilla)

HB 1192 allows the Magistrate Court of Pierce County to impose and collect a law library fee. The fee shall not exceed the amount authorized under Code Section 36-15-9 of the OCGA.

Signed by the Governor: July 29, 2020
Effective Date: August 28, 2020

HB 1193 - Brantley County; Magistrate Court; impose and collect county law library fees

House Author: Rep. James Burchett (R – Waycross)
Senate Sponsor: Sen. William Ligon, Jr. (R – Brunswick)

HB 1193 allows the Magistrate Court of Brantley County to impose and collect a law library fee. The fee shall not exceed the amount authorized under Code Section 36-15-9 of the OCGA.

Signed by the Governor: July 29, 2020
Effective Date: August 28, 2020

HB 1194 - Ware County; Magistrate Court; impose and collect county law library fee

House Author: Rep. James Burchett (R – Waycross)
Senate Sponsor: Sen. Tyler Harper (R – Ocilla)

HB 1194 allows the Magistrate Court of Ware County to impose and collect a law library fee. The fee shall not exceed the amount authorized under Code Section 36-15-9 of the OCGA.

Signed by the Governor: July 29, 2020
Effective Date: August 28, 2020

HB 1195 - Berrien County; office of probate judge; provide nonpartisan elections

House Author: Rep. Penny Houston (R – Nashville)
Senate Sponsor: Sen. Tyler Harper (R – Ocilla)

HB 1195 makes all future elections of the Berrien County Probate Judge nonpartisan.

Signed by the Governor: July 29, 2020
Effective Date: July 29, 2020

HB 1196 - Coffee County; Magistrate Court; impose and collect county law library fees

House Author: Rep. James Burchett (R – Waycross)
Senate Sponsor: Sen. Tyler Harper (R – Ocilla)

HB 1196 allows the Magistrate Court of Coffee County to impose and collect a law library fee. The fee shall not exceed the amount authorized under Code Section 36-15-9 of the OCGA.

Signed by the Governor: July 29, 2020
Effective Date: August 28, 2020

HB 1197 - Charlton County; Magistrate Court; impose and collect county law library fees

House Author: Rep. James Burchett (R – Waycross)
Senate Sponsor: Sen. William Ligon, Jr. (R – Brunswick)

HB 119 allows the Magistrate Court of Ware County to impose and collect a law library fee. The fee shall not exceed the amount authorized under Code Section 36-15-9 of the OCGA.

Signed by the Governor: July 29, 2020
Effective Date: August 28, 2020

SB 304 - White County; board of elections and registration; create

Senate Author: Sen. Steve Gooch (R – Dahlonega)
House Sponsor: Rep. Lee Hawkins (R – Gainesville)

SB 304 creates a five-member Board of Elections and Registration for White County. Members will be appointed by the White County Board of Commissioners and serve a two-year term. The board shall have all the powers and duties of the superintendent of White County elections, which is currently the judge of the White County Probate Court.

Signed by the Governor: June 29, 2020
Effective Date: January 1, 2021

SB 508 - State Court of Rockdale County; additional judge for such court; provide

Senate Author: Sen. Brian Strickland (R – McDonough)
House Sponsor: Rep. Pam Dickerson (D – Conyers)

SB 508 amends a previous Act to allow for an additional judge for the State Court of Rockdale Court

Signed by the Governor: June 29, 2020
Effective Date: June 29, 2020

SB 518 - Magistrate Court of Henry County; assessment and collection of a technology fee; authorize

Senate Author: Sen. Brian Strickland (R – McDonough)
House Sponsor: Rep. Karen Mathiak (R – Griffin)

SB 518 authorizes the Magistrate Court of Henry County to collect a technology fee until July 1, 2030 to provide for the technological needs of court. The judge will set the amount which shall not exceed $5.00.

Signed by the Governor: June 29, 2020
Effective Date: July 1, 2020

VETOED BY THE GOVERNOR

(To view a complete list of the bills vetoed by Governor Kemp, please click here.)

HB 935 - Gwinnett County; Recorder's Court; provide for senior judges

House Author: Rep. Chuck Efstration (R – Dacula)
Senate Sponsor: Sen. Zahra Karinshak (D – Duluth)

HB 935 provides that any judge of the Gwinnett County Recorder's Court who retires after serving for ten or more years shall become a senior judge of the court. If the temporary assistance of an additional judge is needed, the court's chief judge may write a request to a senior judge to serve as a court judge. This written request for assistance must be made to senior judges before appointing a judge pro hac vice. If accepted, the senior judge shall receive a compensation determined by the court's chief judge. The bill further revises that the court clerk shall be appointed by a majority vote of the court's judges and that a judge pro hac vice shall be paid a rate of $400.00 per day by the county's governing authority.

Governor's Veto Statement: *"House Bill 935 would create the Recorder's Court of Gwinnett County. At the request of the bill's sponsor, I VETO HOUSE BILL 935"*

SB 504 - Electors of Glynn County; nonbinding advisory referendum; provide

Senate Author: Sen. William Ligon, Jr. (R – Brunswick)
House Sponsor: Rep. Don Hogan (R – St. Simon's Island)

SB 504 would allow for the citizens of Glynn County to vote on a nondining, advisory referendum as whether or not the Glynn County Board of Commissioners should abolish the Glynn County Police Department.

Governor's Veto Statement: *"HB 504 would create a nonbinding advisory referendum for the purpose of ascertaining whether the electors of Glynn County desire the Glynn County Board of Commissioners to abolish the Glynn County Police Department. Senate Bill 509, which I signed, creates a similar, binding ballot referendum to be held on the same date for the same jurisdiction. If approved, the binding referendum in Senate Bill 509 would automatically abolish the Glynn County Police Department and transfer the functions and assets of the department to the Sheriff of Glynn County. Because the presence of two similar ballot questions could lead to voter confusion, I VETO SENATE BILL 504"*

2020 STUDY COMMITTEES

SR 1007 - Senate Law Enforcement Reform Study Committee; create

Senate Author: Sen. Bill Cowsert (R – Athens)

STAFF CONTACTS

Tracy Mason – Senior Assistant Director – tracy.mason@georgiacourts.gov

Cheryl Karounos – Governmental Affairs Liaison – cheryl.karounos@georgiacourts.gov

Robert Aycock – Trial Court Liaison – robert.aycock@georgiacourts.gov

Darron Enns, Esq. – Policy Counsel – darron.enns@georgiacourts.gov

LaShawn Murphy – Trial Court Liaison – lashawn.murphy@georgiacourts.gov

Cynthia H. Clanton, Director

Judicial Council of Georgia Administrative Office of the Courts
244 Washington Street, SW • Suite 300
Atlanta, GA 30334
https://jcaoc.georgiacourts.gov/

Judicial Council of Georgia
Administrative Office of the Courts
244 Washington Street, SW • Suite 300
Atlanta, GA 30334

www.georgiacourts.gov