

Georgia Coalition Against Domestic Violence
2011 General Assembly - Legislative Report
March 9, 2011

- **FY 11 Budget:** The House and Senate have voted on the FY 11 Amended Budget. As expected, it restores \$655,000 in state funding to sexual assault programs but it provides only TANF funding to domestic violence programs. The Senate originally tried to restore roughly \$3.7M in state funding to domestic violence programs. However, the only state dollars available were being used as TANF MOE (required match funding under the TANF program) which are not a viable option because of the enhanced tracking requirements for such funds. As a result, the budget writers determined that regular TANF dollars would be preferable.
- **FY 12 Budget:** Rep. Penny Houston's Appropriations subcommittee met yesterday to issue their recommendations for the FY 12 budget. Their recommendation mirrors the FY 11 Amended budget: \$655,000 in state funds for sexual assault and \$3.7M in TANF funds for domestic violence. They also included language to direct that domestic violence and sexual assault funding be administered solely by DHS and not be transferred by MOU to any other agency.
- **FY 12 Budget Action Needed:** We remain optimistic that the Senate will be able to restore some of the state funding for domestic violence programs. GCADV continues to have concerns about whether TANF funds can be used as broadly as proposed by DHS and has warned legislators that eliminating all state funding could be risky if the federal officials ultimately determine that TANF funds cannot be used to serve all clients. We understand that legislators still have not gotten any confirmation from federal officials to indicate that DHS can use TANF block grant funds for domestic violence services as they are currently provided. **It is critical for Sen. Unterman's subcommittee members (listed below) to hear from advocates about the importance of restoring \$3.7M in unrestricted state funding to domestic violence programs.** Legislators must find state dollars that are NOT being used as TANF MOE to fill this gap. State funds that are being claimed as TANF MOE (required match under the TANF program) are subject to more stringent rules than TANF block grant funds and are not a viable option for shelters.

Senators:

Renee Unterman (Chair): 404 463-1368
Buddy Carter (Vice-chair): 404-656-5109
Greg Goggans: 404-463-5263
Johnny Grant: 404-656-0082
Bill Heath: 404-656-3943
Judson Hill: 404-656-0150
Valencia Seay: 404-656-5095
Freddie Powell Sims: 404-463-5259
Horacena Tate: 404-463-8053

- **Immigration bills:** The House has passed HB 87 and the Senate Judiciary Committee has passed SB 40 which are immigration reform bills. GCADV has worked with Rep. Matt Ramsey, the sponsor of HB 87, to address some concerns regarding the impact of the immigration reform bill on victims of domestic violence. We are grateful to Rep. Ramsey for adding language to clarify that the new offense of harboring or transporting a person without legal status could not be charged unless another criminal act was also being committed. Thus, so long as program staff are abiding by all other laws, programs should not be at risk of violating these new harboring and transporting offenses. Programs that serve infants, children, and victims of crime are specifically exempted from the harboring offense. Additionally, Rep. Ramsey added language to emphasize that if a person has contact with law enforcement to report a crime, seek assistance as a crime victim, or serve as a witness to a crime, law enforcement may not check their immigration status. All of this language has been included in SB 40 as well. Although GCADV continues to have concerns about the unintended consequences of this legislation, we hope that these changes in HB 87 and SB 40 will provide guidance to law enforcement on the application of these new provisions.
- **Elimination of spousal privilege:** Rep. Alex Atwood introduced HB 432 to eliminate the spousal privilege in domestic violence cases. It is in the House Judiciary Non-Civil Committee.
- **Bond violation:** Rep. Doug McKillip introduced HB 342 to expand the offense of violating a family violence order to include violating special conditions of bond. It is in the House Judiciary Non-Civil Committee.

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