



## 2017 Georgia General Assembly Summary

Submitted by Allison Smith-Burk, Director of Public Policy  
asmith@gcadv.org or (404) 209-0280, ext. 15

The General Assembly adjourned sine die just after midnight on March 30, 2017. Because this was the first year of a two-year session, any bill that did not pass will carry over to next session, which will begin on January 8, 2018.

The following summary includes bills that **PASSED** and have been signed into law by the Governor. Unless otherwise specified, the new laws will become effective as of July 1, 2017.

### **STATE BUDGET**

The Governor signed the FY 2018 Budget. Highlights from the \$25 billion state budget include:

#### *Dept. of Human Services:*

- Maintained FY 2017 funding levels for domestic violence and sexual assault programs
- Increased FY 2018 funding levels by 2.3 percent – or \$287,500 – for domestic violence programs

### **POLICY HIGHLIGHTS**

**HB 279** will allow victims of domestic violence to file for a legal name change for themselves and their children without being forced to give the customary public notice of their name change.

**SB 201** will require employers that offer sick leave to allow employees to use that leave time flexibly in order to care for sick children, spouses, and other family members.

### **OTHER LEGISLATION OF INTEREST**

**HB 86** adds acts involving trafficking a person for sexual servitude to the definition of sexual abuse as it pertains to the mandatory reporting of child abuse. This law went into effect on May 8, 2017.

**HB 280** authorizes the carrying and possession of handguns by licensed weapons carry holders on public colleges, public universities, and public technical schools.

**HB 341** expands the definition of sex trafficking as well as enhances penalties. It also removes the sunset provision on the requirement for posting the human trafficking hotline in certain locations.

**HB 452** requires the Georgia Bureau of Investigation to share with Georgia sheriffs and the public information it has been receiving from the federal Immigration Customs and Enforcement (ICE) on the release of undocumented immigrants who have committed serious crimes.

**SB 104** adds to the list of government buildings where the human trafficking hotline must be posted. It also removes the subset provision for the posting of the hotline. Lastly, the bill prohibits any individual

from using or installing a device for the purpose of videotaping, filming, photographing, or video recording under or through such person's clothing, for the purpose of viewing the body of or the undergarments worn by such person, under circumstances in which such person has a reasonable expectation of privacy, also making the dissemination of such material unlawful.

[SB 174](#) enacts reforms recommended by the Georgia Council on Criminal Justice Reform. It allows the Council of Accountability Court Judges to establish a peer review process to guarantee that veteran court divisions are following the council's standards and are adhering to the procedures and standards of other accountability courts in Georgia. It also allows the Board of Community Supervision to offer educational, skills-based programs for probationers to encourage employment and successful reentry into society. Additionally, the bill gives judges the ability to require fines, fees or restitution payments as a probation condition. This bill also allows the Department of Community Supervision to terminate probation if the probationer has served three years, paid all restitution owed, has not had their probation revoked and has not been arrested for anything other than a non-serious traffic offense.

[SB 250](#) requires that individuals register on the State Sexual Offender Registry when they are convicted in another county.

[SR 352](#) creates a Senate Study Committee on Homelessness.

[SR 188](#) creates the Senate Study Committee on Barriers to Georgians' Access to Adequate Healthcare.

### **Other legislation impacting domestic violence survivors that DID NOT PASS or was VETOED**

#### **Domestic Violence**

[HB 281](#) would have offered certain protections to victims of domestic violence, sexual assault, and stalking who need to vacate their housing lease agreements due to the violence.

[HB 291](#) would have required that barbers and cosmetologists obtain one hour of training on domestic violence and sexual assault awareness and intervention every two years as a part of their licensure requirements.

[HB 541](#) would have made it a felony crime for domestic violence perpetrators to possess a firearm or ammunition while they are subject to a Family Violence Protective Order or is they are convicted of a qualifying family violence-related misdemeanor. The legislation would also have required that domestic violence perpetrators who are subject to this prohibition to relinquish their firearms to local law enforcement.

#### **Sexual Assault**

[HB 51](#) would have drastically limited the ability of colleges and universities to adjudicate sexual assault on campus, among other crimes. It also would have required that all felony-level cases be forwarded over to the local criminal justice system.

[HB 396](#) would have enhanced the penalties for those serving consecutive sentences for sexual offenses.

**Other legislation impacting domestic violence survivors that DID NOT PASS or was VETOED (continued)**

[HB 605](#) would have changed provisions relating to the revival of certain claims involving childhood sexual abuse and provided for civil actions by the Attorney General.

[SB 145](#) would have expanded the statutory definition of rape to include victims across genders, gender identities, and sexual orientations.

**Access to Services**

[HB 124](#) would have moved a section of the law related to social services from Title 49 to Title 16, which is the code section related to fraud. It would have also made it a misdemeanor crime to aid anyone committing food stamp, Medicaid, or public assistance fraud.

[HB 177](#) would have required the state to take reasonable efforts to provide equal access to public services for individuals with limited English proficiency.

**Child and Family Law**

[HB 32](#) would have prohibited sexual contact between school employees and students enrolled at the school employing the adult, regardless of the age of consent.

[HB 308](#) would have enacted provisions recommended by the Georgia Child Support Commission relating to child support and the enforcement of child support orders.

[SR 504](#) would have created the Senate Study Committee on Parents Who Misuse the Judicial System in Child Custody Proceedings.

**Criminal Justice**

[HB 34](#) would have made open the records and information about certain probationers, parolees, and offenders convicted of serious offenses, as well as required certain notices and a public hearing before an offender could be released on parole, be granted a pardon, or have a death sentence commuted.

[SR 146](#) would have amended the Georgia Constitution to elevate the rights of victims of crime in criminal proceedings.

**Disabilities**

[HB 288](#) would have expanded the category of persons who can use service dogs and would have required the Department of Human Services issue information cards regarding the animals.

**Mental Health**

[SB 4](#) would have established the Georgia Mental Health Treatment Task Force.

**Other legislation impacting domestic violence survivors that DID NOT PASS or was VETOED  
(continued)**

**Human Trafficking**

[SB 39](#) would have increased the penalties for pimping and pandering.

[SR 307](#) would have created the Sexual Exploitation and Human Trafficking Joint Task Force.

**Immigration**

[HB 66](#) would have required a new state fee to be collected when out of state wire transfers of money are initiated.

[HB 324](#) would have changed the appearance of drivers licenses issued to undocumented immigrants.

[SB 161](#) would have changed the appearance of drivers licenses issued to undocumented immigrants.

**LGBT**

[HB 488](#) would have added sexual orientation, gender identity, and age to the list of categories protected from discrimination by state civil rights law regarding housing, public accommodations, and employment.

[HB 627](#) would have added sexual orientation to the list of categories protected from employment discrimination by state agencies.

**Economic Security**

[HB 267](#) would have required employers to implement a paid sick time policy that allows an employee to earn at least 56 hours of paid sick leave per year.

**Healthcare**

[HB 151](#) would have prohibited the shackling and other restraint of inmates giving birth.

[HB 188](#) would have expanded Medicaid eligibility.