



## 2018 Georgia General Assembly Summary

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The General Assembly adjourned sine die just after midnight on March 29, 2018. Because this was the second year of a two-year session, any bill that did not pass will not carry over to the next session, which will begin on January 8, 2019.

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, 2018.

### **STATE BUDGET**

The Governor signed the FY 2019 Budget (July 1, 2018 – June 30, 2019). Highlights from the \$26.2 billion state budget include:

#### *Criminal Justice Coordinating Council (CJCC):*

- Maintained FY 2019 funding levels for domestic violence and sexual assault programs
- Increased FY 2019 funding levels by 1.01 percent – or \$165,000 – for sexual assault programs

### **POLICY HIGHLIGHTS**

[HB 834](#) enhances housing protections for victims of family violence by allowing early lease termination without financial penalty by providing a civil or criminal protective order and a police report. [HB 883](#) was modified and attached to this bill, whereas if a party is avoiding service to delay a hearing, the Court may delay dismissal of the petition for an additional 30 days.

### **OTHER LEGISLATION OF INTEREST**

[HB 732](#) expands the offense of trafficking a person for sexual servitude to include those who “patronize” in addition to solicits.

[HB 762](#) (aka Erin’s Law) was attached to [SB 401](#) and requires age appropriate sexual abuse and assault education for K- 9<sup>th</sup> grade.

[HB 657](#) will make it unlawful the knowing and intentional action of providing a firearm to any person known to be on probation as a felony first offender or to have been convicted of a felon.

[SB 407](#) will provide a comprehensive criminal justice reform for adult and juvenile offenders. Highlights include codifying the Governor’s Criminal Justice E-filing Project, reforming the misdemeanor bail process, providing judges with additional opportunities to convert monetary fees or fines into community service, and impose tougher penalties on firearm-related offenses<sup>1</sup>.

<sup>1</sup>paraphrased from GA Council on Criminal Justice Reform Report

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

### **Domestic 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. This legislation was introduced in 2017, however the bill's sponsor, Rep. Beverly took an administrative policy approach instead of state legislative and directly requested this requirement to be added to the State Board of Cosmetologists and Barbers licensing requirement. Currently, the Attorney General is reviewing this request.

\*Changed from state policy to administrative policy

[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 federal firearms dealers.

[HB 786](#) would have expanded insurance prohibitions to include discrimination against victims of family violence and sexual assault.

### **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 837](#) would have required statewide uniformity in policies and procedures concerning law enforcement contact with victims of sexual assault and sexual assault evidence kit notifications and would have been oversighted by the Criminal Justice Coordinating Council. Additionally, it would have required the Attorney General to develop, maintain, and publicly post a document concerning the rights of victims of sexual assault.

[SB 337](#) would have provided an effective date for the admissions and confessions procedure in relation to the testimony of a child's description of sexual contact or physical abuse.

[HB 662](#) defined the term "sexual misconduct" and would have required the presentation of sexual misconduct classes to all state employees.

### **Child and Family Law**

[HB 605](#) Hidden Predator Act of 2018 would have increased the revival window for claims of childhood sexual abuse from 31 years or younger and extended the statute of limitations to age 38.

[SB 337](#) would have provided an effective date for the admissions and confessions procedure in relation to the testimony of a child's description of sexual contact or physical abuse.

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

**Disabilities**

[HB 473](#) would have provided additional rights and responsibilities of people with service animals.

[HB 663](#) would have enhanced sentencing for those committing crimes that target an individual based on their race, religion, gender, gender identity, sexual orientation, national origin or physical disability.

**Human Trafficking**

[SB 39](#) would have increased the penalty provisions for pimping and pandering and required registration on the State Sexual Offender Registry when convicted for pandering for the second time.

[SB 335](#) would have expanded the offense of an individual trafficking for sexual servitude.

**Immigration**

[SB 452](#) would have required a peace officer to take certain actions upon verification that a suspect is an undocumented person as well as require certain actions by the Department of Corrections, sheriffs, and municipal custodial officers, the State Board of Pardons and Paroles, and the Department of Community Service. Essentially, this bill would have required local law enforcement to act as federal immigration agents.

[SR 587](#) would have declared English as the official language of the State of Georgia and prohibit the requirement that English be used in any documentation and publication as well as prohibit discrimination against those who only speak English.

**LGBT**

[HB 627](#) would have prohibited discrimination based on sexual orientation in relation to the Fair Employment Practices Act of 1978.

[HB 663](#) would have enhanced sentencing for those committing crimes that target an individual based on their race, religion, gender, gender identity, sexual orientation, national origin or physical disability.