

2006 Enacted Legislation

Prepared by the Administrative Office of the Courts
Legislative and Governmental Affairs Division

Section I:	Criminal	Section VIII:	Retirement/Compensation - Local Bills
Section II:	Civil	Section IX:	Retirement/Compensation - Statewide Bills
Section III:	Elections - Local Bills	Section X:	Traffic
Section IV:	Elections - Statewide Bills	Section XI:	General
Section V:	Fines/Fees	Section XII:	Hunting/Fishing
Section VI:	Indigent Defense		
Section VII:	Local Legislation		

SECTION I: CRIMINAL

HB 692 - Probation; terms and conditions; amend (Banishment)

This bill makes changes to the practice of banishment as a term of probation. Under this bill, a judge may still banish a probationer but must do so to an area that consists of at least an entire judicial circuit. The judge must also take into account what special services and needs a probationer might require before determining the place of banishment. This bill also changes the repeal date of the Probation Management Act from July 1, 2006 to June 30, 2008.

Effective date: Section 2 (repeal date) - June 15, 2006

Other sections - upon signature of Governor

Signed by Governor on April 27, 2006

HB 718 - Pretrial intervention and diversion programs; authorize certain courts to administer

This bill allows prosecuting attorneys for state courts, probate courts, magistrate courts, and municipal courts to create and administer Pretrial Diversion Programs.

Effective date: July 1, 2006

Signed by Governor on April 27, 2006

HB 1059 - Sexual offenders; punishment; registration requirements; change provisions

This bill makes comprehensive changes to the sexual offender laws in the state of Georgia. It raises the minimum sentencing guidelines for a number of sexual offenses where children are the victims and makes changes to the probation terms for sexual offenders and predators upon their release from prison.

Major changes in sentencing guidelines that include:

- Aggravated assault with intent to rape a child under 14 is punishable by 25 to 50 years in prison;
- Kidnapping a child 14 or older is punishable by 10 to 20 years in prison;
- Kidnapping a child under 14 is punishable by 25 years to life in prison. Life sentence or death is mandatory if the kidnapping was for ransom or the child was injured;
- Rape is punishable by 25 years in prison to life, life without parole, or death;
- Aggravated sodomy is punishable by 25 years in prison to life; however, if the victim is between 13 and 16 years old and the offender is 18 or younger and no more than 4 years older than the victim, the offense of sodomy is a misdemeanor;
- Statutory rape is punishable as a misdemeanor if the victim is between 14 and 16 years old and the offender is 18 or younger and no more than 4 years older than the victim;
- Child molestation is punishable as a misdemeanor if the victim is between 14 and 16 years old and the offender is 18 or younger and no more than 4 years older than the victim;
- Aggravated child molestation is punishable by 25 years in prison to life; however, if the victim is between 13 and 16 years old and the offender is 18 or younger and no more than 4 years older than the victim, and if the basis of the aggravated child molestation involves an act of sodomy, the punishment will be a misdemeanor;
- Enticing a child is punishable by 10 to 30 years in prison; however, if the victim is between 14 and 16 years old and the offender is 18 or younger and no more than 4 years older than the victim, the punishment will be a misdemeanor;
- Sexual assault of a child under 14 is punishable by 25 to 50 years in prison;
- Incest of a child under 14 is punishable by 25 to 50 years in prison;

CRIMINAL

- Sexual battery is punishable as a felony punishable by 1 to 5 years in prison on the second offense;
- Aggravated sexual battery is punishable by 25 years to life in prison.

In addition, HB 1059 makes the following additions to current law:

- Makes it a felony punishable by 5 to 20 years in prison to harbor a suspected sexual offender or to assist a sexual offender in eluding law enforcement;
- Creates a new Code section 17-10-6.2 defining sexual offenses and delineating guidelines under which courts may deviate from mandatory minimum sentences. These guidelines include that the defendant has no prior convictions and did not use a deadly weapon during the commission of the offense, that the victim did not suffer any physical harm or was physically restrained, and that the offense did not involve the transportation of the victim;
- Requires that offenders convicted of dangerous sexual offenses be registered on the sexual offender registry list for life upon their release from prison as terms of their probation. The bill also details the conditions of their release, such as transferring registration upon moving and places where offenders can and cannot live, work, or congregate;
- Requires a recidivism risk assessment for all convicted sexual offenders to determine their risk classification. All those deemed a “sexually dangerous predator” will be required to wear an electronic monitoring system for the rest of his or her life.

Effective date: July 1, 2006

Signed by Governor on April 26, 2006

HB 1145 - Juvenile proceedings; mental health; change provisions

This bill defines factors for mental competencies to stand trial, including age or maturity, relating to juveniles. Under the law, the burden of proving that a child is not mentally competent to stand trial lies with the child, and the standard of proof will be a preponderance of the evidence. In the event that a child is deemed incompetent to stand trial, this law would trigger a full mental evaluation of the child in an effort to give the court more information to make its treatment recommendation. The bill allows for parental involvement in the process, more extensive testing, and allows the appointment of legal counsel and a plan manager to assist the juvenile. Additionally, a child who is found to be mentally incompetent will not be subject to discretionary transfer to superior court.

This bill also adds a provision known as “Amy's Law.” This provision states that a juvenile who is remanded to the custody of the Department of Juvenile Justice for a crime of

CRIMINAL

murder may be committed until the child's 21st birthday.

Effective date: July 1, 2006

Signed by Governor on April 21, 2006

HB 1248 - Alcoholic beverages; comprehensive revision of provisions; provide

This bill removes the tax stamp on distilled spirits or alcoholic beverages. HB 1148 also allows for a law enforcement officer to arrest by issuance of a citation, summons or accusation any person accused of violating any laws in Code Section 3-3-23 dealing with selling, furnishing or obtaining alcohol for people under the age of 21. This bill also requires applicants for annual renewal alcohol licenses to file a bond for \$5,000.

Effective date: July 1, 2006

Signed by Governor on April 19, 2006

HB 1290 - Telephone service provider; customer records; prohibit sale or transfer

This bill creates a felony offense punishable by up to a \$250,000 fine and up to 10 years in prison for fraudulently obtaining telephone records or for selling or attempting to sell a person's telephone records without authorization. This bill would not apply to voice service providers who act in good faith and within the normal scope of their business.

Effective date: upon signature of Governor

Signed by Governor on May 1, 2006

HB 1302 - Georgia Street Gang Terrorism and Prevention Act; change certain provisions

This bill changes some definitions in the “Street Gang Terrorism and Prevention Act” (16-15-3) with relation to gangs and criminal gang activity. It adds criminal trespass and damage resulting from graffiti and any criminal offense involving violence or a weapon. It makes it a crime to be associated with any group that engages in these activities, as well as the others already enumerated in the Code section, and increases the penalties for these crimes to a minimum of 5 years in prison and a fine of between \$10,000 and \$15,000. In addition, this bill creates a misdemeanor offense of a high and aggravated nature if a person who is not a student or employee fails to check in at a designated location upon entering a school building. It further clarifies language relating to rewards that the Governor or local governing authority may offer for the apprehension of perpetrators.

Effective date: Section 6 (rewards) - upon signature of Governor

All other Sections - July 1, 2006

Signed by Governor on April 28, 2006

CRIMINAL

HB 1320 - Environmental offenses; littering; revise provisions

This bill revises the OCGA relating to litter and littering offenses in an attempt to make the definition of “litter” more coherent. It also establishes a new term “egregious litter” which refers to hazardous waste and waste over a certain amount.

The bill establishes punishment levels for crimes of “egregious littering” from aggravated misdemeanor for first time offenders to a felony for repeat offenses. It also adds a “shame provision” which would require that the local newspaper post the name and address of a littering offender.

Effective date: upon signature of Governor for the purposes of adopting local ordinances and July 1, 2006 for all other purposes

Signed by Governor on April 21, 2006

HB 1421 - Demand for trial; defendant present in court; require

This bill requires that any defendant who files a demand for a speedy trial must file that demand in a separate and distinct document, not part of any other document.

Effective date: July 1, 2006

Signed by Governor on May 5, 2006

**Also listed under Civil

HB 1490 - State park lakes; watercraft; change provisions

This bill makes changes to some of the states boating laws and adds several new lakes to the list of those that people are not allowed to boat on. It also requires boats to have hull identification numbers (HIN) and allows law enforcement to confiscate any boat without such number clearly identified on the hull. Any law enforcement officer condemning a boat must file a report with the local district attorney who must in turn file the report with the superior court, which shall hear the case.

Additionally, altering or forging a HIN is a felony punishable by one to 5 years in prison and a fine of \$500 to \$5,000.

Effective date: upon signature of Governor

Signed by Governor on April 14, 2006

SB 77 - Feticide; parental notification; define/eliminate terms; provide reports

This bill makes it a misdemeanor of a high and aggravated nature to commit simple assault against a female who is pregnant. This bill also creates two new misdemeanor crimes against unborn children:

- Assault of an unborn child - attempting to inflict violent injury to an unborn child
- Battery of an unborn child - intentionally inflicts physical harm to an unborn child

Additionally, this bill changes the definition of feticide to

CRIMINAL

remove the requirement that an unborn child be developed to the extent known as “quick” and to include causing the death of an unborn child in the commission of a felony. It also creates the crime of voluntary manslaughter of an unborn child, which is a felony punishable by one to 20 years in prison.

Effective date: July 1, 2006

Signed by Governor on April 28, 2006

SB 135 - Pretrial Proceedings; indictment for children; jurisdiction for Superior Court

The major provisions of this bill include the following:

- Officials in charge of any juvenile detention facility must furnish a report once a week to the chief judge of the court having jurisdiction detailing all children awaiting trial and their offense.
- Any child who is being held awaiting indictment in superior court must have his or her charges presented to a grand jury within 180 days. The superior court can grant an extension for up to 90 additional days. If the Grand Jury has not heard the case within that time period, the case will be transferred to juvenile court.

Effective date: July 1, 2006

Signed by Governor on April 19, 2006

SB 136 - Juvenile Proceedings; bail for delinquent

This bill affords children the same right to bail as adults. It also allows any person with legal custody or any blood relative or stepparent to post bail, provide that those posting bail who are not legal guardians must return the child immediately to the legal guardian.

Effective date: July 1, 2006

Signed by Governor on April 19, 2006

SB 396 - Crimes; person who is attacked has no duty to retreat

This bill gives people the right to stand their ground to defend themselves and their property, and are allowed to use deadly force if necessary. A person who uses deadly force as means of protection will be immune from criminal and civil prosecution.

Effective date: July 1, 2006

Signed by Governor on April 27, 2006

SB 398 - Criminal Proceedings; plea of insanity; revise

This bill removes the double requirement for a psychiatric evaluation of a criminal who pleads guilty by insanity, placing the offender solely in the custody of the Department of Corrections. No longer will the Department of Human Resources be required to perform a psychiatric evaluation as well.

Effective date: July 1, 2006

Signed by Governor on May 3, 2006

CRIMINAL

SB 529 - Georgia Security/Immigration Compliance Act; persons who are not lawfully present in the U.S.; comprehensive regulation

This bill is the comprehensive immigration reform bill for the state of Georgia. Some of its major provisions are as follows:

- Prohibits all public employers from entering into contracts with employers who do not participate in the federal work authorization program to verify information of new employees
- Creates the crime of human trafficking for labor or sexual servitude
- Prohibits corporations from claiming a tax deduction on wages paid to unauthorized employees
- Requires any agency providing state services to verify the lawful presence of any person receiving services. This provision does not apply to the health and emergency services that are protected under federal law.

Effective date: July 1, 2007

Signed by Governor on April 17, 2006

SB 606 - Funerals; prohibit disruptive conduct; elements of such offense; provide criminal penalty

This bill makes it a crime to engage in disorderly or disruptive conduct with the intent to impede or interfere with a funeral or memorial service. People who engage in such activity within 500 feet of a funeral or memorial service will be guilty of a misdemeanor.

Effective date: July 1, 2006

Signed by Governor on April 20, 2006

HB 149 - Garnishment; exempt certain IRAs

SECTION II: CIVIL

This bill exempts pension and retirement funds from the process of wage garnishment until these funds are paid or transferred to a beneficiary. IRA's are included in this exemption. Once these benefits are paid, they are exempt from garnishment to the same extent as other disposable income, as provided in Code Section 18-4-20.

Effective date: upon signature of Governor

Signed by Governor on April 18, 2006

HB 239 - Civil practice; settlement offers; litigation costs

This bill cleans up language from the tort reform bill passed in the 2005 Session referring to judgments in civil filings under 9-11-68. It makes clear that defendants or plaintiffs who reject settlement offers and subsequently lose in court will be liable for the winning party's attorney's fees; provided that the court's final judgment amount meets the standard set in this bill to

CIVIL

clarify when a party is entitled to such fees. A plaintiff will be required to pay a defendant's attorney's fees if the verdict to plaintiff is less than 75% of defendant's offer of settlement. A defendant will be required to pay a plaintiff's attorney's fees if the verdict to plaintiff is in an amount greater than 125% of defendant's offer of settlement.

Effective date: upon signature of Governor

Signed by Governor on April 27, 2006

HB 847 - Juvenile proceedings; emancipation of minors by petition

This bill creates a new Code section to establish the guidelines under which a minor may petition for emancipation from his or her parents. For the purposes of this bill, a minor is defined as a child who is between the ages of 16 and 18. It requires a minor wishing to be emancipated to file a petition in juvenile court, which must hear the case and determine if emancipation is in the best interest of the child. This bill also requires parental consent for 16 or 17 year olds to receive a marriage license in probate court.

Effective date: July 1, 2006

Signed by Governor on April 18, 2006

HB 912 - Civil practice; production of documents; amend provisions

The major provisions of this bill include the following:

- Grants legislators a continuance from trial for duties relating to his position with the General Assembly, regardless of whether the legislature is in session or not;
- Makes changes in 9-11-34 relating to the production of documents by nonparties and confidentiality;
- Details who are allowed to request the release of a deceased person's medical records.

Effective date: July 1, 2006

Signed by Governor on April 27, 2006

HB 1195 - Civil case; complaints and judgments; change provisions

This bill makes changes to the Georgia Civil Practice Act related to the filing of civil case filing forms and disposition forms in superior or state court. Under this bill, the plaintiff must file the civil case filing form at the time of filing the civil complaint. The court can require plaintiffs to file the filing form if they have not done so and also require them to submit an amended form if the original form is incomplete or incorrect. This bill further requires that the prevailing party in a civil judgment (or the plaintiff if the case is disposed of without a prevailing party) file a completed civil case disposition form with the clerk of the court before the clerk can enter the judgment.

Effective date: July 1, 2006

Signed by Governor on May 1, 2006

CIVIL

HB 1273 - Security deposits; escrow accounts; change certain provisions

This bill makes changes regarding a landlord's responsibility to place security deposits in escrow accounts. It removes the requirement that the landlord tell the tenant the account number of the escrow account. It also states that tenants who have lost judgment in trial court concerning rent disputes and are appealing that decision must pay the amount of the judgment to the trial court. Previously, this was not a requirement but an option for the court upon good cause and motion of the landlord.

Effective date: July 1, 2006

Signed by Governor on April 21, 2006

HB 1282 - Deeds; recording; provisions

This bill requires that a notice of settlement be filed with the clerk of the superior court in the case of conveyance of title in real estate cases.

Effective date: January 1, 2007

Signed by Governor on May 1, 2006

HB 1313 - Eminent domain; comprehensive revision of provisions; provide

This bill makes comprehensive changes to the eminent domain powers by defining terms surrounding eminent domain and outlining the conditions under which eminent domain can be used. Under this bill, condemnees have the right to appeal the amount of their condemnation award to the superior court and the right to a jury trial to determine just compensation.

Effective date: July 1, 2006

Signed by Governor on April 4, 2006

HB 1421 - Demand for trial; defendant present in court; require

This bill requires that any defendant who files a demand for a speedy trial must file that demand in a separate and distinct document, not part of any other document.

Effective date: July 1, 2006

Signed by Governor on May 5, 2006

**Also listed under Criminal

HR 1306 - Condemnation of property; redevelopment purposes; approved by vote; require - CA

This resolution calls for an amendment to the Georgia Constitution limiting the powers of eminent domain to public use and prohibiting its use by nongovernmental housing or development authorities without consent of the local governing authority. The proposed amendment will be on the ballot in the November general elections.

Effective date: On the General Election ballot in November

Signed by Governor on April 4, 2006

CIVIL

SB 210 - Public Service Commission; superior court

This bill allows the Public Service Commission to enforce uncontested orders. They can file a penalty order in superior court of the county in which the offender resides or, in the case of a business, where the corporation primarily does its business.

Effective date: July 1, 2006

Signed by Governor on May 3, 2006

SB 382 - Child Support; calculations; definitions; appeal process; change provisions (PF)

This bill makes clarifications to the calculation of child support and reorganizes the child support definitions and provisions created from the passage of HB 221, which passed last legislative session. Among its major provisions, SB 382:

- allows the court or jury to determine the parties' adjusted gross income and any deviations to the presumptive amount of child support and provides guidance on how to calculate and adjust gross income
- introduces a child support obligation table to help the court determine the amount of basic child support obligation based on the adjusted gross incomes of both parents
- allows the court or jury, at their discretion, to use parenting time as a possible deviation from the child support order
- grants the court discretion to implement a one year phase in of child support modifications made under this new schedule that are between 15% and 30% greater than the order under the previous schedule and a two year phase in of modifications that are 30% or larger than that ordered under the previous schedule
- removes the right to direct appeal to the state Supreme Court on judgments of child support
- adds to the duties of the Child Support Commission, requiring that they study appellate court acceptance of discretionary appeals in domestic relations cases, alternative programs to litigation (such as mediation), and the impact and feasibility of a parenting time adjustment as a deviation to child support;
- adds a self support reserve to give the court or jury guidance when considering a low income deviation;
- allows either parent when suffering from an involuntary loss of income resulting in a loss of 25% or more, to seek a modification in the support amount from the date of service of the petition for modification;
- permits a party to seek a motion for reconsideration within 90 days of the judgment if the party can produce reliable evidence that the other parent has higher; income or income potential than what was imputed at the last hearing;
- provides the court guidance as to whether to apply, waive or reduce the amount of interest owed;
- provides that the final judgment shall specify a sum certain and have attached to it both a worksheet and Schedule E (pertaining to deviations); and

CIVIL

• modifies how to calculate a theoretical support order and adds a best interest in the child of the current case standard.

Effective date: January 1, 2007

Signed by Governor on April 28, 2006

SB 419 - Lottery Proceeds; provide method to recover delinquent child support payments; change certain provisions

This bill allows delinquent child support payments to be taken from all lottery winnings of \$2,500 or more.

Effective date: July 1, 2006

Signed by Governor on May 5, 2006

SB 455 - Privacy; customer proprietary network information broker; obtain or release customer information; provide penalties; exceptions

This bill aims to protect a person's telephone information from third-party sales from telephone records brokers. It makes it unlawful for a broker to buy or sell a person's telephone records. The penalty is a civil fine of up to \$10,000. It also prohibits telecommunications companies from releasing a customer's telephone records without the express consent of the customer.

Effective date: upon signature of Governor

Signed by Governor on April 28, 2006

**Also listed under Fines/Fees

SB 533 - Statutory Living Will Form; revise

This bill makes modifications to the living will form to make it more clearly with respect to a person's wishes. It more clearly defines a person's options relating to the withholding of food or water if he or she were to fall into a permanent vegetative state and requires a person to initial next to the option desired instead of checking it.

Effective date: July 1, 2006

Governor VETOED SB 522 on May 9, 2006.

Governor Perdue Press Release:

"SB 533 seeks to clarify current living will provisions relative to those conditions for which a person may request that life sustaining measures be withheld or withdrawn. The sponsor, however, has requested that he bill be vetoed because of the unintended consequences of language in the bill. I therefore veto SB 533."

SB 534 - Trustee's Compensation schedule of conservators

This bill relates to compensation for services, so as to specify that when a trustee's compensation is not specified in the trust instrument it shall be based on the compensation schedule of conservators. It also states that probate court judges will be the depositories for and custodians of all monies of any heir to an estate who cannot be located.

Effective date: July 1, 2006

Signed by Governor on May 4, 2006

SECTION III: ELECTIONS - LOCAL BILLS

HB 1003 - Houston County, Magistrate Court of; elections

This bill provides for the election of a full-time chief magistrate of Houston County, who shall be elected in the same manner as the judges of the state court.

Effective date: upon signature of Governor

Signed by Governor on May 1, 2006

HB 1077 - Nonpartisan elections; Rabun County; office of probate judge; provide

This bill provides that future elections of probate court judges in Rabun County be nonpartisan elections.

Effective date: upon signature of Governor

Signed by Governor on May 1, 2006

HB 1079 - Randolph County; board of elections; provide

This bill creates a board of elections for Randolph County. It outlines the duties and authority of the board and provides for the appointment of members.

Effective date: upon signature of Governor

Signed by Governor on April 19, 2006

HB 1118 - Nonpartisan elections; Crawford County; office of probate judge; provide

This bill provides that future elections of probate court judges in Crawford County be nonpartisan elections.

Effective date: upon signature of Governor

Signed by Governor on May 1, 2006

HB 1119 - Nonpartisan election; Crawford County; office of chief magistrate; prov

This bill provides that future elections of the chief magistrate court judge in Crawford County be nonpartisan elections.

Effective date: upon signature of Governor

Signed by Governor on May 1, 2006

HB 1271 - Rabun County; board of elections and registration; create

This bill creates the Board of Elections and Registration for Candler County. It outlines the duties and authority of the board and provides for the appointment of members.

Effective date: Upon signature of the Governor

Signed by Governor on April 19, 2006

HB 1289 - Candler County; board of elections and registration; create

This bill creates the Board of Elections and Registration for Candler County. It outlines the duties and authority of the board and provides for the appointment of members.

ELECTIONS - LOCAL BILLS

Effective date: upon signature of Governor for initial appointments only and fully effective on the first day of the second month following the approval of the Governor

Signed by Governor on April 19, 2006

HB 1494 - Morgan County; board of elections and registration; create

This bill creates the Board of Elections and Registration for Morgan County. It outlines the duties and authority of the board and provides for the appointment of members.

Effective date: upon signature of Governor

Signed by Governor on March 29, 2006

SB 386 - Apportionment of House/Senate; provide for composition of state senatorial districts 46,47,49; elections

This bill changes the apportionment of Senate districts 46, 47, and 49

Effective date: July 1, 2006

Signed by Governor on March 1, 2006

SB 630 - Town of Talking Rock; time of municipal elections; terms of mayor/council; change provisions

This bill changes the election time of the mayor and councilmen of the town of Talking Rock to the Tuesday following the first Monday in November. This change takes effect in 2009 and has been done in order to conform the charter to the requirements of state law.

Effective date: July 1, 2006

Signed by Governor on May 4, 2006

SECTION IV: ELECTIONS - STATEWIDE BILLS

HB 1435 - Voting; persons with disabilities; provisions

This bill would amend the Election Code as it pertains to disabled individuals and their caregivers. It authorizes an attendant care giver to provide assistance in voting an absentee ballot. Further, this bill provides for the manner of assistance in voting for persons with disabilities.

Effective date: January 1, 2007

Signed by Governor on May 5, 2006

SB 500 - 2006 Georgia Accuracy in Elections Act; permanent paper record of votes; provide for pilot program/electronic voting

This bill authorizes the Secretary of State to implement a pilot program testing the feasibility of having electronic voting machines produce a paper record of the votes recorded. The

ELECTIONS - STATEWIDE BILLS

electronic machines will print out a paper record of a voter's choices before the vote is actually recorded. The voter will then have the chance to review the paper ballot for accuracy before officially casting his or her vote. The pilot program will be conducted during the 2006 November general election in Cobb, Bibb, and Camden Counties.

Effective date: upon signature of Governor

Signed by Governor on April 28, 2006

SECTION V: FINES/FEES

HB 594 - Bail bonds; fees of sureties

This bill allows sureties on criminal bonds to include all applicable surcharges with the principal amount of the bond when determining their compensation from defendants. These sureties are allowed to calculate their fee percentage from this larger figure.

Effective date: July 1, 2006

Signed by Governor on April 27, 2006

HB 989 - Clerks of superior courts; real estate or personal property filing fees; sunset dates; change

This bill extends the sunset date for real estate and personal property filing fees as well as their collection and remittance to the Superior Court Clerks' Cooperative Authority from 2010 to 2012.

Effective date: July 1, 2006

Signed by Governor on April 28, 2006

HB 1501 - County ordinance violations; maximum fines; change provisions

This bill increases the maximum fine for alcoholic beverage license violations to \$2500. It only applies to counties or municipalities that issue more than 300 such licenses (currently Fulton County only).

Effective date: July 1, 2006

Signed by Governor on May 5, 2006

SB 455 - Privacy; customer proprietary network information broker; obtain or release customer information; provide penalties; exceptions

This bill aims to protect a person's telephone information from third-party sales from telephone records brokers. It makes it unlawful for a broker to buy or sell a person's telephone records. The penalty is a civil fine of up to \$10,000. It also prohibits telecommunications companies from releasing a customer's telephone records without the express consent of the customer.

Effective date: upon signature of Governor

Signed by Governor on April 28, 2006

FINES/FEES

SB 637 - Georgia Driver's Education Commission; change membership; distribution of fines/forfeitures; definition

This bill makes revisions to SB 226 ("Joshua's Law"), which passed last year. It changes the number of members on the Driver's Education Commission from 9 to 8 and provides a definition for the term "approved driver's education course." It also repeals section 1 of SB 226, which gave the Commission top priority on receiving money from court fees pursuant to 15-6-95. The new bill places the commission at the lowest priority.

Effective date: upon signature of Governor

Signed by Governor on April 21, 2006

SR 1027 - Court Surcharges and Additional Fines, Senate Study Committee; create

This bill creates a Senate study committee to study the issues surrounding the collection of court fees and fines. It will be comprised of 5 members of the Senate.

Effective date: March 14, 2006

Date passed by the Senate: March 14, 2006

Report to be made December 31, 2006

SECTION VI: INDIGENT DEFENSE

SB 203 - Public Defenders; indigent defense services; attorney's fees/cost recovered

This bill allows local court officers to collect the fees for victim's assistance programs, which may be distributed directly to the programs (if qualified) instead of the money going through the Superior Court Clerks Cooperative Authority. This bill also clarifies the fee collection for Probate Courts, gives Superior Court Clerks Cooperative Authority auditing authority over judges and courts, allows for a county or municipality to recover payment of indigent defense that was given to a defendant who was not indigent, and allows for work release programs to be a condition of probation.

Effective date: July 1, 2006

Signed by Governor on May 3, 2006

SB 503 - Ga. Public Defender Standards Council; legal services to indigent persons; change provisions

This bill redefines an "indigent person" to mean any person whose maximum income is less than 125% of the Federal poverty level in the case of a misdemeanor and 150% of the Federal poverty level in the case of a felony. In no cases will a person with a maximum income level exceeding 150% of the Federal poverty level be considered an indigent person. The bill also makes changes to the Public Defender Standards Council, removing the requirement that they establish the

INDIGENT DEFENSE

guidelines for determining whether or not a person can claim to be indigent, leaving that responsibility to the circuit public defender. It also requires that the \$50 fee for obtaining legal service be imposed as a condition of probation/parole if it has not been paid or waived at the time of sentencing.

Effective date: upon signature of Governor

Signed by Governor on May 3, 2006

SR 793 - Ga. Public Defender Standards Council; ratifying the initial minimum standard; Standard for Removal for Cause

This resolution ratifies and approves the Standard for Removal for Cause that was created by the Public Defender Standards Council. That document outlines the standards for removing a circuit public defender.

Effective date: upon signature of Governor

Signed by Governor on May 5, 2006

SR 954 - Performance Standards; ratifying the initial minimum standard; fiscal impact

This resolution ratifies and approves the Performance Standard that was created by the Public Defender Standards Council. That document outlines the performance standards for all public defenders.

Effective date: upon signature of Governor

Signed by Governor on May 5, 2006

SR 955 - Performance Standards in Juvenile Court; ratifying the initial minimum standard; fiscal impact

This resolution ratifies and approves the Performance Standard for Juvenile Indigent Defense that was created by the Public Defender Standards Council. That document outlines the performance standards for public defenders in juvenile court cases.

Effective date: upon signature of Governor

Signed by Governor on May 5, 2006

PART VII: LOCAL LEGISLATION

HB 1199 - McIntosh County; probate judge; magistrate court; provisions

This bill does away with the position of chief magistrate of McIntosh County beginning January 1, 2009 and provides that the probate judge will serve ex officio as the chief magistrate from that day forward. The bill also repeals acts creating and amending the Small Claims Court of McIntosh County.

Effective date: July 1, 2006

Signed by Governor on May 1, 2006

LOCAL LEGISLATION

HB 1264 - State Court of Gwinnett County; additional judge; provide

This bill adds an additional judge to the state court of Gwinnett County. The judge will be appointed by the Governor to a term beginning January 1, 2007.

Effective date: January 1, 2007, although the Governor may make an appointment prior to that date

Signed by Governor on April 19, 2006

HB 1321 - Johns Creek, City of; incorporate

This bill incorporates the city of Johns Creek in Fulton County. It also creates the Municipal Court of Johns Creek.

Effective date: July 1, 2006

Signed by Governor on March 29, 2006

HB 1324 - Columbia County; Small Claims Court; repeal

This bill repeals the act creating the Small Claims Court for Columbia County.

Effective date: July 1, 2006

Signed by Governor on May 5, 2006

HB 1328 - Columbia County; Magistrate Court; change requirements

This bill changes the educational requirements to be chief magistrate of Columbia County, requiring that a chief magistrate be a member of the State Bar of Georgia in good standing for at least one year.

Effective date: July 1, 2006

Signed by Governor on May 5, 2006

HB 1332 - Terrell County; Clerk of Magistrate Court; provisions

This bill allows the chief magistrate of Terrell County to appoint someone other than the superior court clerk to serve as the clerk of the Magistrate court.

Effective date: July 1, 2006

Signed by Governor on May 5, 2006

HB 1333 - Terrell County; Clerk of Probate Court; provisions

This bill allows the probate court judge of Terrell County to appoint someone other than the superior court clerk to serve as the clerk of the Probate court.

Effective date: July 1, 2006

Signed by Governor on May 5, 2006

HB 1366 - Leesburg, City of; municipal court; provide

This bill creates a municipal court for the city of Leesburg.

Effective date: upon signature of Governor

Signed by Governor on May 5, 2006

LOCAL LEGISLATION

HB 1423 - Gwinnett County; superior court; change terms

This bill changes the terms of the Gwinnett County superior court to the first Monday in March, June, and December and the second Monday in September.

Effective date: August 1, 2006

Signed by Governor on May 5, 2006

HB 1457 - Gwinnett County; State Court; change terms

This bill changes the terms of the Gwinnett County State Court to the first Monday in March, June, and December and the second Monday in September.

Effective date: August 1, 2006

Signed by Governor on May 5, 2006

HB 1470 - Milton, City of; provide charter

This bill calls for the creation of the city of Milton in Fulton County. It also creates a municipal court of Milton.

Effective date: July 1, 2006

Signed by Governor on March 29, 2006

HB 1496 - Waycross Judicial Circuit; term of court; change

This bill provides that if the term of superior court in both the Waycross circuit and the Alapaha circuit begin on an official state holiday, the term of court will instead begin on the following Tuesday.

Effective date: July 1, 2006

Signed by Governor on May 5, 2006

HB 1499 - Sumter County; duties of district attorney of judicial circuit; provide

This bill created the position of district attorney for Sumter County to replace the position of solicitor-general, and will represent the State on all criminal cases in the Sumter County State Court.

Effective date: Upon approval of Governor

Signed by Governor on April 19, 2006

HB 1514 - DeKalb County; duties of sheriff; provisions

This bill provides that the chief deputy of DeKalb County will assume the duties of the sheriff in the event that there is a vacancy in that office. The deputy will serve until a special election can fill the position.

Effective date: July 1, 2006

Signed by Governor on May 5, 2006

LOCAL LEGISLATION

HB 1544 - Rockdale County; Magistrate Court; certain qualifications; provide

This bill requires that any person who is to assume the office of chief magistrate of Rockdale County must have been actively practicing law for at least three years prior to taking office.

Effective date: upon signature of Governor

Governor VETOED HB 1544 on May 5, 2006.

Governor Perdue Press Release:

"HB 1544 is local legislation applicable to Rockdale County. This legislation is not consistent with statewide law. I therefore veto HB 1544."

SB 264 - Pataula Circuit; superior courts; change certain terms

This bill changes the terms of superior court for the following counties in the Pataula Circuit: Clay, Early, Miller, Randolph, and Seminole.

Effective date: July 1, 2006

Signed by Governor on May 3, 2006

SB 552 - South Fulton, City; incorporate; provide for a charter

This bill provides for the incorporation of the city of South Fulton in Fulton County. It also creates a municipal court for the city of South Fulton.

Effective date: July 1, 2006

Signed by Governor on April 28, 2006

SB 553 - Chattahoochee Hill Country, City; incorporate; provide for a charter

This bill provides for the incorporation of the city of Chattahoochee Hill Country in Fulton County. It also creates a municipal court for the city of Chattahoochee Hill Country.

Effective date: July 1, 2006

Signed by Governor on April 28, 2006

SB 584 - Henry County, State Court; provide additional judge; appointment; terms of office

This bill adds an additional judgeship to the Henry County state court, bringing the total number of judges to three. The third judge will be appointed by the Governor on July 1, 2006 and will serve until the next judicial election in 2008.

Effective date: July 1, 2006

Signed by Governor on April 19, 2006

PART VIII: RETIREMENT/ COMPENSATION - LOCAL BILLS

HB 733 - Bartow County; chief magistrate; compensation

This bill raises the salary of the chief magistrate of Bartow County to \$70,000 per year. In addition, the judge will receive a 4% salary increase each year beginning January 1, 2007 and a longevity bonus of 5% per each four-year term served, calculated after December 31, 1996.

Effective date: July 1, 2006

Signed by Governor on April 28, 2006

HB 831 - Richmond County; certain officials; compensation

This bill raises the annual salary for the following officers of Richmond County beginning May 1, 2006: Clerk of superior court and state court, Solicitor of the state court, District attorney, Judge of the superior court, Chief Judge of the superior court, and Sheriff. It provides for an additional salary increase the following year.

Effective date: May 1, 2006

Signed by Governor on April 28, 2006

HB 1186 - State Court of Cobb County; compensation of judges; change

This bill increases the salary of the judges of Division I of Cobb County State Court from \$139,531.46 to \$145,112.71.

Effective date: upon signature of Governor

Signed by Governor on May 1, 2006

HB 1208 - Cobb County Probate Court; compensation of deputy clerk; change

This bill raises the compensation of the deputy clerk of the Cobb County probate court to \$88,240.

Effective date: upon signature of Governor

Signed by Governor on May 1, 2006

HB 1267 - State Court of Cobb County; clerk and chief deputy clerk; change compensation

This bill raises the salary of the state court clerk of Cobb County to \$98,044.37 and that of the deputy state court clerk to \$88,239.93.

Effective date: July 1, 2006

Signed by Governor on May 1, 2006

HB 1303 - Cobb County; Probate Court; change compensation

This bill raises the salary of the Cobb County probate court judge to \$108,262.48 and the clerk of the Probate Court to \$74,866.39.

Effective date: upon signature of Governor

Signed by Governor on May 5, 2006

RETIREMENT/COMPENSATION - LOCAL BILLS

HB 1566 - Blue Ridge Judicial Circuit; amount of compensation; increase

This bill raises the salary supplement for Blue Ridge circuit superior court judges to \$25,000 a year with approval of fiscal authority.

Effective date: July 1, 2006

Signed by Governor on May 5, 2006

HB 1570 - Alcovy Judicial Circuit; superior court judges; increase salary supplement

This bill raises the salary supplement for Alcovy circuit superior court judges to \$1,500 per month.

Effective date: July 1, 2006

Signed by Governor on May 5, 2006

HB 1572 - Bell-Forsyth Judicial Circuit; Superior Court; provide salary supplement

This bill raises the salary supplement for Bell-Forsyth circuit superior court judges to \$25,000 per year

Effective date: the first day of the month following the month it is signed by the Governor

Signed by Governor on April 19, 2006

HB 1624 - Tift County; State Court; judge engaging in practice of law; prohibit

This bill prohibits the Tift County state court judge from practicing law during his or her term in office, and have an annual salary of not less than 90 percent of the Superior Court Judge in the Tifton Judicial Circuit.

Effective date: July 1, 2006

Signed by Governor on May 5, 2006

SB 470 - Cobb County, State Court; solicitor-general; change compensation

This bill changes the salary of the Cobb County solicitor-general to \$130,275 per year. It also changes the compensation of the chief assistant solicitor to \$94,876 per year, the deputy assistant solicitor to \$88,530 per year, and the third assistant solicitor to \$77,163 per year.

Effective date: upon signature of Governor

Signed by Governor on May 5, 2006

SB 501 - Fulton County, Superior Court; supplement salaries of judges; increase amount

This bill increases the salary supplement for Fulton County superior judges to \$37,989 per year.

Effective date: January 1, 2007

Signed by Governor on May 3, 2006

RETIREMENT/COMPENSATION - LOCAL BILLS

SB 616 - Cobb Judicial Circuit; supplement paid to each judge of superior court

This bill raises the annual supplement for Cobb County superior court judges to \$49,711 per year and the additional supplement for the chief judge of the superior court to \$8,800.

Effective date: upon signature of Governor

Signed by Governor on May 5, 2006

SB 667 - Clayton County; chief magistrate; provide salary

This bill raises the salary for the Clayton County chief magistrate judge to \$115,460 per year.

Effective date: July 1, 2006

Signed by Governor on May 4, 2006

SB 668 - Probate Court of Clayton County; judge; change compensation

This bill raises the salary for the Clayton County probate court judge to \$111,123 per year.

Effective date: July 1, 2006

Signed by Governor on May 5, 2006

SB 669 - Clayton Judicial Circuit; judge of juvenile court; compensation from state funds/Clayton County

This bill establishes the compensation for the juvenile judge of the Clayton Judicial Circuit. The sum of the base salary plus supplement will be \$134,018 and will be paid out of state funds.

Effective date: July 1, 2006

Signed by Governor on May 5, 2006

SB 673 - Clayton Judicial Circuit; judges of superior court; increase county supplement to state salary

This bill raises the salary supplement for Clayton judicial Circuit superior court judges to \$37,000 per year.

Effective date: July 1, 2006

Signed by Governor on May 5, 2006

SB 674 - Superior Court of Clayton County; clerk; increase salary

This bill increases the salary of the Clayton County superior court clerk to \$92,775 per year.

Effective date: July 1, 2006

Signed by Governor on May 5, 2006

RETIREMENT/COMPENSATION - LOCAL BILLS

SB 675 - State Court of Clayton County; clerk; increase compensation

This bill increases the salary of the Clayton County state court clerk to \$70,517 per year.

Effective date: July 1, 2006

Governor VETOED SB 675 on May 9, 2006.

Governor Perdue Press Release:

“SB 675 is local legislation applicable to Clayton County. Members of the Clayton County legislative delegation and the Clayton County Board of Commissioners have requested that it be vetoed. I therefore veto SB 675.”

SB 677 - State Court of Clayton County; provide salaries of the judges; solicitor-general; county supplement; conditions

This bill raises the salary of Clayton County state court judges to \$134,018 per year plus a longevity bonus for each year of service since January 1, 2006 of 1½ percent of the base salary plus supplements. This bill also raises the salary of the Clayton County state court solicitor-general to \$94,444 per year plus the same longevity bonus. The years of service for the solicitor-general are calculated from January 1, 2005, however.

Effective date: July 1, 2006

Signed by Governor on May 5, 2006

PART IX: RETIREMENT/COMPENSATION - STATEWIDE BILLS

HB 251 - Judges of the Probate Courts Retirement Fund; designating surviving beneficiary

This bill allows probate court judges to designate a surviving beneficiary for their retirement benefits. The spouse of a married judge will be the designated survivor unless he or she designates someone else. This alternate designation must be approved in writing by the spouse. Unmarried judges may also designate a survivor.

Effective date: July 1, 2006

Signed by Governor on April 19, 2006

HB 268 - District attorneys, assistant district attorneys, district attorney investigators; compensation

This bill raises the salary of assistant district attorneys, district attorney investigators, and district attorneys. In addition, under this bill assistant district attorneys who are performing the duties of a deceased or resigned district attorney will be compensated at the same rate authorized for the district attorney. The bill also states that a governing authority wishing to obtain additional personnel for the district attorney's office must con-

RETIREMENT/COMPENSATION - STATEWIDE BILLS

tact the Prosecuting Attorneys' Council instead of the Department of Administrative Services such personnel.

Effective Date: Sections 1, 2, and 5 (Assistant District Attorneys, investigators, and District Attorneys) - July 1, 2006
Sections, 3, 4, and 7 (Assistant DA's acting as DA's) - upon signature of Governor

Signed by Governor on April 27, 2006

HB 809 - Superior Court Clerks' Retirement; survivors benefits; amend provisions

This bill gives a postretirement benefit adjustment to certain superior court clerks. Under this bill, any clerk who was receiving benefits on July 1, 2006 and has had his or her allowance reduced by selecting a survivor benefit will be given an adjustment to the allowance equal to the amount of allowance the clerk would have received had he or she not elected a survivor benefit, providing that the survivor is deceased.

Effective date: July 1, 2006

Governor VETOED HB 809 on May 5, 2006.

Governor Perdue Press Release:

“HB 809 would affect the Superior Court Clerks' Retirement System and would allow a member to change his or her retirement benefits election retroactively. In order to maintain the integrity and actuarial soundness of our retirement plans, these elections must be irrevocable. Due to the wide-ranging ramifications to this and other retirement systems, signing this bill would not be fiscally sound policy for our retirement systems. I therefore veto HB 809.”

HB 1020 - Retirement; allowances; withdrawal of contributions; amend provisions

This bill provides clean up language for Georgia public retirement systems with respect to gender neutrality. It also allows the board of trustees of the Georgia Defined Contribution Plan to determine the minimum amount a member who ceases employment with the state may have to allow the board to require the member to withdraw all money and close the account. The bill further establishes the effective date of retirement as the first day of the month in which the application is received by the board, provided that date is not prior to the applicants last day of employment. This date change applies to discharge from the National Guard as well.

Effective date: July 1, 2006

Signed by Governor on May 5, 2006

RETIREMENT/COMPENSATION - STATEWIDE BILLS

HB 1399 - Magistrate's salary; waiver; provide

This bill allows magistrate court judges to waive their salary if they request so in writing.

Effective date: July 1, 2006

Signed by Governor on May 5, 2006

SB 244 - Magistrates Retirement Fund; define terms; create board of commissioners; powers

This bill creates the magistrate's retirement fund and a Board of Commissioners for the fund. It is modeled after the probate court retirement fund and will be funded by member contribution and a filing fee of \$3 on each civil case filed in magistrate court.

Effective date: July 1, 2006

Signed by Governor on April 20, 2006

SB 450 - Ad Valorem Taxation of Property; revise pay structure of certain county officers/officials; provide recalculation of min. salaries

This bill changes the salaries of several county officers. It raises the minimum salary and supplements of the superior court clerks, sheriffs, probate judges, chief magistrates, and tax commissioners. In addition, this bill will give a longevity pay increase to county commissioners for each term to which they get reelected and raises coroners' investigation fees to \$175.

Effective: Section 3 (Probate Judges) January 1, 2007; Section 6 (Magistrate Judges) January 1, 2006 for minimum salary (legislative intent for Magistrate Judges minimum salary effective January 1, 2007) and January 1, 2007 for COLA and Merit increase

Signed by Governor on April 28, 2006

SECTION X: TRAFFIC

HB 276 - Motor vehicles; licensing of ignition interlock device providers

This bill allows the Department of Driver Services to regulate companies that install ignition interlock devices on cars. These devices prevent the car from starting if the driver's BAC is over .02 or if the driver does not submit to the test. This bill establishes the conditions under which a company may receive a license to become a provider center and conditions under which that license may be suspended or revoked.

Effective date: January 1, 2007

Signed by Governor on April 27, 2006

TRAFFIC

HB 1193 - Vehicles; false or secret compartments; prohibit owning or operating

This bill makes it a crime to create a secret or hidden compartment in any vehicle for the purpose of hiding drugs or other contraband from law enforcement. It is also a crime to operate a vehicle with such compartment attached. The penalty is between one and two years in prison and a fine of up to \$10,000.

Effective date: upon signature of Governor

Signed by Governor on April 18, 2006

HB 1209 - Dept. of Public Safety; motorcycle enforcement program; provisions for payment

This bill requires that all fines paid for traffic violations written by the newly-created motor cycle enforcement unit of the Department of Public Safety be remitted to the Department for the purpose of maintaining the motor cycle enforcement program. This requirement does not apply to any fees or costs associated with the payment of a fine and only apply to violations that occurred on an "urban interstate system." For the purposes of this bill, "urban interstate system" means any portion of I-285 and the portions of I-75, I-85, and I-20 that are within the Perimeter.

Effective date: July 1, 2006 and shall expire on June 30, 2011

Signed by Governor on April 18, 2006

HB 1236 - Motor vehicles; registration; place of return; amend

This bill allows residents to register their motor vehicle in the county in which it is "functionally located", which is defined as the county in which a vehicle spends 184 days or more.

Effective date: July 1, 2006

Signed by Governor on May 5, 2006

HB 1253 - Drivers' licenses; certain provisions; clarify

This bill makes modifications regarding the suspension of personal and commercial drivers' licenses and also prohibits the use of social security numbers as driver's license numbers.

Effective date: July 1, 2006

Signed by Governor on April 27, 2006

HB 1275 - Commercial driver's license; violation; provide for revocation

This bill amends 16-8-12 relating to punishment for theft by calling for the revocation of a person's commercial driver's license for no less than one year if the theft involves a commercial vehicle. This bill also makes an addition to the Georgia DUI implied consent law stating that nothing in the code shall be deemed to exclude evidence of a DUI violation taken voluntarily or through a properly-obtained search warrant.

Effective date: July 1, 2006

Signed by Governor on April 21, 2006

TRAFFIC

HB 1392 - Drivers; right of way violation; collision; provide penalties

This bill adds farm vehicles to class C vehicles as long as those vehicles are less than 26,000 pounds and are used for farming reasons, not for contract carriers. This bill also creates a misdemeanor offense punishable by at least a \$250 fine for any motorist who injures a person while that motorist is committing a right-of-way violation.

Effective date: July 1, 2006

Signed by Governor on April 28, 2006

HB 1436 - Wine; restaurant patrons; resealed partially consumed bottle; authorize

This bill allows a restaurant patron to remove a partially consumed bottle of wine that had been purchased along with a meal. The restaurant will reseal the bottle in a bag, and the patron must put the bottle in the glove compartment or trunk of the car when leaving. As long as these conditions are met, possession of this open bottle will not constitute an open container violation.

Effective date: July 1, 2006

Governor VETOED HB 1436 on May 5, 2006.

Governor Perdue Press Release:

“Because HB 1436 allows for transport of single, partially consumed bottles of wine in a latched, but unlocked, compartment of a vehicle, this legislation would put Georgia in non-compliance with federal open container regulations, causing up to three percent of the state’s highway construction funds to be at risk. I therefore veto HB 1436.”

SB 64 - Law Enforcement Motor Vehicles; blue lights on roof; enforce requirement

This bill has three major parts:

- It allows a motorist who is directed to stop by a law enforcement officer in a marked police vehicle to continue to drive to a reasonably safe location before stopping. The motorist must indicate his or her intent by turning on the hazard lights or turn signal of the vehicle.
- It allows the Georgia State Patrol to have up to two police vehicles per post that are not equipped with exterior mounted lights. These vehicles are required to have an agency identifier in the front windshield.
- It changes the maximum fine for a violation of not making a lane change when passing a stationary emergency or maintenance vehicle to \$500.

Effective date: upon signature of Governor

Signed by Governor on April 20, 2006

SB 531 - Motor Vehicle Liability Policies; uninsured motorist coverage; change certain provisions

This bill changes provisions in automobile liability policies

TRAFFIC

relating to uninsured motorist coverage, requiring that all liability policies insure for bodily injury, loss of consortium, and death as part of the uninsured motorist coverage. It makes updates to the definition of “insured” in the case of insurance to include under the policy foster children of the named insured. It also requires that plaintiffs in motor vehicle injury cases exercise diligence to locate the driver whom the claim is against if that driver does not reply to a court summons.

Effective date: July 1, 2006

Signed by Governor on May 3, 2006

SECTION XI: GENERAL

HB 376 - Juries; exemption; caregivers of certain children

This bill allows primary caregivers of a child 6 years of age or younger to be excused or deferred from jury duty. It also allows parents who home school their children to be excused or deferred from jury duty, regardless of the child's age.

Effective date: July 1, 2006

Signed by Governor on April 18, 2006

HB 804 - Barratry; Code section; repeal

This bill repeals the crime of barratry, which is an antiquated law against inciting groundless action in court.

Effective date: July 1, 2006

Signed by Governor on April 14, 2006

HB 1032 - Licenses to carry pistol or revolver; temporary renewal permit; provide for restrictions

This bill requires that non US citizens who wish to obtain or renew a handgun permit to provide proof of their citizenship and their right to be in the country. They must also go through a background check. In addition, this bill prohibits those not lawfully present in the US from obtaining a handgun permit.

Effective date: July 1, 2006

Signed by Governor on April 20, 2006

HB 1044 - Firearms; carrying and possession; municipal and city court judges; amend provisions

This bill allows permanent part-time municipal court judges to carry firearms.

Effective date: July 1, 2006

Signed by Governor on April 28, 2006

HB 1073 - Judgeship Bill

This bill creates four new superior court judgeships, one in each of the following circuits: Blue Ridge, Coweta, Houston, and Paulding. These judges will be appointed by the Governor for terms beginning January 1, 2007.

Effective date: Parts I, III, V, VIII upon signature of Governor; Parts II, IV, VI, VII on January 1, 2007

Signed by Governor on May 5, 2006

GENERAL

HB 1164 - Budget Act; amend

This bill addresses the issue of judicial decrees that require the appropriation of state funds. It defines the appropriations process as being reserved for the General Assembly and requires that all funds that are to be used by agencies to comply with judicial decrees be identified in the agency's budget and go through the legislative budgetary process.

Effective date: July 1, 2006

Governor VETOED HB 1164 on May 5, 2006.

Governor Perdue Press Release:

"HB 1164 requires that the state budget for the anticipated expenditures for pending judicial decrees or settlements, attorneys' fees and costs, and the costs of special masters, monitors, auditors, and accountability agents. Disclosure or anticipated costs and fees during the pendency of contested matters in which the state is a party or anticipates becoming a party would have the unintended effect of compromising the state's legal position in the defense or prosecution of those matters and could result in further costs to the taxpayers of the state. I therefore veto HB 1164."

HB 1288 - Municipal court clerks; required training; provide

This bill requires municipal court clerks to complete at least 16 hours of training in their first year of employment and a minimum of 8 hours per year after that.

Effective date: July 1, 2006

Signed by Governor on May 1, 2006

HB 1307 - Georgia Register; publication; change certain provisions

This bill requires the Georgia Register, which includes legal notices and hearing calendars, to be published electronically instead of printed.

Effective date: upon signature of Governor

Signed by Governor on April 18, 2006

HB 1417 - Administrative Office of the Courts; assist board of jury commissioners; allow

This bill relates to jury lists and allows the Administrative Office of the Courts to assist the clerk of the superior court or jury clerk in creating and maintaining the trial and grand jury lists. The Secretary of State shall provide the AOC with a list of all registered voters and convicted felons and the Department of Driver Services will provide the county lists of all people with drivers' licenses.

Effective date: July 1, 2006

Signed by Governor on May 5, 2006

GENERAL

SB 44 - Corrections; contracts with private detention/diversion centers; regulations

This bill allows for the Board of Corrections to enter into contracts with private probation companies. This bill provides for county and city operated probation departments to be registered and regulated by the County and Municipal Probation Advisory Council under the same terms the private probation companies are regulated.

Effective date: July 1, 2006

Signed by Governor on May 3, 2006

SB 442 - Child Abuse; reporting; change certain provisions

This bill requires that those who are required to report suspected child abuse must make an oral report within 24 hours of noticing the suspected abuse. It also states that no person who has taken a child abuse report are allowed to change the information in the report.

Effective date: upon signature of Governor

Signed by Governor on April 27, 2006

SB 462 - Sheriffs; authority of courthouse security; remove courthouses/jails from list of properties protected

This bill requires the sheriff of each county to develop and implement a comprehensive security plan for the county courthouse and annex. This plan must be approved by the chief judge of the superior court and is will be funded from the sheriff's budget as approved by the county governing authority. Any meetings that are held to discuss the security plan will be in executive session, exempt from public inspection.

Effective date: July 1, 2006

Signed by Governor on April 28, 2006

SB 469 - Corporations, Partnerships and Associations; update provisions

This bill amends the OCGA to update provisions with respect to corporations and partnerships.

Effective date: July 1, 2006

Signed by Governor on May 5, 2006

SB 530 - Property; liens; change provisions; conditions; value

This bill deals with liens attached to real estate by people who provide labor or services and allows them to include in the amount of the lien the value of work done on an easement or public right of way adjoining the real estate if the work was for the benefit of the property.

Effective date: July 1, 2006

Signed by Governor on May 3, 2006

GENERAL

SB 588 - Social Security Numbers; prohibit the use/ display of; specified circumstances

This bill creates a new Code Section 10-1-393.8 making it illegal to publicly post or publicly display social security numbers. This bill also holds the Superior Court Clerks and the Georgia Superior Court Clerks' Cooperative Authority harmless for filing, publicly posting or publicly displaying documents containing an individual's social security number if it is required by law to file.

Effective date: July 1, 2006

Signed by Governor on April 27, 2006

PART XII: HUNTING/FISHING

HB 338 - Hunting; primitive weapons; amend provisions

This bill makes changes to hunting laws, making it unlawful to hunt game or wild animals using computer devices. Under the bill, a violation of "computer assisted remote hunting" is a misdemeanor of a high and aggravated nature, punishable by a fine of \$1000 to \$5000 and up to 12 months in prison. Additionally, any equipment used in such violation is subject to confiscation. This bill also outlaws the importation of any live cervid (deer, reindeer, moose or elk) or the importation or possession of any

HUNTING/FISHING

cervid carcass with a documented case of chronic wasting disease. This crime is a misdemeanor of a high and aggravated nature punishable by a \$1500 to \$5000 fine and up to 12 months in prison.

Effective date: Section 4 (cervids restrictions) - July 1, 2006 for promulgating rules and regulations; January 1, 2007 for all other purposes.

All other sections - July 1, 2006

Signed by Governor on April 19, 2006

HB 1085 - Finfish; certain species; open seasons, creel, and possession limits; amend

This bill limits the possession limit for Tripletail fish to 2.

Effective date: July 1, 2006

Signed by Governor on April 19, 2006

HB 1424 - Dogs; hunting; change certain provisions

This bill requires that any person 16 years of age or older who hunts deer using dogs must obtain a deer-dog license in addition to other normal hunting licenses. The license fee is \$5, and the license must be renewed yearly.

Effective date: July 1, 2006

Signed by Governor on April 28, 2006

LEAH WARD SEARS
Chief Justice
DAVID L. RATLEY
Director

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