

ADMINISTRATIVE OFFICE OF THE COURTS OF GEORGIA
DAILY LEGISLATIVE UPDATE
MONDAY, FEBRUARY 20, 2012 | LEGISLATIVE DAY RECESS

The following newsletter only provides updates on legislation and committees affecting the Georgia judiciary

FLOOR ACTION

SENATE SESSION

The Senate was in RECESS today and will reconvene tomorrow Tuesday, February 22, 2012, at 11:00 AM

HOUSE SESSION

The House was in RECESS today and will reconvene tomorrow Tuesday, February 22, 2012, at 10:00 AM

COMMITTEE ACTION

HOUSE JUDICIARY (NON-CIVIL) SETZLER SUBCOMMITTEE

HB 663 - Georgia Crime Information Center; inspection or modifying criminal records; change provisions

HB 663 amends Article 2 of Chapter 3 of Title 35 of the O.C.G.A., by providing for changes to be made relating to the inspection, purging, modifying or supplementing of criminal records relating to the Georgia Crime Information Center. HB 663 details the process that an individual can pursue to inspect, and if needed amend one's criminal record. It also provides that the fee for inspection of any criminal history cannot exceed \$15.00; this monetary does not include the cost of the security measures that may be taken to ensure proper identity. HB 663 provides a 60 day time limit for notifying the entity in control of the record in question if information in the that record is found to be incorrect and the individual wishes to amend, correct, modify or supplement the information in the record. If the entity in control of the record does not act or declines to act within 60 days of the request or the individual feels the entity's decision regarding the matter to be unsatisfactory, the individual can appeal within 30 days after the 60 day period. HB 663 also lists restrictions to access of an individual's criminal history record information, and it goes on to state that under special circumstances that are not previously met in the bill that the court can have an individual's criminal history permanently sealed if the court deems it necessary.

Amendment 1: Adds language between Lines 192 and 194, requiring courts to hear evidence 30 days following the filing of a petition relating to the restriction of records. If the Courts do not find these charges substantially severe, then restriction of records shall be appropriate. **Amendment Adopted**

HB 663 received a DO PASS by COMMITTEE SUBSTITUTE from the House Judiciary (Non-Civil) Setzler Subcommittee.

HOUSE JUDICIARY (CIVIL) JACOBS SUBCOMMITTEE

SB 50 - Courts; add certain fees for funding of local victim assistance programs

SB amends Code Section 15-6-95 of the O.C.G.A., relating to priorities of distribution of fines and fees collected in superior court if a partial payment is collected. This bill amends the list in the following ways: Priority level 3: Instead of the Sheriffs' Retirement Fund of Georgia, funds for county law libraries is moved up; Level 6: Balance of the fine is owed to the county; Level 7: The amounts from the probation fee; Level 8: Funding for local victim assistance programs is added; Level 9: Georgia Crime Victims Emergency Fund is added; Level 10: Application fee for legal defense services is moved down; Level 11: Amounts for jail construction and staffing; Level 12: Brian and Spinal Injury Trust Fund is added; Level 13: Drug Abuse Treatment and Education Fund is moved down; Level 14: The Sheriffs' Retirement Fund of Georgia is moved here.

Amendment 1: Amendment 1 moves item 11 from line 27 and renumbers the item as 6 and moves item 6 from line 27 to become item 11. **Amendment 1 ADOPTED**

SB 50 received a DO PASS as AMENDED from the House Judiciary (Civil) Jacobs Subcommittee

LOOKING FORWARD: RULES CALENDARS FOR LEGISLATIVE DAY 22

SENATE

SB 367 - Agriculture Commissioner; authorized to require persons incurring civil penalties to obtain a surety bond

SB 383 - 'Georgia International Commercial Arbitration Code'; repeal Part 2, relating to international arbitration

SB 390 - Agriculture; provide immunity from civil liability for the agency designated to provide for seed certification

HOUSE

HB 635 - Macon Water Commissioners- Pension Plan; change provisions (Substitute)

HB 733 - Family violence; holdover provisions for appointees; add

HB 786 - Consumers' utility counsel division; not necessary to file copies of filings with Public Service Commission; provide

HB 886 - Banking and finance; credit exposure as a counterparty in derivative transactions; limit certain obligations

HB 929 - Judicial circuits; assistant district attorney for certain populations; repeal office

HB 930 - Judicial circuits; superior court judge for certain populations; repeal supplemental expense allowance

HB 472 - Brewpub distribution system; maximum barrels of beer manufactured and sold; increase

HB 634 - Ad valorem tax; population brackets and census; change provisions

HB 895 - Sexual Offender Registration Review Board; gathering information relating to sexual offenders; provide more effective methods

Committee Meeting Schedule
Tuesday, February 21, 2012 - Legislative Day 22

9:00 AM	House Rules	341 CAP
11:00 AM	Senate Session	Senate Gallery
10:00 AM	House Session	House Gallery
10:00 AM	Senate Appropriations Committee SB 403 – Education; school health nurse programs; revise provisions SB 404 – Education; provide for development of category – level expenditure controls for staff development funds HB 760 – Elementary and secondary education; capital outlay funds replace exceptional growth program HB 741 – Supplemental appropriations; State Fiscal Year July 1, 2011 – June 30 2012	341 CAP
12:00 PM (Upon adj.)	Senate Rules	450 CAP
1:00 PM	House Judiciary (Civil) Lane Subcommittee HB 630 – Public officers and employees; sexual orientation and Gender identity; prohibit discrimination HB 861 – Law enforcement officers; report drug related arrests to Department of Human services; require SB 62 – State; no private property shall be alienated to any other state; exercise of state sovereignty/jurisdiction without consent of General Assembly	132 CAP
1:00 PM	Senate Special Judiciary Committee SB 290 – To create the Georgia Innocence Inquiry Commission	125 CAP
1:00 PM	Senate Transportation Committee	450 CAP
1:00 PM	House Judiciary (Non-Civil) Committee HB 954 – Abortion; criminal abortion; change certain provisions	406 CLOB
2:00 PM	House Judiciary (Civil) Committee	132 CAP
2:00 PM	Senate Public Safety Committee SB 441 – Obstruction of Public Administration; establish the offense of unlawful pointing of a laser device at a law enforcement officer; penalties SR 858 – U.S. Congress; urge to permit the use of “cellular jammers” for the prevention of illegal cell phone use in prisons, jails, youth detention facilities SB 411 – Georgia Sheriffs’ Cooperative Authority; create	450 CAP
2:00 PM	Senate State and Local Government Committee	Mezz. 1
3:00 PM	Senate Retirement Committee	125 CAP

4:00 PM

House Public Safety and Homeland Security Committee

406 CLOB

[HB 161](#) - Motorcycles; certain traffic regulations; provide

[HB 827](#) - Traffic offenses; fleeing or attempting to elude a pursuing police vehicle;

[HB 828](#) - Traffic offenses; fleeing or attempting to elude a pursuing police vehicle;

**This meeting schedule is up to date at the time of this report, but meeting dates and times are subject to change.*