

ADMINISTRATIVE OFFICE OF THE COURTS OF GEORGIA
DAILY LEGISLATIVE UPDATE

MONDAY, FEBRUARY 6, 2012 | LEGISLATIVE DAY 15

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

FLOOR ACTION

SENATE SESSION

Local Calendar

HB 756 - Putnam County; State Court of; law provisions updated and consolidated; provide

HB 756 amends an Act to revise, modernize, and consolidate the provisions of local laws in relation to the Putnam County State Court. HB 756 details the elections, qualifications for holding judgeship as well as other positions and details the rules for the day to day operation of the Putnam County State Court. HB 756 also details that the resources deemed necessary by the judge for the day to day operations of the Putnam County State Court are to be provided and paid for by the county treasury and said resources are to be kept up to date.

HB 756 PASSED out of the Senate by a vote of 46-0.

The Senate stands adjourned until 10:00 AM Tuesday, February 7, 2012.

HOUSE SESSION

The House stands adjourned until 10:00 AM Tuesday, February 7, 2012.

COMMITTEE ACTION

SENATE JUDICIARY COMMITTEE

SB 350 - Crimes and Offenses; disposition of firearms used in burglaries or armed robberies

SB 350 amends Chapter 17 of Title 16 of the O.C.G.A., relating to the forfeiture of property used in burglary or armed robbery, as well as Article 3 of Chapter 5 of Title 17 of the Official Code of Georgia Annotated, relating to the disposition of firearms seized in criminal investigations. The bill requires that any firearm belonging to a person unaware that said firearm would be used in an unlawful manner be returned to the owner when the firearm is no longer needed for evidentiary purposes.

Furthermore, prior to the disposal of any firearm that has been forfeited to the state, the state shall

make its best efforts to determine if the firearm was stolen or otherwise lost by the owner. Should no owner be ascertained, the firearm will be sold through an auction in which no employees of the state can participate in. Only licensed dealers or buyers are permitted to participate in the auction. The proceeds from the auction shall be transferred to the general fund of the jurisdiction in which the agency is located, except to cover the costs of administering the auction. All agencies must keep records of these auctions as well as the proceeds gained.

NO ACTION was taken on SB 350 by the Senate Judiciary Committee

GENERAL GOVERNMENT SUBCOMMITTEE OF GOVERNMENTAL AFFAIRS

HB 811 - Budgetary and financial affairs; automatic fee adjustment in certain cases; provide

HB 811 amends Part 1 of Article 4 of Chapter 12 of Title 45 of the O.C.G.A., relating to management of budgetary and financial affairs. This bill provides for automatic fee adjustments in cases where funds are not appropriated in the amounts and for the purposes for which they were imposed. "Collecting agency" is defined as any state department, agency, or authority or any public officer, official, or entity which collects or receives proceeds of a fee specified in Section 1 of this bill. Each collecting agency shall determine the base fee proceeds amount for the particular function or purpose described in paragraph 5 of subsection a in Section 1 of HB 811. In addition, the collecting agency shall determine the target appropriation amount by adding 20 percent of the base fee proceeds amount to the base appropriation amount. Adjustments of fees shall continue each fiscal year until the actual appropriation amount is equal to or greater than 95 percent of the target appropriation amount. It is the responsibility of each collecting agency to promulgate such rules and regulations as are necessary and appropriate to implement and administer this code section.

HB 811 received a DO PASS to full committee by the House Governmental Affairs General Government Subcommittee.

**LOOKING FORWARD: RULES CALENDAR FOR
TUESDAY, FEBRUARY 7, 2012 – LEGISLATIVE DAY 16**

SENATE

SB 339 - Georgia Aviation Authority; provide transfer of certain personnel, aircraft to Dept. of Natural Resources and State Forestry Commission

SB 337 - Insurance; limitations on licensure requirements for certain health care providers

HB 675 - Nurses; approved nursing education programs; revise definitions

HOUSE

HB 711 – Evidence; privileges; change provisions

HR 1151 – Joint Human Trafficking Study Commission; create

HB 725 – Elections; selection and qualification of candidates and presidential electors; provisions

HB 760 – Elementary and secondary education; capital outlay funds replace exceptional growth program

HB 642 – Georgia Services Administration; create; revise several Titles

HB 805 – State Personnel Administration; abolition; make conforming amendments and correct references

**Committee Meeting Schedule
Tuesday, February 7, 2012 - Legislative Day 16**

8:00 AM	House Judiciary (Civil) Lane Subcommittee HB 665 - Clerk of superior court offices; modernize provisions HB 850 - Guardian and ward; criminal background checks for persons seeking to become a guardian; provide	132 CAP
9:00 AM	House Rules	341 CAP
10:00 AM	House Session	House Gallery
10:00 AM	Senate Session	Senate Gallery
1:00 PM	House Governmental Affairs HB 636 – Brookhaven, City of; provide a charter	606 CLOB

1:00 PM	Senate Special Judiciary Committee SB 13 - Rules of the Road; driving under influence with a child in a motor vehicle is felony	125 CAP
3:00 PM	House State Institutions and Properties Subcommittee HB 653 - Inmate policies; restraint on pregnant female inmates; prohibit	415 CLOB
4:00 PM Upon Adj.	Senate Rules	450 CAP

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