

Under the Gold Dome



District 149 Legislative Update – Session Week Ten — 2016



Monday, March 14th marked the 36th day of the 2016 legislative session. We had an extremely hectic week as we completed final committee hearings and worked hard to pass sound policy. Both the House and Senate passed a number of measures last week that are now on their way to Governor Deal for his consideration. Initiatives such as education, healthcare, public safety and criminal justice reform remain top priorities as we make our way to the final two days of the 2016 legislative session.

Revision of Teacher Evaluations & Student Testing

[Senate Bill 364](#) dealing with the “Quality Based Education Act,” received unanimous passage in the House. SB 364 will revise annual performance evaluations for public school teachers and state mandated testing. Under the bill evaluation standards and testing requirements will be changed to the following:

- Student growth would account for 30 percent of a teacher’s evaluation, down from the current 50 percent
- Professional growth would account for 20 percent
- Test component of teacher evaluations is lowered from 70 percent to 40 percent
- Reduces the number of state mandated tests from 32 to 24 for students in grades K-12, removing social studies and science milestone tests in grades 3, 4, 6, and 7
- Requests local school systems to move all testing as close to the end of the school year as possible to ensure the students have received maximum exposure to the material prior to testing
- Adds formative testing in 1st and 2nd grades to measure progress and early learning to guarantee all students are proficient in reading by 3rd grade and proficient in math by 5th grade

SB 364 was introduced as a result of numerous meetings with teachers, administrators, parents, and advocacy groups from across the state. Our teachers greatly influence the youth in our state, and as such, we want to provide them with needed resources to ensure they are successful in the classroom. It is my hope that this bill will allow our teachers and students to concentrate more on course material and less on the stressful conditions of constant testing and unbalanced evaluations.

Licensure Requirements- Narcotic Treatment Programs

Another bill receiving unanimous passage in the House was [Senate Bill 402](#). SB 402 would place a moratorium on new applications for licensure of narcotic treatment programs and create a commission to study the current licensure requirements in Georgia. While current license holders would be eligible to renew their license during the moratorium, SB 402 places a temporary freeze on issuing new narcotic treatment facility licenses through June 30, 2017. The bill also creates the State Commission on Narcotic Treatment Programs which would be tasked to study the need for changes to the licensure requirements for these programs. The commission would be comprised of three members from both the House and Senate and five members appointed by the Governor, including the commissioner of the Department of Community Health and the commissioner of the Department of Behavioral Health and Developmental Disabilities. The commission will be examining current narcotic treatment program licensure requirements including:

- Enforcement of the requirements ensuring adequate medical, counseling, vocational, educational, mental health assessment, and social services to patients enrolled in treatments
- Assessment of how program recovery achievements can be evaluated
- Evaluation of geographic service areas to ensure they are reasonable and balanced between

- population density and service proximity
- Cause and effect of hospital admittance for overdose and incidents of suicide, if any, in relation to the adequate licensure and oversight of these programs
- Hearing expert testimony on the effectiveness of non-narcotic and medically assisted treatments for narcotic dependence

Final recommendations of legislative action to address the commission's findings if necessary. Despite the fact that we are eighth in total population, Georgia ranks third in the nation for the highest number of narcotic treatment clinics. While there is a vital need for treatment centers, it is important for us to understand why there are so many of these facilities in Georgia.

Fireworks Excise Tax Allocation

During the 2015 legislative session, we saw the passage of House Bill 110 allowing the commercial sale and use of fireworks in Georgia. [Senate Bill 350](#) and [Senate Resolution 558](#) dealing with Georgia's fireworks law passed this week. SB 350 and SR 558 would allocate funds from firework sales in Georgia to trauma centers, fire services, and local public safety initiatives.

SB 350 allocates 55 percent of the excise tax revenues from all fireworks sales in our state to the Georgia Trauma Care Network Commission. The commission was created in 2007 to maintain a trauma network center, which coordinates existing trauma facilities while directing patients to the best available facility. Additionally, 40 percent of the excise tax revenues collected from sales would go to the Georgia Firefighter Standards and Training Commission, which provides certification standards for all firefighters, fire inspectors, fire investigators and fire & life safety educators. Funds would also be used to implement a grant program to improve firefighter training equipment and department ratings issued by the Insurance Services Office. Finally, five percent of the tax revenues would go to local governments to be used for public safety purposes and the operation of 9-1-1 systems.

Georgia voters will determine the final fate of SR 558 which would amend the state Constitution to allow firework excise tax to be allocated to these programs. The passage of these measures will ensure we provide much needed funding to the trauma, fire, and local government networks in our state.

Tougher Penalties for Household Battery Offenders

[Senate Bill 193](#), which would correct a flaw in Georgia's domestic violence law, passed the House with a vote of 170-2. Currently, first time household battery offenders are charged with a misdemeanor. SB 193 specifies that any prior conviction for domestic violence (misdemeanor or felony) results in future household battery cases being elevated to felony status. As of now, Georgia law does not take into consideration previous felony convictions from other states. The passage of this bill will fix that. The bill would also make the crime punishable by one to five years in prison. SB 193 would strengthen our judicial system and punish violent, serial criminals more quickly than Georgia law currently allows.

Criminal Justice Reform

The passage of [Senate Bill 367](#) continues our efforts to keep Georgians safe. SB 367 is a comprehensive update to Georgia's criminal justice reform legislation. Legislative efforts over the past several years have made Georgia a national leader in criminal justice reform and SB 367 furthers these efforts. Reforms include:

Juvenile Court Changes

Juvenile courts would be able to create a "family treatment" court division to address issues within families through court intervention. The goal of a family treatment court would be to address the following:

- Reduce alcohol/drug abuse and addiction in child dependency proceedings
- Improve outcomes for families when dependency is based on alcohol/drug use and addiction
- Increase the personal, familial and societal accountability of defendants in child dependency proceedings
- Promote effective intervention and use of resources among child welfare personnel, law enforcement, treatment providers, community agencies, and the courts.

Further, SB 367 would allow the Department of Corrections and the Department of Juvenile Justice to operate charter schools within state juvenile justice facilities under the control of the State Charter School Commission, allowing children who are incarcerated to continue to receive an education. Additionally, individuals who have a suspended license as a result of a criminal conviction would be able to receive their license sooner by allowing time spent in prison to count toward license suspension time.

Expansion of Accountability Courts

The legislation would expand Georgia's accountability courts to include "operating under the influence" court divisions as an alternative to the traditional justice system with the ultimate goal of reducing recidivism rates. Any court with jurisdiction over DUI or boating under the influence cases would be able to create a division of their courts to handle those cases.

Court Mandated Activities

Court-mandated activities such as attending programs, treatment, and accountability court to the list of limited driving exemptions for drivers with limited driving permits.

Georgia's First Offender Statute Changes

SB 367 would change the Georgia First Offender Statute to allow courts to set a date at when a defendant would be exonerated of guilt and have their criminal record restricted as long as the defendant successfully complies with the sentence and does not receive future convictions.

Probation Stipulation Updates

The bill also updates probation stipulations if an individual fails to pay a fine or report to their probation officer and will now include a scheduled hearing in court. The legislation also lets inmates who have served sentences for certain drug-related offenses or repeat offenders of non-violent felonies be eligible for parole under the following conditions:

- No convictions for violent felonies
- Completed at least six years of their total sentence
- Considered a low risk for recidivism
- Earned a high school diploma
- No serious disciplinary violations in the past 12 months in jail

Further, those convicted of felony drug convictions would now be allowed to apply for Supplemental Nutrition Assistance Program (SNAP) benefits upon their release to help ease the transition to re-entry.

Licensure Requirements Changes

Finally, the bill would prohibit professional licensing boards from refusing to license an individual because of an arrest or conviction of a felony unless it directly related to the occupation they were attempting to be licensed.

Tuesday March 22nd will bring the 39th day of the 2016 session. Sine Die, Day 40, will be a race for legislators as we work to pass bills before the clock strikes midnight. In the meantime, please reach out to me with questions or concerns. It is a pleasure to work for the betterment of our district and I am honored that you have chosen me to be your voice under the Gold Dome.