

GEORGIA FIRST AMENDMENT FOUNDATION

LEGISLATIVE WATCH: 2017-18 LEGISLATIVE SESSION

Bill Number	Subject	Stated Intent	GFAF Assessment	Wish list of improvements	Status
HB 9 (Blackmon, Golick, Lott, Gravley, Tanner)/SB 45 (Walker, Stone, Parent, Kennedy, Tillery)	"Upskirting"	To prohibit filming under or through clothing	Neutral: As filed, appropriately limited to invasive "upskirting," but worth monitoring for unnecessary extensions		1/12/17 – House Second Readers 1/25/17 – Senate Read and Referred
HB 15 (Willard, Kelley, Fleming, Beskin, Oliver)	Mandatory e-filing	To mandate electronic filing in civil cases in all Superior and State Courts	Negative as drafted: Absent protections not now in the bill, electronic filing of court records will permit clerks and their private electronic filing service providers to frustrate and profit from public access by imposing unnecessary delays and costs. Although the Judicial Council has adopted specific statewide minimum standards for civil e-filing designed to prevent such abuses and protect public	The bill should affirmatively protect and promote timely and inexpensive public access to e-filed court records by requiring that courts and private electronic e-filing service providers adhere to statewide minimum standards for civil e-filing that have previously been adopted by the Judicial Council, and	1/31/17 – House Second Readers

			access and is now considering others, the bill does not recognize those standards. In addition, it would place authority for developing future standards not in the Judicial Council but in the Council of Superior Court Clerks, an entity that has sought to burden and delay public access in the past by arguing against the current statewide minimum standards and is now contractually obligated to promote the marketing and legislative aims of its one sponsored private electronic filing service provider, GreenCourt aka PeachCourt.	may be adopted in the future, including standards designed to facilitate the development of a single statewide portal.	
HB 29 (Mitchell)	School Accreditation	To prohibit local boards of education from seeking accreditation from institutions that do not comply with the ORA	Positive: Reinforces openness of school accreditation records		1/11/17 – House Second Readers
HB 34 (Petrea, Hitchens, Stephens, Kelley, Reeves)	Probation and Parole Records	To require increased openness in connection with	Positive: This bill adds considerable transparency to the pardon and parole process, including opening		1/12/17 – House Second Readers

		probation and parole process	board hearings and making most board documents subject to the ORA. It would greatly improve the secrecy that generally surrounds this agency.		
HB 75 (Williard, Oliver, Beskin, Silcox)	Access to certain Child Abuse and Deprivation records	To allow DHS to withhold copies of law enforcement records contained in DHS files on pending investigations into child abuse and deprivation	Neutral: The bill restricts access on its face to certain law enforcement records, but those records are already subject to the ORA's law enforcement exemption, so allowing DHS to keep their copies confidential is consistent.		1/31/17 – House Committee Favorably Reported
HB 126 (Willard, Meadows, Oliver, Kelley, Coomer)	Judicial Qualifications Commission	To provide for operating principles and procedures for the JQC	Neutral: The JQC bill improves public access in a number of regards, including access to certain disciplinary matters. However, one area of concern is the bill's sweeping closure for any proceedings regarding the alleged "incapacity" of a judge. In any matter alleging incapacity, the pleadings, information, hearings and proceedings remain confidential.	Treat incapacity matters in the same manner as disciplinary matters	1/26/17- House Second Readers
SB 44 (Burke)	Donors to Rural Hospitals	To add an exemption to the Open Records Act for the identification of	Negative: If passed, this bill would conceal donors to rural hospitals thereby concealing potential conflicts of interests	At a minimum, this bill should include a provision that the donor's identity will be disclosed if the	1/24/17 – Senate Read and Referred

		donors to rural hospital organizations		donor transacts business in the amount of \$10,000 or more in a calendar year with the hospital. This qualification exists in connection with a similar exemption for donors to public universities.	
SB 90 (Fort, Jackson, Rhett, Jones, Seay, James)	Police body cameras	To require certain officers to wear body cameras and provide immediate access to certain recordings	Positive: This bill makes clear that body camera recordings are not subject to the investigative exemption for the portion showing before, during, and after “encounters for a law enforcement purpose.”	Ideally, the law would make all recordings open for inspection, regardless of whether they show the actual encounter. This could shield some officer misconduct recordings	1/30/17 – Senate Read and Referred

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