

GEORGIA FIRST AMENDMENT FOUNDATION

LEGISLATIVE WATCH: 2017-18 LEGISLATIVE SESSION

Bill Number	Subject	Stated Intent	GFAP 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		2/21/17 – Senate Read and Referred (House Version – passed House 2/17) 2/17/17- Senate Version in House Second Readers (passed Senate 2/14)
HB 15 (Willard, Kelley, Fleming, Beskin, Oliver)	Electronic court filings	To require electronic filing for certain civil superior and state court records	Negative: The bill requires electronic filing of most civil court records, but contains no provision to protect public access to such filings in a timely way either at the courthouse or electronically. Instead, it arguably makes court records subject to the Open Records Act, the 3-day waiting option, and the Act's exemptions. Additionally, the bill could be interpreted to allow a charge up to \$7	Ideally, this bill would include provisions that: (1) require clerks to keep free terminals or other means of free access to recently filed court records soon after filing, and (2) provides reasonably priced electronic access to members of the public; (3) remove all references to the Open Records Act.	2/22/17 – House Committee Favorably Reported by Substitute

			“per transaction” to inspect court records electronically, which would potentially chill public access.		
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 probation and parole process	Positive: This bill adds considerable transparency to the pardon and parole process, including opening board hearings and making most board documents subject to the ORA. It would greatly improve the secrecy that generally surrounds this agency.		1/12/17 – House Second Readers
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.		2/9/17 – Passed House 2/10/17 – Senate Read and Referred
HB 126 (Willard, Meadows, Oliver,	Judicial Qualifications	To provide for operating	Neutral: The JQC bill improves public access in a	Treat incapacity matters in the same	2/9/17 – Passed House

Kelley, Coomer)	Commission	principles and procedures for the JQC	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.	manner as disciplinary matters	2/10/17 – Senate Read and Referred
SB 44 (Burke)	Donors to Rural Hospitals	To add an exemption to the Open Records Act for the identification of donors to rural hospital organizations	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 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.	2/8/17 – Senate Read Second Time
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	Ideally, the law would make all recordings open for inspection, regardless of whether they show the actual encounter. This could shield some	1/30/17 – Senate Read and Referred

			enforcement purpose.”	officer misconduct recordings	
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