

# 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	<b>Neutral:</b> 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	<b>Negative:</b> 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, the most recent version of the bill says it "shall not be subject to disclosure until physically accepted by the clerk," which introduces the possibility of a substantial	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) continue to keep references to the	3/3/17 – Passed House; Senate Read and Referred

			<p>delay in public access while a clerk decides whether to “accept” a filing. Additionally, the bill could be interpreted to allow a charge up to \$7 “per transaction” to inspect court records electronically, which would potentially chill public access.</p>	<p>Open Records Act out of the bill as they are not applicable to court records.</p>	
HB 29 (Mitchell)	School Accreditation	To prohibit local boards of education from seeking accreditation from institutions that do not comply with the ORA	<p><b>Positive:</b> Reinforces openness of school accreditation records</p>		Did Not Pass By Crossover Day
HB 34 (Petrea, Hitchens, Stephens, Kelley, Reeves)	Probation and Parole Records	To require increased openness in connection with probation and parole process	<p><b>Positive:</b> 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.</p>		Did Not Pass by Crossover Day
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	<p><b>Neutral:</b> The bill restricts access on its face to certain law enforcement records, but those records are already subject to the ORA’s</p>		<p>2/9/17 – Passed House 3/10/17 – Senate Committee Favorably Reported</p>

		pending investigations into child abuse and deprivation	law enforcement exemption, so allowing DHS to keep their copies confidential is consistent.		
HB 126 (Willard, Meadows, Oliver, Kelley, Coomer)	Judicial Qualifications Commission	To provide for operating principles and procedures for the JQC	<b>Neutral:</b> 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	2/9/17 – Passed House 2/10/17 – Senate Read and Referred
HB 481 (Tanner, Golick, Rynders, Epps)	Drones	To allow preemption of local drone rules and ordinances	<b>Neutral:</b> This bill is beneficial to the extent it precludes the passage of local ordinances that are in conflict with FAA rules on drones, but it is negative to the extent it purports to (1) "grandfather in" ordinances adopted before April 1, 2017 and (2) preclude the launch or landing of non-commercial drones on public property.	Eliminate provisions that (1) permit enforcement of local ordinances adopted before April 1, 2017, and (2) preclude the launch or landing of non-commercial drones on public property.	3/3/17 – House Passed; 3/10 – Senate Read Second Time
HB 498 (Strickland, Welch)	Broadcast of accident scenes	To create a private right of action in tort against	<b>Negative:</b> This bill not only creates a new private right of action against	Bill should be opposed	Did Not Pass by Crossover Day

		commercial broadcasters who identify victims in an accident or trauma scene	broadcasters, but does so in an incredibly broad fashion covering virtually any accident or trauma coverage		
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	<b>Negative:</b> 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.	Did Not Pass by Crossover Day
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	<b>Positive:</b> 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	Did Not Pass by Crossover Day

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