

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		Did Not Pass by Sine Die, but narrow language making "upskirting" illegal was included in SB 104, which did pass and is awaiting the Governor's signature.
HB 15 (Willard, Kelley, Fleming, Beskin, Oliver)	Electronic court filings	To require electronic filing for certain civil superior and state court records	Negative: The original bill required electronic filing of most civil court records, but contained no provision to protect public access to such filings in a timely way either at the courthouse or electronically. Instead, it arguably made court records subject to the Open Records Act, the 3-day waiting option, and the Act's exemptions.	GFAP fought to make sure the bill contained proper protections for public access, and the bill went through many amendments during the Session, including the removal of the Open Records Act language and the charges for record review.	Did Not Pass by Sine Die, but will presumably be back next year.

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		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	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.		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 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.		Passed and awaiting the Governor's signature.
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 closure for any proceedings	A late amendment did make incapacity records subject to release under certain circumstances, improving the access provisions of the bill.	Passed and awaiting the Governor's signature.

			regarding the alleged “incapacity” of a judge. In any matter alleging incapacity, the pleadings, information, hearings and proceedings remain confidential.		
HB 481 (Tanner, Golick, Rynders, Epps)	Drones	To allow preemption of local drone rules and ordinances	Neutral: 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.		Passed and awaiting the Governor’s signature.
HB 498 (Strickland, Welch)	Broadcast of accident scenes	To create a private right of action in tort against commercial broadcasters who identify victims in an accident or trauma scene	Negative: This bill not only creates a new private right of action against broadcasters, but does so in an incredibly broad fashion covering virtually any accident or trauma coverage	Bill should be opposed	Did Not Pass by Crossover Day
SB 44 (Burke)	Donors to Rural Hospitals	To add an exemption to the Open Records Act for the identification of donors to rural	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	Did Not Pass by Crossover Day

		hospital organizations		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	Did Not Pass by Crossover Day

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