

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. |

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| 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. |

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| | | | 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 |

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| | | 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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