

Welcome to the Georgia Bio Legislative Watch, a weekly update on the 2012 legislative session of the Georgia General Assembly provided by Brock Clay Attorneys exclusively for Georgia Bio members.

The headline of the week was the continued controversy in the State Senate. The conflict between President Pro-Tem Tommie Williams and Lt. Governor Casey Cagle has gone unresolved for 18 months, and Monday began with a report that Lt. Gov. Cagle had made a deal with the Democrats to unseat Williams from his Pro-Tem's office. All parties were called into Governor Nathan Deal's office for three hours that evening, and a tenuous deal was agreed upon. However, when the deal was presented to the entire Senate Republican caucus on Tuesday morning, it was voted down. No further details have been revealed, but the Lt. Governor clearly doesn't have enough votes in the caucus to unseat Williams, so if he wants to change the rules, he'll have to do so with the Democratic caucus.

On Tuesday, Governor Nathan Deal presented his State of the State address. The full text of his speech can be found [here](#). For the first time in the history of the state, the Democrats provided an official response in a speech given by Senate Minority Leader Steve Henson. His speech focused in large part on jobs, education, and transportation.

Additionally, the Governor's Office of Planning and Budget released their budget proposals for the 2012 Amended and 2013 budgets. Please follow the links below to review the budget proposals.

[2012 Proposed Amended Budget](#)
[2013 Proposed Budget](#)

Don't Miss the 2012 Georgia Bio Legislative Breakfast
Wednesday, January 25 from 8:00am - 10:00am | The State Capital

This is an opportunity for Georgia Bio members to take a peek under Georgia's gold dome and discuss life sciences issues with members of the General Assembly and Gov. Nathan Deal's administration.

All Georgia Bio members are invited to attend the event. The breakfast provides an opportunity to mix with legislators and key members of Gov. Deal's administration at the start of the General Assembly session and discuss Georgia Bio's agenda. It's also a chance to tell the elected officials how the life sciences industry impacts the state's economy and improves the health and quality of life of all Georgians.

This event is free of charge. Registration is suggested. Breakfast will be served. [Click here to register.](#)

Legislation Georgia Bio is Tracking

To view the complete report of the legislation that is being tracked, please [CLICK HERE](#). *MEMBERS ONLY*
Once you have entered the Members Only Site, click on Advocacy to find the Legislative Watch.

HB132	HB 132 - Medical Food Equity Act;	A BILL to be entitled an Act to amend Chapter 24 of Title 33 of the Official Code of Georgia Annotated, relating to insurance generally, so as to require certain insurance coverage for physician prescribed special dietary foods or formulas for specific chronic medical conditions; to provide a short title; to provide for definitions; to provide for related matters; to provide for applicability; to repeal conflicting laws; and for other purposes	Watson, Ben 163r	HC:Ins SC:	Summary 02/03/11 - House Second Readers	(GABIO STATUS: MONITOR)
HB182	HB 182 - Insurance; diagnosis and treatment of infertility; require health cov	A BILL to be entitled an Act to amend Article 1 of Chapter 24 of Title 33 of the Official Code of Georgia Annotated, relating to general provisions regarding insurance, so as to require health benefit policy coverage for the diagnosis and treatment of infertility; to provide for definitions; to provide for related matters; to repeal conflicting laws; and for other purposes	Marin, Pedro 96t	HC:Ins SC:	Summary 02/09/11 - House Second Readers	(GABIO STATUS: MONITOR)

HB184	HB 184 - Controlled substances; Electronic Database Review Advisory Committee; establish provi	A BILL to be entitled an Act to amend Chapter 13 of Title 16 of the Official Code of Georgia Annotated, relating to controlled substances, so as to provide for the establishment of a program to monitor the prescribing and dispensing of Schedule II, III, IV, and V controlled substances; to provide for definitions; to require dispensers to submit certain information regarding the dispensing of such controlled substances; to provide for the confidentiality of submitted information except under certain circumstances; to provide for the establishment of an Electronic Database Review Advisory Committee; to provide for its membership, duties, and organization; to provide for the establishment of rules and regulations; to provide for limited liability; to provide for penalties; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes	Weldon, Tom 3r	HC: Jud yNC SC:	Summary 02/09/11 - House Second Readers	(GABIO STATUS: SUPPORT)
HB214	HB 214 - Public Health, Department of; esta	A BILL to be entitled an Act to amend Title 31 of the Official Code of Georgia Annotated, relating to health, so as to establish the Department of Public Health; to reassign functions of the Division of Public Health of the Department of Community Health to the Department of Public Health; to provide for transition to the new agency; to create a Board of Public Health and a commissioner of public health; to amend various titles for purposes of conformity; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes	Channell, Mickey 116t	HC: H&HS SC: H&HS	Summary 05/13/11 - House Date Signed by Governor	(GABIO STATUS: CONSIDERATION) On 31 March the House agreed to the Senate amendment for this legislation.
HB339	HB 339 - Emergency powers; challenge of quarantine or vaccination order; revise courts; provi	A BILL to be entitled an Act to amend Article 3 of Chapter 3 of Title 38 of the Official Code of Georgia Annotated, relating to emergency powers, so as to revise the courts to which a challenge of a quarantine or vaccination order may be brought; to revise the manner of appealing orders concerning such challenges; to remove the Chief Judge of the Court of Appeals from the definition of authorized judicial officials for certain judicial emergencies; to extend the duration of a judicial emergency order when a public health emergency exists; to provide for related matters; to repeal conflicting laws; and for other purposes	Welch, Andrew 110t	HC: Jud y SC: JU DY	Summary 05/13/11 - House Date Signed by Governor	(GABIO STATUS: MONITOR) The Senate adopted this legislation on 31 March 2011.

HB386	HB 386 - Revenue and taxation; revenue structure; comprehensive rev	A BILL to be entitled an Act to amend Titles 48, 2, 28, 33, 36, 46, and 50 of the O.C.G.A., relating respectively, to revenue and taxation, agriculture, the General Assembly, insurance, local government, public utilities, and state government, so as to provide for comprehensive revision of the revenue structure of the State of Georgia; to implement the recommendations of the 2010 Special Council on Tax Reform and Fairness for Georgians as provided for and required by Chapter 12 of the Title 28 of the O.C.G.A.; to repeal Article 3 of Chapter 5 of Title 28, relating to fiscal bills generally; to amend certain titles of the O.C.G.A. so as to correct certain cross-references and make conforming changes; and for other purposes	Channell,Mickey 116t	HC: SJ CGRS SC:	Summary 03/01/11 - House Second Readers	(GABIO STATUS: MONITOR)
HB437	HB 437 - Controlled substances; possession of and sale of pseudoephedrine drugs; change provi	A BILL to be entitled an Act to amend Article 2 of Chapter 13 of Title 16 of the Official Code of Georgia Annotated, relating to regulation of controlled substances, so as to change provisions relating to possession of substances containing ephedrine, pseudoephedrine, and phenylpropanolamine and restrictions on sales of products containing pseudoephedrine; to provide for real-time tracking of sales of products containing ephedrine, pseudoephedrine, and phenylpropanolamine; to provide for definitions; to change provisions relating to exceptions; to provide for related matters; to repeal conflicting laws; and for other purposes	Neal,Jay 1s	HC: Jud yNC SC:	Summary 03/03/11 - House Second Readers	(GABIO STATUS: CONSIDERATION)
HB457	HB 457 - Controlled substances; remote automated medication systems; pharmacists; authoriz	A BILL to be entitled an Act to amend Chapter 13 of Title 16 of the Official Code of Georgia Annotated, relating to controlled substances, so as to authorize the use of remote automated medication systems; to provide for legislative findings; to provide for definitions; to provide for requirements; to provide for the establishment of rules and regulations by the State Board of Pharmacy; to amend Chapter 4 of Title 26 of the Official Code of Georgia Annotated, relating to pharmacists and pharmacies, so as to authorize pharmacists to dispense prescriptions through a remote automated medication system; to repeal conflicting laws; and for other purposes	Stephens,Ron 164t	HC: H&HS SC: H&HS	Summary 05/11/11 - House Date Signed by Governor	(GABIO STATUS: MONITOR) The House agreed to the Senate substitute on this legislation.

HB476	HB 476 - Georgia Health Exchange Authority; esta	A BILL to be entitled an Act to amend Title 33 of the Official Code of Georgia Annotated, relating to insurance, so as to establish the Georgia Health Exchange Authority; to provide for legislative intent; to provide for definitions; to provide for a board of directors; to provide for composition, terms, and officers; to provide for powers and duties of the authority; to provide for the Georgia Health Exchange and the Small Business Health Options Program (SHOP) Exchange; to provide for automatic repeal under certain conditions; to provide for a trust fund; to provide for an advisory committee; to provide for limited liability; to provide for rules and regulations; to provide for accounts and audits; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes	Smith, Richard 131s	HC: Ins SC:	Summary 03/16/11 - House Withdrawn, Recommended	GABIO STATUS: CONSIDERATION.
HB497	HB 497 - Electric suppliers; energy saving plans; pr	A BILL to be entitled an Act to amend Chapter 3A of Title 46 of the Official Code of Georgia Annotated, relating to integrated resource planning for certain electric suppliers, so as to provide for energy savings plans to optimize the use of demand-side capacity options; to provide for requirements; provide for reports and recommendations; to provide for certain editorial changes; to repeal conflicting laws; and for other purposes	Drenner, Karla 86t	HC: EU & T SC:	Summary 03/11/11 - House Second Readers	
HB515	HB 515 - Public utilities; voluntary portfolio standard goals for renewable energy; provi	A BILL to be entitled an Act to amend Title 46 of the O.C.G.A., relating to public utilities, so as to provide for voluntary portfolio standard goals for renewable energy; to provide for legislative intent and purpose; to provide for definitions; to provide for reports, incentives, penalties, and rules and regulations; to provide for a renewable energy credits trading program; to amend Code Section 50-23-4 of the O.C.G.A., relating to definitions concerning the Georgia Environmental Finance Authority, so as to include in the definition of "project" renewable energy facilities such that the Georgia Environmental Finance Authority may issue bonds to finance such projects; to provide for related matters; to repeal conflicting laws; and for other purposes	Drenner, Karla 86t	HC: EU & T SC:	Summary 03/14/11 - House Second Readers	

HB516	HB 516 - Public utilities; voluntary portfolio standard goals for renewable energy; provi	A BILL to be entitled an Act to amend Title 46 of the Official Code of Georgia Annotated, relating to public utilities, so as to provide for the establishment of voluntary portfolio standard goals for renewable energy; to provide for legislative intent and purpose; to provide for definitions; to provide for reports, incentives, penalties, and rules and regulations; to provide for a renewable energy credits trading program; to provide for a registry of producers of renewable energy in this state; to amend Code Section 50-23-4 of the Official Code of Georgia Annotated, relating to definitions concerning the Georgia Environmental Finance Authority, so as to include in the definition of "project" renewable energy facilities such that the Georgia Environmental Finance Authority may issue bonds to finance such projects; and for other purposes	Drenner,Karla 86t	HC: EU & T SC:	Summary 03/14/11 - House Second Readers	
HB718	HB 718 - Economic Development, Department of; Georgia Capital Acceleration Authority; c	A BILL to be entitled an Act to amend Chapter 7 of Title 50 of the Official Code of Georgia Annotated, relating to the Department of Economic Development, so as to create the Georgia Capital Acceleration Authority; so as to provide for legislative findings; to provide for definitions; to provide for a program administrator; to provide for the issuance of premium tax credits to insurance companies or holding companies that purchase such credits to offset liability for state insurance premium taxes; to provide for reports; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes	Peake.Allen 137t	HC: Ins SC:	Summary 01/11/12 - House First Readers	This legislation has been introduced primarily by Rep. Allen Peake (R - Macon). It will set up a \$200 million venture capital fund by auctioning insurance tax credits. The fund would be overseen by a state authority and would invest in start-up or early growth technology companies. There are some political issues with the legislation already (it was assigned to the Insurance Committee, rather than Ways & Means initially). Atlanta Business Chronicle coverage of the legislation can be found here .

HB86	HB 86 - Sales and use tax; energy for manufacturing; provide exemption	A BILL to be entitled an Act to amend Code Section 48-83-3 of the Official Code of Georgia Annotated, relating to exemptions from sales and use tax, so as to provide for an exemption regarding the sale or use of energy for manufacturing; to provide for definitions; to provide for procedures, conditions, and limitations; to provide an effective date; to repeal conflicting laws; and for other purposes.	Williams,Roger 4t	HC: W&M SC:	Summary 01/31/11 - House Second Readers	The larger tax reform issue is being revived this year. We have gotten a question from some industry people about the applicability of the tax credit to any of GABIO's research facilities. Governor Deal outlined a three part tax proposal in his State of the State address. The first part is the repeal of the sales tax on energy inputs into manufacturing; the second, a sales tax exemption for construction materials used in projects of regional significance, and the third a restructuring of Georgia's jobs tax credit program.
HB89	HB 89 - Pain-Capable Unborn Child Protection Act;	A BILL to be entitled an Act to enact the "Pain-Capable Unborn Child Protection Act" and regulate the performance of abortions in conformity therewith; to amend Code Section 16-12-141, relating to when abortion is legal, so as to make a conforming amendment and provide that any abortion not in conformity with the Act shall constitute a criminal offense; to amend Title 31 of the Official Code of Georgia Annotated, relating to health, so as to enact the Act as a part of said title; to define terms; to state legislative findings; to require a determination of gestational age prior to abortion; to prohibit abortion after a certain gestational age; to provide for other related matters; to provide for an effective date and applicability of certain provisions; to repeal conflicting laws; and for other purposes	Peake,Allen 137t	HC: H&HS SC:	Summary 01/31/11 - House Second Readers	(GABIO STATUS: MONITOR)
HR153	HR 153 - House Study Committee on Tenth Amendment Enforcement; c	A RESOLUTION creating the House Study Committee on Tenth Amendment Enforcement; and for other purposes	Setzler,Ed 35t	HC: G&f SC:	Summary 04/14/11 - House Withdrawn, Recommitted	GABIO STATUS: CONSIDERATION.

SB111	SB 111 - Pharmacists; electronic data prescription drug order; provide certain requirements for any electronic transmission mech	A BILL to be entitled an Act to amend Chapter 4 of Title 26 of the Official Code of Georgia Annotated, relating to pharmacists and pharmacies, so as to provide certain requirements for any electronic transmission mechanism used to transmit an electronic data prescription drug order to a pharmacist; to provide for definitions; to provide for related matters; to repeal conflicting laws; and for other purposes	Carter,Earl Buddy 1s	SC: H&H SHC:	Summary 02/22/11 - Senate Read and Referred	(GABIO STATUS: MONITOR)
SB165	SB 165 - Juvenile Proceedings; maintenance of forensic samples from abortions performed on children under 16 years o	A BILL to be entitled an Act to amend Article 3 of Chapter 11 of Title 15 of the Official Code of Georgia Annotated, relating to parental notification, so as to provide for maintenance of forensic samples from abortions performed on children under 16 years of age; to provide for civil cause of action under certain circumstances; to provide for related matters; to repeal conflicting laws; and for other purposes	McKoon,Joshua 29t	SC: JU DY HC:	Summary 02/28/11 - Senate Read and Referred	(GABIO STATUS: CONSIDERATION)
SB17	SB 17 - Insurance; establish the Special Advisory Commission on Mandated Health Insurance Benefits; membership, terms, meetings and d	A BILL to be entitled an Act to amend Chapter 1 of Title 33 of the Official Code of Georgia Annotated, relating to general insurance provisions, so as to establish the Special Advisory Commission on Mandated Health Insurance Benefits; to provide for its membership, terms, meetings, and duties; to provide for review of proposed legislation containing a mandated health insurance benefit or provider; to provide for review of existing mandated health insurance benefits or providers; to provide for staff assistance; to provide for related matters; to repeal conflicting laws; and for other purposes	Golden,Tim 8t	SC: I&L HC: Ins	Summary 05/11/11 - Senate Date Signed by Governor	(GABIO STATUS: MONITOR)
SB177	SB 177 - Health Care Compact;	A BILL to be entitled an Act to amend Title 31 of the Official Code of Georgia Annotated, relating to health, so as to adopt the Health Care Compact; to provide for related matters; to repeal conflicting laws; and for other purposes	Bethel,Charlie 54t	SC: I&L HC: Ins	Summary 04/12/11 - House Passed/Adopted	(GABIO STATUS: MONITOR)
SB180	SB 180 - Controlled Substances; authorize the use of remote automated medication systems; definitions; require	A BILL to be entitled an Act to amend Chapter 13 of Title 16 of the Official Code of Georgia Annotated, relating to controlled substances, so as to authorize the use of remote automated medication systems; to provide for legislative findings; to provide for requirements; to provide for the establishment of rules and regulations by the State Board of Pharmacy; to amend Chapter 4 of Title 26 of the Official Code of Georgia Annotated, relating to pharmacists and pharmacies, so as to authorize pharmacists to dispense prescriptions through a remote automated medication system; to provide that a remote automated medication system shall not be considered a vending machine for certain purposes; to provide for related matters; to provide for an effective date; to repeal conflicting laws;	Carter,Earl Buddy 1s	SC: H&H SHC:	Summary 03/02/11 - Senate Read and Referred	(GABIO STATUS: MONITOR)

		and for other purposes				
SB209	SB 209 - Pain-Capable Unborn Child Protection Act; enact; regulate the performance of abor	A BILL to be entitled an Act to enact the "Pain-Capable Unborn Child Protection Act" and regulate the performance of abortions in conformity therewith; to amend Code Section 16-12-141, relating to when abortion is legal, so as to make a conforming amendment and provide that any abortion not in conformity with the Act shall constitute a criminal offense; to amend Title 31 of the Official Code of Georgia Annotated, relating to health, so as to enact the Act as a part of said title; to define terms; to state legislative findings; to require a determination of gestational age prior to abortion; to prohibit abortion after a certain gestational age; to provide for exceptions under certain circumstances; to repeal conflicting laws; and for other purposes	Loudermilk,Barry 52n	SC:RU LESHC :	Summary 03/04/11 - Senate Read and Referred	(GABIO STATUS: MONITOR)
SB210	SB 210 - Torts; provide for liability for violations of laws relating to abortion; definitions; wrongful death of an unborn	A BILL to be entitled an Act to amend Chapter 1 of Title 51 of the Official Code of Georgia Annotated, relating to general provisions regarding torts, so as to provide for liability for violations of laws relating to abortion; to provide for definitions; to provide for the wrongful death of an unborn child; to provide for immunity under certain circumstances; to provide for witness testimony and evidence; to provide for related matters; to provide for an effective date and applicability; to repeal conflicting laws; and for other purposes	Loudermilk,Barry 52n	SC:RU LESHC : Judy	Summary 03/22/11 - House Second Readers	(GABIO STATUS: CONSIDERATION)
SB215	SB 215 - Medicaid/PeachCare; convert program funds to premium assistance to allow low-income families to participate in private sector health insurance	A BILL to be entitled an Act to amend Title 49 of the Official Code of Georgia Annotated, relating to social services, so as to convert Medicaid and the PeachCare for Kids Program funds to premium assistance to allow low-income families to participate in private sector health insurance plans; to provide for definitions; to provide for an amended state plan for Medicaid and PeachCare; to designate qualified health benefit plans; to provide for enrollment in a qualified health benefit plan; to provide for premium assistance; to provide for premiums and cost sharing; to provide for an individual incentive program; to provide for employer and group health plan requirements; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes	Hill,Judson 32n	SC: H&HSHC :	Summary 03/07/11 - Senate Read and Referred	(GABIO STATUS: UNDER CONSIDERATION)

SB219	SB 219 - Interstate Compact on Educational Opportunity for Military Children; adopt; provide for purpose/policy of said i	A BILL to be entitled an Act to amend Title 20 of the Official Code of Georgia Annotated, relating to education, so as to adopt the "Interstate Compact on Educational Opportunity for Military Children"; to provide for a short title; to provide for the purpose and policy of said compact; to define the terminology used in said compact; to provide for applicability; to provide for educational records and enrollment; to provide for placement and attendance; to provide for eligibility; to provide for graduation; to provide for state coordination services; to create the Interstate Commission on Educational Opportunity for Military Children; to repeal conflicting laws; and for other purposes	Harbison,Ed 15t	SC: VM & HSHC : Ed	Summary 03/22/11 - House Second Readers	(GABIO STATUS: MONITOR)
SB36	SB 36 - Controlled Substances; provide establishment of program to monitor prescribing/dispensing; Electronic Database Review Advisory Comm	A BILL to be entitled an Act to amend Chapter 13 of Title 16 of the Official Code of Georgia Annotated, relating to controlled substances, so as to provide for the establishment of a program to monitor the prescribing and dispensing of Schedule II, III, IV, and V controlled substances; to provide for definitions; to require dispensers to submit certain information regarding the dispensing of such controlled substances; to provide for the confidentiality of submitted information except under certain circumstances; to provide for the establishment of an Electronic Database Review Advisory Committee; to provide for its membership, duties, and organization; to provide for the establishment of rules and regulations; to provide for limited liability; to provide for penalties; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes	Carter,Earl Buddy 1s	SC: H&HSHC : JudyNC	Summary 05/13/11 - Senate Date Signed by Governor	(GABIO STATUS: MONITOR)
SB63	SB 63 - Georgia Medical Assistance Fraud Prevention Program;	A BILL to be entitled an Act to amend Chapter 4 of Title 49 of the Official Code of Georgia Annotated, relating to public assistance, so as to enact the "Georgia Medical Assistance Fraud Prevention Program"; to provide for the adoption of a medical assistance fraud prevention program; to provide for definitions; to provide for implementation by the Department of Community Health; to provide for implementation of a pilot program; to provide for participation; to provide for cooperation by the Department of Human Services; to provide for statutory construction; to provide for certain matters to be referred to the Attorney General; to provide for a waiver; to provide for related matters; to repeal conflicting laws; and for other purposes	Albers,John 56t	SC: H&HSHC : H&HS	Summary 03/21/11 - House Second Readers	(GABIO STATUS: MONITOR)

SB63	SB 63 - Georgia Medical Assistance Fraud Prevention Program;	A BILL to be entitled an Act to amend Chapter 4 of Title 49 of the Official Code of Georgia Annotated, relating to public assistance, so as to enact the "Georgia Medical Assistance Fraud Prevention Program"; to provide for the adoption of a medical assistance fraud prevention program; to provide for definitions; to provide for implementation by the Department of Community Health; to provide for implementation of a pilot program; to provide for participation; to provide for cooperation by the Department of Human Services; to provide for statutory construction; to provide for certain matters to be referred to the Attorney General; to provide for a waiver; to provide for related matters; to repeal conflicting laws; and for other purposes	Albers,John 56t	SC: H&HSHC:H&HS	Summary 03/21/11 - House Second Readers	
SB93	SB 93 - Controlled Substances; Schedule I, III, IV, V; "dangerous drug"; provi	A BILL to be entitled an Act to amend Chapter 13 of Title 16 of the Official Code of Georgia Annotated, relating to controlled substances, so as to change certain provisions relating to Schedule I, III, IV, and V controlled substances; to change certain provisions relating to the definition of "dangerous drug"; to provide an effective date; to repeal conflicting laws; and for other purposes	Carter,Earl Buddy 1s	SC: H&HSHC:JudyNC	Summary 05/13/11 - Senate Date Signed by Governor	
SR68	SR 68 - Science and Technology Strategic Initiative Joint Study Commission; c	A RESOLUTION creating the Science and Technology Strategic Initiative Joint Study Commission; and for other purposes	Loudermilk,Barry 52n	SC: S&THC:S&T	Summary 05/13/11 - Senate Date Signed by Governor	(GABIO STATUS: SUPPORT)