

A View from the House

By Representative Doug Holt

Our first week of session revolved around legislative rituals. Tasks like electing the Speaker and other House officials for the 2009/2010 term, adopting rules for our chamber to operate by, and holding a joint session with the Senate to hear Governor Perdue's state of the state address. This time was a bit different for me, since I had the honor of serving on the Governor's escort into the House chamber. In any case, while these activities seem a bit time consuming, they are vitally important to maintaining a society based on the rule of law.

The week also saw the usual salvo of bills and resolutions launched. I'll give you my customary "most interesting" recap in this and the next few columns, with the qualifier that "interesting" doesn't mean I support the legislation.

HB 2 is focused on closing a loophole in Georgia's illegal immigration law. It would require that grants only be awarded to individuals or organizations who comply with state and federal statutes mandating verification of employee citizenship or lawful presence in the U.S.

HB 16 would prohibit use of devices intended to track the location or movement of a person without his or her consent. The bill exempts parents, law enforcement (which would still have to obtain a warrant) and service providers whose equipment can incidentally provide location data (primarily cell phone companies, at present).

HB 17 and 18 would respectively eliminate state income and ad valorem taxes on corporations. These bills probably won't get too far during a session in which we must make sharp budget cuts.

HB 23 proposes making cell phone use or "texting" illegal for drivers under 18. Exception is made for reporting traffic accidents, emergencies and road hazards, as well as for use of a device while parked. This bill is presumably a response to increasing reports of accidents caused by inexperienced drivers who've been distracted by such devices.

HB 26 would require that every deed conveying land include mineral rights disclosure. Such information isn't necessarily valuable for most of us, but is certainly something we should know.

HB 33 proposes a K-12 Religious Viewpoints Anti-discrimination Act. The bill is patterned after one passed by Texas in 2007, which sought to define religious expression rights and duties within a school environment more clearly. The goal is two-fold: to protect personal rights of expression, and also to protect school systems by giving them better defined standards for how to handle situations concerning those rights.

HB 36 seeks to create a "Blue-Alert" system. An alert would be called when a law enforcement officer has been seriously injured or killed, and the un-apprehended suspect poses a serious threat to the public. This bill is obviously a response to recent high-profile cases involving very violent suspects on the loose.

HB 38 is working on a vein similar to HB 16. This bill would make it illegal to require or force a person to accept implantation of a device capable of tracking or providing information about their person. It grants a two-year statute of limitations for circumstances where a device has been implanted without the victim's knowledge. Victims would be entitled to pursue both civil and criminal action, and to collect very significant damages.

HB 43 attempts to deal with the current rash of metal theft (especially copper) by requiring that scrap metal recyclers collect information from non-licensed sellers, and maintain those records for at least two years. The bill would further prohibit dealers from buying scrap from sellers under 18 years old, and has significant penalties. I agree that metal theft is a problem worthy of action, but this bill is a bit too heavy handed. Hopefully the author will change to a more targeted approach.

We won't be in session next week while appropriations hearing are held, so I'll continue with more new bills the following week.