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## 2019 Legislative Victories & Losses

Victories are dramatic when good bills pass and bad bills are defeated, but victories, also, occur when bad bills are left in committee, even though they remain viable for the next session.

### Victories: Bad Bills Left in Committee

**H.B. 19** would have added “sexual orientation and gender identity” to 35 Georgia laws to give governmental power over (a) housing (including private homes), (b) commerce and trade, (c) public facilities, (d) labor and industrial relations, (e) public employees and officers, (f) private and public employment, and (g) “related matters,” (h) with no religious exemption.

**H.R. 16** to ratify the federal Equal Rights Amendment, that failed to be ratified during a ten-year ratification process, was rejected again this year by the Georgia General Assembly.

**S.R. 55** to ratify the national Equal Rights Amendment was the Senate version of **H.R. 16**.

**H.R. 345** to lower the voting age to 17 instead of 18 would have allowed most high school seniors and drop-outs to vote.

**H.B. 389** authorized excused absences for students to leave school and vote.

**H.B. 414** mandated kindergarten for five-year-olds, and lowered the compulsory school age from six to age five in public, private, and home school programs.

**H.B. 252** authorized same-day registration and voting for everyone, including students, and authorized residential students to vote in the voting district of the college or university.

**S.R. 237** authorized Congress to pass a call to convene a constitutional convention. It passed the Senate 31 – 20, but was left in a House committee.

**H.B. 426** that would have provided civil rights classifications for “sexual orientation” and “gender” passed the House 96 – 64, but did not pass the Senate.

**H.B. 580 Prohibit Conversion Therapy**, meaning attempts to redirect sexual orientation or gender identity would be deemed unprofessional, and may jeopardize licenses to practice.

### Losses: Good Bills Left in Committee

**H.B. 53 Freedom of Religious Speech in Schools** would be assured students and faculty in public schools. It would protect religious expression in assignments, gatherings, activities (e.g. prayer), and attire without religious discrimination. Schools would have been required to implement a specified five-point religious policy before the 2019 – 2020 school term begins.

**S.B. 104** required parental consent to issue a non-resuscitation order and expanded the legal definition of parent to other persons. It passed the Senate 46 – 0 but died in the House.

**H.B. 83 Recess for Kindergarten and Grades 1 – 5** would have required a 30-minutes recess on certain days as determined by local school board policy. It never got a vote in committee.

## **Passed: Abortion Law Becomes More Restrictive**

**H.B. 481 the Living Infants Fairness and Equality (LIFE) Act** passed after being changed in both House and Senate committees. The final version passed the Senate 34 – 18 and the House voted 92 – 78 to agree with the Senate changes. The Act becomes effective January 1, 2020, with or without the governor’s signature. If any part of the Act is ruled unconstitutional, the remaining sections will remain in effect. These are the primary changes to Georgia law:

- “Natural person” is defined as “any human being including an unborn child.”
- An unborn child with a detectable human heartbeat will be counted as part of the population.
- “Unborn child ...who is carried in the womb” is a human being at any stage of development.
- An unborn child with a detectable heartbeat qualifies as a dependent minor.
- No abortion is authorized or shall be done on an unborn child with a detectable heartbeat, (a) unless a physician reasonably determines/judges that the pregnancy is medically futile (b) or would cause actual permanent bodily impairment or death to the pregnant woman.
- A child who can sustain life after surviving abortion must be given life-sustaining services.
- Women violated under this Act may collect damages, including value of life, in civil actions.
- The Woman’s Right to Know material must include “as early as six weeks” heartbeat data.

## **Passed: Protection for Monuments, Flags, Seals and Symbols**

**S.B. 77, Flag, Seal, Symbols, Statues, Monuments, Plaques, and Banners**, are protected in this bill. It becomes illegal to mutilate, deface, defile or abuse publicly owned commemorative memorials located, erected, constructed, created, or maintained on real property owned by an agency or the State of Georgia. No officer or agency shall remove or conceal such item or prevent its visible display. Violators will pay damages, plus triple the full cost of replacing or repairing the item. If relocation of a memorial is a necessity, it must be placed on a site of similar prominence, honor, visibility and access in the county or municipality of its original location. A monument may not be moved to a museum, cemetery, or mausoleum unless it was originally placed at such location. Memorials on private property are protected, similarly, also.

## **Passed: Marriage Age Increased to 17**

**H.B. 228 Raises Marriage Age to 17.** For decades, Georgia has categorized sexually active minors as emancipated and provided confidential contraceptives and abortions without parental knowledge. Georgia condones illicit sex for minors, but marriage will be denied until age 17. This, also, deletes current law requiring marriage between male and female and inserts “both persons,” referring to them as “such persons;” who must complete six hours of premarital education during 12 months prior to marriage. The court will appoint counsel for the children.

## **Passed: Hemp Growing in Georgia**

**H.B. 213 Georgia Hemp Farming Act** puts Georgia in the hemp-farming business, although only laboratory tests can distinguish between marijuana plants grown for hemp and marijuana plants grown for recreation. This authorizes the Department of Agriculture to issue (a) an unspecified number of licenses to grow hemp in Georgia fields and greenhouses, plus (b) annual permits to process the product. Although, currently, hemp marijuana is a controlled substance, H.B. 213 authorizes hemp growers and processors to do so legally. All marijuana plants – whether grown for hemp or otherwise – produce flowers and leaves that may be dried and smoked for “highs.” That and other critical facts did not stop passage of this bill.

**Passed: In-State Marijuana Production, Manufacture, Licensing and Dispensing H.B. 324 Produce, Manufacture, and Dispense THC Oil.** The as-passed version is much narrower than the original bill. This version creates an appointed Georgia Access to Medical Cannabis Commission to issue Class 1 and Class 2 low THC oil production licenses, and authorizes the University System of Georgia to obtain cannabis through the National Institute on Drug Abuse. Also, low THC oil dispensing licenses could be issued to retail dispensaries and pharmacies by the State Board of Pharmacy and/or the commission. Class 1 licenses allow up to 100,000 square feet of indoor cultivation and the manufacture of low THC oil. Class 2 licenses authorize 50,000 square feet of indoor cultivation for low THC oil. Cultivation for research purposes is authorized and seed-to-sale tracking is required, as are GBI inspections.

### **Passed: Psychology Interjurisdictional Compact**

**H.B. 26 Psychology Interjurisdictional Compact (PIC)** authorizes the State Board of Examiners of Psychologists to administer a Georgia PIC. A special commission would license psychologists to practice across state lines by using telecommunication technology. Although it would be convenient, it could prompt dramatic state and local culture changes by transferring unacceptable values across state lines. Psychologists would project politically correct attitudes, language and terminology to vulnerable clients.

### **Passed: Genetic Counselors Act**

**H.B. 166<sup>1</sup> Genetic Counselors Act** adds genetic counselors to the list of professionals that must be licensed to practice. Genetic counseling is defined as the provision of services by a counselor to obtain and evaluate individual, family, and medical histories to determine genetic risk for genetic or medical conditions and diseases in a patient, an offspring, and other family members. A genetic counselor's goal is to explain clinical implications of genetic laboratory tests, the risk of recurrence of conditions, and anticipatory guidance. Genetic testing means testing or analyzing human genes, gene products, DNA, RNA, chromosomes, proteins, or metabolites to detect abnormalities, carriers, etc. Licensure is required by January 1, 2020.

*Q. Is genetic counseling part of Georgia's mental health strategy for children?*

Georgia CHIP plan – PeachCare for Kids® – that began in 1998, includes mental health treatment as part of its comprehensive coverage to uninsured children. In 1997, Congress created Title XXI of the Social Security Act that enabled states to create State Children's Health Insurance (S-CHIP) programs. In January 2018 it was reauthorized for a decade.

### **Passed: Mental Health Commission**

**H.B. 514 Creates the Georgia Mental Health Reform and Innovation Commission** of 23 appointed members to promote continued progress of Georgia's behavioral health systems. The commission would review behavioral health issues and recommend action, rules, regulations, policies, programs and legislation. They may hire lawyers, consultants, subject matter experts, economists, budget analysts, data analysts, statisticians, persons and/or organizations at will. Members will work in five committees: Children and Adolescent Behavioral Health; Involuntary Commitment; Hospital and Short-Term Care Facilities; Mental Health Courts and Corrections; and Workforce and System Development; that may be further divided into subcommittees.

<sup>1</sup> Correction: On page three of the March 2019.2 *Georgia Insight* a typographical error identified this bill as "H.B. 148" instead of H.B. 166. This error came to light during research for this newsletter. Please accept my apologies.

## “Drag Queen reading event at Alpharetta library removed from calendar”

That was the title of an April 1, 2019 AJC article revealing that the Ponce de Leon Avenue public library had withdrawn an invitation for a “drag queen” story hour for children to occur there. Although the proposed reader claims the event will occur at Alpharetta City Library on April 27, 2019 at 2:00 p.m., it has been removed from the library’s calendar of events.

**ACTION – (a) Call 404 885-7820 to thank the Ponce de Leon Public Library for cancelling the event.**

**(b) Call 404 612-8213 to thank Fulton County District 1 Commissioner Liz Hauzmann for the cancellation.**

**(c) Call and thank Fulton County Manager Dick Anderson at 404 612-8335 for his help, as well.**

## LGBTQAI Day of Silence Friday April 12, 2019

Although a picture is worth a thousand words, I cannot get the picture to work on this page. So, I’ll describe it to you. The picture shows a teenage girl wearing a yellow short-sleeved tee shirt distributed by the Gay Lesbian Straight Education Network (GLSEN) during its annual Ally Week Coming-Out Party October 11, 2011. GLSEN’s self-stated goals are emblazoned on the front of the tee shirt as follows:

### *Tee Shirt Statements in Blue*

**CHANGE ATTITUDES. CHANGE BEHAVIORS. CHANGE DIRECTIONS. CHANGE LIVES. CHANGE POLICIES.**

### *Tee Shirt Statements in Orange*

**BE AN ALLY. BE THE CHANGE.**

Please note that the statements on the tee shirt, boldly, outline the end-game of the day of silence – the indoctrination of school children and the mainstreaming of alternate lifestyles.

**ACTION – (a) Ask local school administrators and educators whether the day of silence was observed there.**

**(b) Ask students whether they or their teachers participated. Ask them to describe any observance.**

## Background

The day of silence began in 1996 when a few University of Virginia students refused to speak during class to promote homosexuality in colleges and universities. It soon spread to high schools throughout the country and the Safe Schools Project was implemented in Georgia as the “Sticks and Stones” movement to stop negativism against alternate lifestyles.

Anti-bullying policies, rules, regulations and laws became a favorite way to enforce tolerance of variant sexual orientations. Gay-straight alliance (GSA) clubs were created and “coming-out” days are observed in schools to encourage students to declare their alternate sexual preferences to parents, friends and teachers.

In the 1990s, Georgia school counselors attended a conference entitled, “School is Not a Gay Place to Be,” where they learned how to *transform* each Georgia school into a gay place to be. Additional harm is done in schools that adopt NEA resolutions to mainstream variant lifestyles.

When GSA clubs surfaced, they were established in high schools. Now, pre-school through college students are targeted for participation in lesbian, gay, bisexual, transsexual, and transgender lifestyles that are propagated systematically and repeatedly in schools. Objections are met with charges of bullying, bigotry and discrimination, although the majority of the population and various religions declare deviant lifestyles to be immoral and sinful.

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