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GEORGIA STATE UNIVERSITY LAW REVIEW

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CIVIL PRACTICE & COMMERCE AND TRADE

General Provisions Governing Discovery and Advertising Legal Services in Untrue, Fraudulent, Deceptive, or Misleading Manner

CODE SECTIONS: O.C.G.A. §§ 9-11-26 (amended), -26.1 (new); 10-1-424.1 (new), -426, -427 (amended); 15-19-55 (amended); 50-21-35 (amended); 51-1-57 (new)

BILL NUMBER: SB 74

ACT NUMBER: 77

GEORGIA LAWS: 2023 Ga. Laws 248

EFFECTIVE DATE: July 1, 2023

SUMMARY: The Act accomplishes three goals. First, it allows protective orders against the deposition of high-ranking organizational officers when the deposition is requested for the purpose of annoyance, embarrassment, oppression, or undue burden or expense. Officers must show good cause for such protective orders. Good cause may be shown if the officer lacks unique personal knowledge of any relevant matter. Second, it prohibits advertisements that misrepresent legal credentials to solicit legal services. The Act makes a violation of the applicable statute a misdemeanor. Third, it mandates certain government officers and directors to provide a designee for service of process on their website.....1

CORPORATIONS, PARTNERSHIPS, AND ASSOCIATIONS

Nonprofit Corporations

CODE SECTIONS: O.C.G.A. §§ 14-3-102 (amended), -103, -104 (new); 14-3-120, -121, -122, -124, -125, -126, -128, -129, -140, -141, -160, -170, -202, -303, -304, -305, -401, -501, -502, -503, -510, -601, -610, -612, -621, -630, -701, -702, -703, -704, -705, -706, -707 (amended); 14-3-708 (new); 14-3-720, -722, -723, -725, -726, -730, -740, -741, -742, -746, -747, -803, -804, -807, -808, -809, -810, -811, -812, -813, -820, -821, -822, -823, -824, -825, -830, -840, -841, -842, -843, -845, -846, -850, -853, -854, -855, -856, -857, -858, -859, -863, -864, -865 (amended); 14-3-870 (new); 14-3-1001, -1003, -1006, -1020, -1021, -1041, -1101, -1102, -1103, -1104, -1104.1, -1105, -1106, -1108, -1121, -1201, -1202, -1301, -1302, -1401, -1402, -1403, -1404.1, -1406, -1409, -1410, -1411, -1420, -1421, -1422, -1423, -1430, -1432, -1433, -1501, -1503, -1504, -1506, -1509, -1510, -1520, -1531, -1602, -1603, -1604 (amended); 14-3-1606 (new); 14-3-1620, -1622, -1703 (amended)

BILL NUMBER: SB 148
ACT NUMBER: 260
GEORGIA LAWS: 2023 Ga. Laws 419
EFFECTIVE DATE: July 1, 2023
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Prosecuting Attorneys

CODE SECTIONS: O.C.G.A. §§ 15-18-6 (amended);

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| | 15-18-32 (new); 15-18-66 (amended); 21-4-3 (amended) |
| BILL NUMBER: | SB 92 |
| ACT NUMBER: | 349 |
| GEORGIA LAWS: | 2023 Ga. Laws 718 |
| EFFECTIVE DATE: | May 5, 2023 |
| SUMMARY: | The Act establishes a Prosecuting Attorneys Qualifications Commission to discipline, remove, and cause involuntary retirement of appointed or elected district attorneys or solicitors-general. The Commission will have 8 members divided among an investigative panel and a hearing panel, with the former consisting of 5 members and the latter consisting of 3 members. In addition, the Act amends the duties of district attorneys and solicitors-general to add individual case review where probable cause exists.....55 |

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| BILL NUMBER: | SB 44 |
| ACT NUMBER: | 29 |
| GEORGIA LAWS: | 2023 Ga. Laws 64 |
| EFFECTIVE DATE: | July 1, 2023 |
| SUMMARY: | The Act primarily functions to enhance penalties for violations of the Street Gang Terrorism and Prevention Act. It imposes mandatory minimum sentences for those convicted of criminal gang activity and proscribes an exception to these as well. Additionally, this Act preserves the State's right to appeal a court's deviation from these mandatory minimum sentencing guidelines. Finally, this Act imposes limits on the use of unsecured judicial release.....81 |

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-421, -498 (amended)

BILL NUMBER: SB 129

ACT NUMBER: 341

GEORGIA LAWS: 2023 Ga. Laws 614

EFFECTIVE DATE: July 1, 2023

SUMMARY: The Act adds members of a county board of elections as persons who can comprise an independent performance review. The Act amends language found on absentee ballot application. The Act includes advance in-person voting as viable for requesting time off from an employer. The Act gives election superintendents more time to report required information. The Act further specifies which elections may be audited
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ELECTIONS

Elections and Primaries Generally

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-212 (amended)

BILL NUMBER: SB 222

ACT NUMBER: 273

GEORGIA LAWS: 2023 Ga. Laws 563

EFFECTIVE DATE: May 3, 2023

SUMMARY: The Act makes it a felony for any government employee, election official, or county or municipal government to accept third-party funding for conducting elections. With the exception of donations of polling locations, boards of registrars, superintendents, counties, and municipalities can only accept election grants or gifts from the State of Georgia or the federal government. Additionally, the Election Board Committee and the Office of the Secretary of State retain an

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BILL NUMBER: SB 140

ACT NUMBER: 4

GEORGIA LAWS: 2023 Ga. Laws 6

EFFECTIVE DATE: July 1, 2023

SUMMARY: The Act creates two new subsections in the Georgia Code which prohibit hospitals, related institutions, and licensed physicians from performing or otherwise providing certain forms of gender-affirming medical treatment—namely, surgical procedures and hormone replacement therapy—for minors in Georgia with gender dysphoria. In addition, the Act calls for the Georgia Composite Medical Board to promulgate and enforce rules and regulations regarding the prohibited forms of medical treatment, requiring such rules to contain various exceptions allowing such treatment. Such exceptions allow prohibited forms of treatment for: intersex minors; minors with partial androgen insensitivity syndrome; when such treatment is medically necessary; and when a minor began hormone replacement therapy prior to the date of the Act taking effect127

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Regulation of Maintenance and Use of Public Roads Generally

CODE SECTION: O.C.G.A. §§ 32-6-26, -27, -28, -29, -30
(amended)

BILL NUMBER: HB 189

ACT NUMBER: 333

GEORGIA LAWS: 2023 Ga. Laws 573

EFFECTIVE DATE: May 3, 2023

SUMMARY: This Act amends Georgia law pertaining to the permissible weight of commercial trucks. The Act allows for increased permissible truck weights when carrying agricultural and forestry products within a 150-mile radius from the point of origin. Additionally, the law creates penalties for violations, a two-year sunset provision, and other amendments relating to enforcement159

LOCAL GOVERNMENT

Provisions Applicable to Counties and Municipal Corporations

CODE SECTIONS: O.C.G.A. §§ 31-7-23.1 (new); 36-60-31
(new); 36-80-31 (new); 50-6-10 (new)

BILL NUMBER: SB 62

ACT NUMBER: 274

GEORGIA LAWS: 2023 Ga. Laws 569

EFFECTIVE DATE: July 1, 2023

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LOCAL GOVERNMENT

Provisions Applicable to Counties and Municipal Corporations

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| BILL NUMBER: | HB 374 |
| ACT NUMBER: | 257 |
| GEORGIA LAWS: | 2023 Ga. Laws 411 |
| EFFECTIVE DATE: | May 2, 2023 |
| SUMMARY: | The Act prohibits municipalities from banning or otherwise regulating the use of gasoline-powered lawncare equipment. Additionally, the Act prohibits state and local governments from regulating whether certain household appliances may be connected to service based on their source of fuel. It also provides for deannexation of property and amends provisions regarding the authority, procedures, identification, and status of lands relative to municipal deannexation ..197 |

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| ACT NUMBER: | 345 |
| GEORGIA LAWS: | 2023 Ga. Laws 634 |
| EFFECTIVE DATE: | July 1, 2023 |
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10-1-164 (amended); 40-2-151 (amended); 46-2-20.1 (new); 48-9-2, -3, -8, -9, -12 (amended).

BILL NUMBER: SB 146
ACT NUMBER: 248
GEORGIA LAWS: 2023 Ga. Laws 376
EFFECTIVE DATES: O.C.G.A. §§ 46-2-20.1, 40-2-151, July 1, 2023; §§ 10-1-20 to -28, -164, January 1, 2025; §§ 48-9-2, -3, -8, -9, -12, January 1, 2025.

SUMMARY: The Act amends and adds several code sections related to the supply, oversight, and taxation of motor fuel in anticipation of increased use of electric vehicles on Georgia roadways. The Act has three primary goals. First, it allows for electricity to be sold through electric vehicle chargers by the kilowatt hour. Second, it establishes parameters for ensuring proper calibration of electric vehicle charging stations, as is already done for other types of motor vehicle fuel. Third, it provides for a motor fuel tax on electricity to ensure continued funding for Georgia's road and bridge infrastructure227

SOCIAL SERVICES

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CODE SECTIONS: O.C.G.A. §§ 49-4-170, -171, -181, -182, -183, -184 (amended), -186 (repealed)

BILL NUMBER: HB 129
ACT NUMBER: 228
GEORGIA LAWS: 2023 Ga. Laws 314
EFFECTIVE DATE: July 1, 2023
SUMMARY: The Act extends Temporary Assistance for Needy Families (TANF) aid to low-income pregnant women. The Act rewords and redefines existing statutory language to include pregnant women in the definition of family. In addition, the Act removes the Family Cap, which

imposed restrictions on providing additional assistance to recipient families under the TANF program for the birth of a child during their eligibility period249

**STATE GOVERNMENT
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CODE SECTIONS: O.C.G.A. §§ 50-29-1, -2, -3, -4, -5, -6, -7, -8, -9, -10, -11, -12 (amended); 50-29-20, -21, -22, -23 (new)

BILL NUMBER: SB 93

ACT NUMBER: 255

GEORGIA LAWS: 2023 Ga. Laws 405

EFFECTIVE DATE: May 2, 2023

SUMMARY: The Act functions to prevent state devices from interacting with social media platforms that are owned, operated, or influenced by foreign adversaries. Specifically, the Act prohibits state employees and students from installing, using, or visiting any such social media platforms on state equipment. In addition, the Act outlines steps toward enforcing this prohibition, such as directing the Georgia Emergency Management and Homeland Security Agency to prepare a list of barred social media platforms and to make that list publicly available on the agency’s website259

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