

CODE REVISION COMMISSION

Meeting Minutes

July 20, 2021

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In Attendance:

Members: (Present) Rep. Bonnie Rich; (via Zoom) Chairman Rep. Chuck Efstration, Sen. Blake Tillery, Sen. Bo Hatchett, Sen. Elena Parent, Sen. Brian Strickland, Rep. James Burchett, Rep. David Dreyer, Honorable Brian Ross, Honorable Che'ferre Young

Office of Legislative Counsel: (Present) Ms. Betsy Howerton, Ms. Doris Ragland; (via Zoom) Mr. Rick Ruskell, Ms. Jenna Dolde

Others: (Present) Mr. Brian Kennedy (Lexis), Mr. Evan Meyers (House Judiciary); (via Zoom) Ms. Regina Quick (Office of Lt. Gov.), Mr. Keith Williams (Office of the Speaker)

1. Introductions

Betsy Howerton welcomed everyone to the meeting and asked the members and participants present and on Zoom to provide a brief introduction.

2. Biennial election of officers (chairperson and vice-chairperson)

Ms. Howerton explained that, traditionally, the House and Senate alternate in the positions of chairperson and vice-chairperson and that Sen. William Ligon was the previous chair, actually serving two terms for purposes of continuity during the copyright litigation. A motion to nominate Rep. Chuck Efstration as chairperson was made, seconded, and unanimously passed. A motion to nominate Sen. Blake Tillery as vice-chairperson was made, seconded, and unanimously passed.

3. Reading and approval of minutes of prior meeting

Chairman Efstration invited a motion to approve the minutes of the Code Revision Commission from the November 5, 2020, meeting. A motion to suspend reading the minutes and accept as presented was made, seconded, and unanimously passed.

4. Staff reports

(A) Status of 2021 publication process

Ms. Howerton reported to the Commission that the electronic page proof process went smoothly, finished early, and the 2021 O.C.G.A. updates will be sent out on schedule on Monday, July 26th.

(B) Royalties received from Lexis for State FY 2021

The Commission received \$129,624.98 in royalties from Lexis for fiscal year 2021. In addition, there are \$273,576.55 total remaining in reserves. Prior to the copyright litigation, the royalty fees paid to the Commission went into the general fund. In 2014, the Commission voted to place these funds into a separate account for use by the Commission to pay attorney fees for the copyright litigation. The Commission will need to decide at some point whether to transfer the reserve funds to the general fund now that litigation is over or repurpose them.

5. Unfinished business

There was no unfinished business to report.

6. New business

(A) 2021 Pricing for O.C.G.A. replacement volumes and pocket parts

Ms. Howerton referred to the contract with Lexis where it provides that the Commission has the sole discretion to approve or disapprove an increase in prices charged by Lexis for printed volumes and supplements of the O.C.G.A. and listed the factors that the Commission could consider.

Mr. Brian Kennedy (Lexis) addressed the Commission and explained that the Producer Price Index (PPI) indicates that production costs for professional book publishing has increased 9 percent in the past year. This index is used as a barometer in considering cost increases in publishing professional publications. Due to this, Mr. Kennedy asked the Commission to approve a 5 percent increase across the board in all categories.

Sen. Blake Tillery proposed a motion to increase the price in each category by 3 percent across the board. The motion was seconded and unanimously passed.

The resulting prices are:

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	2020 Prices	Approved 2021 Prices
Complete Code Sets	\$424.36	\$437.09
General Index	35.00	36.05
Complete Annual Supplement Sets	73.74	75.95
Individual Supplements	8.17	8.42
Replacement Volumes		
Subscriber	23.12	23.81
Non-subscriber	28.70	29.56
Individual Volumes		
Subscriber	24.56	25.30
Non-subscriber	29.76	30.65

(B) O.C.G.A. volumes to be replaced in 2022

Ms. Howerton directed the Commission members to a handout containing staff recommendations for O.C.G.A. volumes to be replaced in 2022. Typically, six volumes are replaced each year based on size of bound volumes and pocket parts. Lexis recommended that Volumes 9, 16, 17, 30, 32, and 41 be replaced in 2022, and staff agreed with these recommendations. Chairman Efstration invited a motion to approve the new volumes to be replaced. A motion was made, seconded, and unanimously passed.

(C) Appointment of subcommittee

Chairman Efstration explained that there has been discussion concerning whether public access to the annotations should be provided free of charge in light of the U.S. Supreme Court's decision. Chairman Efstration recommended that a subcommittee be appointed to study the issue and recommend a course of action to the full Commission.

The proposed subcommittee members were:

Chairman Rep. Chuck Efstration
Sen. Blake Tillery
Sen. Elena Parent
Rep. David Dreyer
Honorable Che'ferre Young
Mr. Allen Levin

Chairman Efstration invited a motion to adopt the recommendation to create the subcommittee. A motion was made, seconded, and unanimously passed.

Ms. Howerton stated that she will be in contact with the subcommittee members to schedule upcoming meetings.

(D) Release of Lexis contract to third party

A third party has requested a copy of the recent contract amendment to the Lexis contract. A motion was made by Sen. Tillery to provide the contract and amendment. The motion was seconded and passed unanimously.

7. Adjournment

There being no further business, the meeting was adjourned.