

Georgia Hispanic Chamber of Commerce
Legislative Report
Week Eight



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The Georgia General Assembly convened on Monday, March 1, for legislative day 25 and worked through Friday for legislative day 27. This report contains legislation that continues to move through the legislative process and that we are closely monitoring as we approach “Crossover Day” on Monday, March 8th. Crossover day is the last day for a bill to pass out of its chamber of origin to be considered by the other body during the 2021 Legislative Session.

House Advances FY22 Budget

The Georgia State House Appropriations Committee reviewed and signed off on their version of the FY22 State Budget ([HB 81](#)). The House proposal, which overall includes \$7.6M in additional funds from the Governor’s original proposal, is particularly favorable to mental health, including additions of over \$36M to the Department of Behavioral Health and Developmental Disabilities. Highlights of changes from the Governor’s proposal in the House’s spending plan. The House PASSED this measure 136-31 and has been immediately transmitted to the Senate.

Immigration:

[HB120](#) by Rep. Carpenter (R-Dalton) seeks to enact the “Georgia Resident In-State Tuition Act” and was back before the Committee in a new Substitute. The legislation outlines the criteria for a student to receive in-state tuition and a cap is inserted that such would be no more than 110 percent. The Chairman indicated that this legislation was about “filling capacity” in Georgia schools. The legislation received a DO PASS recommendation with the amendments to address the cap, and it now moves to the House Rules Committee.

Economic Development:

[HB 587](#) by Rep. Bruce Williamson (R-Monroe) "Georgia Economic Renewal Act of 2021", seeks to provide a tax credit for medical equipment and supplies manufacturers and pharmaceutical and medicine manufacturers. Also, to provide for a second round of funding for the Georgia Agribusiness and Rural Jobs Act applications. This bill PASSED 157-14 and moves on to the Senate

[SB 142](#) by Sen. Mullis (R-Chickamauga) allows for licensing and regulation of sports wagering in Georgia through the Georgia Lottery Corporation. This bill passed out of the Senate 31-17 and now moves over to the House.

[HB 588](#) by Rick Jasperse (R-Jasper) enables the Georgia Department of Transportation to make investments in private freight and logistics infrastructure as long as the projects provide a "public benefit" including, but not limited to, enhanced public safety, enhanced mobility of people or goods, congestion mitigation, and enhanced trade and economic development. On Wednesday, March 3, House Bill 588 was passed out of the House by a vote of 164 – 0.

[HR 185](#) by Speaker David Ralston (R-Blue Ridge) would reauthorize the Rural Development Council (RDC) beginning May 1, 2021, through December 31, 2022. The RDC will focus on addressing issues in rural Georgia around access to health care, infrastructure, educational opportunities, employment opportunities, and population loss. On Wednesday, March 3, HB 185 passed out of the House by a 164-0 vote.

Business:

[SB 168](#) by Sen. Larry Walker (R-Perry) allows the board of directors of a corporation to determine that an annual shareholders' meeting may be held virtually in whole or in part unless the articles of incorporation or bylaws provide otherwise. SB 168 was voted unanimously (51-0) out of the Senate on March 3. This bill's companion, HB 306, also passed the House of Representatives unanimously on February 24. Both bills have now crossed over and are available for further consideration.

[HB 334](#) by Rep. Joseph Gullet (R-Dallas) creates a framework for the use of remote notarizations in Georgia. Remote notarization allows for access to notarization services for all Georgians, including those in under-served communities and those for whom travel is challenging. HB 334 passed the House of Representatives on Wednesday, March 4 with a vote of 167-2.

[SB 200](#) by Sen. Jason Anavitarte (R-Dallas) will ensure small businesses will be able to remain open during states of emergency if they can adhere to health guidelines and Governor's executive orders. [HB 468](#) follows Governor Kemp's executive orders' intent to ensure small businesses have the opportunity and path to keep their businesses open and their workforce employed. SB 200 received a full vote in the Senate on Friday, March 5, and it passed by a vote of 29-19.

Taxes:

[SB 185](#) by Sen. Bo Hatchett (R-Cornellia) levels the playing field for taxpayers in disputes with the Department of Revenue. Specifically, this bill allows judges more flexibility in taxpayer dispute cases and frees them from an administrative rule requiring them to defer to Department interpretations of ambiguous laws. On Monday, March 1, the bill passed unanimously by a 50-0 vote.

[HB 317](#) by Rep. Ron Stephens (R-Savannah) is set to be voted on Crossover day. This bill would require online lodging platforms such as Airbnb and VRBO to collect and remit county and city hotel/motel taxes on short-term rentals (STRs) that are hosted via those platforms. These are taxes currently due from the STR owner but, in many cases, not being collected. This bill would improve tax collection, reduce the burden on STR owners to collect the tax, provide more funds for local tourism, and create parity with traditional hotels and motels that are currently collecting hotel/motel taxes.

Local Government:

[HB 244](#) by Rep. Don Hogan (R-St. Simon's Island), seeks to include flood risk reduction in the enumerated list of county purposes for which county ad valorem taxes or county corporation taxes based upon gross direct insurance premiums shall be used. This legislation PASSED 158-0 and moves on to the Senate

[SB182](#) by Sen. Randy Robertson (R-Columbus) defines the term "fence detection system" to limit the ability of counties, consolidated governments, and municipalities to regulate or prohibit such systems This bill PASSED 51-1 and moves on to the House.

[HB 511](#) by Rep. Bert Reeves (R-Marrietta) unanimously passed out of the House this week. This bill dedicates nine trust funds including the Hazardous Waste Trust Fund and the Solid Waste Trust Fund. The bill now sits in the Senate Finance Committee.

Public Safety:

[HB 479](#) by Rep. Bert Reeves (R-Marrietta) would repeal Georgia’s antiquated citizen’s arrest law authored in 1863. As introduced, HB 479 would revise the grounds for arrest and detainment by a private citizen. This bill provides a shopkeeper’s exemption to retail and foodservice establishments across the state as well as their agents and employees. HB 479 had a hearing in the House Judiciary Committee on Thursday, and it passed out of committee unanimously. HB 479 is now eligible for consideration by the full House of Representatives.

Elections:

The House chamber Passed [HB 531](#) by Rep. Barry Fleming (R-Harlem) omnibus election legislation following a nearly three-hour floor debate. This is the first, and thus far only, House election bill to have crossed over to the Senate.

The Senate Ethics Committee passed [SB 241](#) by Senate Majority Leader Mike Dugan (R-Carrollton) on Wednesday. This is the upper chamber’s omnibus election legislation for 2021. Like HB 531, this legislation includes numerous provisions impacting counties’ conduct of elections, including several new reporting, verification, and other requirements on county election officials. SB 241 is expected to be up for debate on the Senate floor on Monday, March 8 which is also Crossover Day.