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AIA- Week 6

After a very slow start with two weeks set aside to work on the budget, the legislature finally seems to be picking up steam. This week, legislators completed through Day 16 of the 40 day legislative session.

As we have previously reported, the Legislature was in recess last week to work on concerns and discrepancies between the Governor's proposed budget and the House version. Lawmakers have said there are "competing priorities" between the two branches of government. House leaders have indicated they intend to follow through on their commitment to enact another tax cut bringing the rate from 5.75% to 5.5%. Governor Kemp has made his additional \$2,000 teacher pay raise his top priority in the \$28.1 billion FY21 budget.

The House made its first big move of the session in passing the House version of the midyear budget. Although their version contained pullbacks in spending, they rejected many of Governor Kemp's proposed cuts. The proposal will now head to the Senate for consideration. Some of the proposed spending cuts that were rejected by the house include cuts to funding the accountability courts; funding for Morehouse and Mercer medical school for preparing doctors; mental health, substance abuse and autism treatments; grants to county health departments and reductions for local library materials.

You can find the budget documents below:

House mid-year budget document (AFY20):

<http://www.legis.ga.gov/Legislation/20192020/188122.pdf>

Governor's proposed budget (FY21):

http://www.house.ga.gov/budget/Documents/2021_FiscalYear/FY_2021_Tracking_Sheet_Gov_Rec.pdf

We will continue to follow this process and keep you updated as to movement in the budget as the process continues.

Calendar:

Below is the updated legislative calendar that will resume on February 21st.

Day 17 - February 24th
Day 18 - February 25th
Day 19 - February 26th
Day 20 - February 27th
Day 21 - February 28th
Day 22 - March 2nd
Day 23 - March 2nd
Day 24 - March 4th
Day 25 - March 5th
Day 26 - March 9th
Day 27 - March 10th
Day 28 - March 12th (Crossover Day) .

Hot Topics:

Vaping

HB 864 - (Rep. Bonnie Rich) This bill allows for an excise tax on any vaping products. The tax amount would be 7%. It also requires any manufacturer or distributor to obtain a vapor license.

SB 298 - (Renee Unterman) This bill would prohibit the sales or purchasing of vaping and tobacco products for anyone under the age of 21. It would also make it mandatory for school systems to include education on vaping products in their curriculum. This is mandatory each year for students in Kindergarten through 12th grade. It also prohibits distribution within 500 feet of a school or playground.

Hands-Free driving update

HB 113 - (Representative John Carson) This bill is an update on the 2018 “Hands-Free” law. This bill seeks to increase the current fines as well as double the fines in school and work zones. It will also eliminate the current amendment that allows a judge to dismiss a fine if the driver showed proof that they have purchased a hands-free device for his or her car.

This bill was scheduled for a hearing this week but the hearing was canceled so they could continue to iron out some issues in the language. The hearing will likely be early next week.

Relevant Legislation

HB 777 – (Representative John Corbett) This bill deals with changing the standards for wood construction. The bill mandates that the State of Georgia review and update standards to the 2021 building codes as adopted by the International Code and Council.

The bill passed the House on Thursday and now moves onto the Senate.

HB 773 - (Representative Scot Turner) - The bill would provide for reciprocal licensing of professions, occupations and trades for individuals who are licensed outside of Georgia if the individual is currently licensed in at least one other state, country or province or other subdivision and is in good standing in all licensed entities. The licensee must have been licensed for one year, be verified by the regulating entity, have previously passed an exam regulating the license if required, have not had their license revoked, has not voluntarily surrendered their license for unprofessional conduct and has not had disciplinary action or a complaint filed against them.

This bill was assigned to House Regulated Industries

Tort reform bill info

SB 390 - (Senator Steve Gooch) This bill was dropped to address the worsening civil legal climate in Georgia. The bill is an omnibus, 60 page tort reform package that brings Georgia civil procedure more in line with federal guidelines, reforms premises liability, prohibits anchoring in jury trials, allows for bifurcation of trials, and calls for the elimination of phantom damages.

This bill was sent to the Senate Judiciary Committee.

SB 415 - (Senator Steve Gooch) This is a pared down version of SB 390 that eliminates much of the language regarding civil procedure and focuses more on the elimination of phantom damages, the prohibition of anchoring, bifurcation of trial and reform of premises liability.

This bill was sent to the Senate Insurance Committee.

SB 292 - (Senator Harrell) This bill requires local governments to adopt state-wide standard codes. It also requires local governments to have more stringent codes where state-wide codes do not exist. It allows for some exemptions in farm buildings and structures.

This bill was assigned to the Senate Committee on Agriculture and Consumer Affairs

SB 302 - (Senator John Albers) This bill provides for independent economic analyses to be procured by the Office of Planning and Budget for certain tax benefits upon request by the chairpersons of the House Committee on Ways and Means and the Senate Finance Committee.

This bill's substitute was passed in the Senate Finance Committee and now goes back to Senate Floor for second readers

SB 315 - (Representative Lindsay Tippins) The bill addresses decisions involving waivers of liens and notices of nonpayment in contractor/subcontractor relationships. If the bill is passed, contractors may bring a breach of contract action even if they do not perfect their lien rights. The bill also adds an additional 30 days for the contractor to perfect their lien to bring the time to 90 days.

Passed Senate Judiciary Committee

SB 309- (Senator Jesse Stone) This bill is known as The Georgia Municipal and Local Government Infrastructure Finance Authority Act. It provides a way for local governments to finance infrastructure at a lower cost and creates The Georgia Municipal & Local Government Infrastructure Finance Authority and The Georgia County and Local Government Infrastructure Finance Authority. The bill outlines the guidelines for members and duties of these authorities.

This bill was assigned to the Senate Committee on State and Local Governmental Operations

HB 970- This bill provides an income tax credit for historic housing.

HB 937-(Representative Vance Smith)- This bill would prohibit cities and counties from regulating any building material, product or construction practice for single-family homes if approved in the state minimum standard codes.

As a result this legislation would preempt local government regulations and ordinances on the following:

- Exterior building color
- Type or style of exterior cladding material
- Style or materials of roof structures or porches
- Exterior nonstructural architectural ornamentation
- Location or architectural styling of windows and doors, including garage doors
- The number and types of rooms
- The interior layout of rooms
- Types of foundation structures approved under state minimum standard codes.

This was assigned to the House Agriculture Committee and will be heard on Wednesday.