



Legislative Update

February 25, 2022

GRA Legislative Agenda Items

Truck Size and Weight: Oppose any legislation that increases the allowable size and weight of truck carrying freight. Typically, advocates seek to revise O.C.G.A. 32-6-26 (g) (1), which allows for a weight increase and various radius distance increases for forest products, live poultry, cotton, feed, granite, raw ore or minerals, solid waste concrete or poultry. We are continuing to closely monitor this issue. Although there have not been any truck weight bills introduced this year, there are several truck weight bills held over from last session. We recently received word that the House Transportation Committee will hold a hearing on [House Bill 496](#) by Representative James Burchett (R-Waycross) at some point this session. GRA opposes the bill and is working to ensure that it will not pass out of committee.

Short Line Tax Credit: Earlier this session Representative Mack Jackson (R-Sandersville) introduced [House Bill 1039](#), which would extend Georgia's short line tax credit through the end of 2028. GRA is supportive of any enhancements made to the current tax credit program, including an extension of the tax credit. This week the bill was passed by the House Ways and Means Income Tax Subcommittee, which means it is now eligible for consideration by the full Ways and Means Committee.

Two Man Crew: Oppose any legislation which would seek to require a train that is in use for the movement of freight to operate with at least two crew members. Similar legislation was introduced in the 2019 session. No legislation has been introduced at this point.

Blocked Crossing: Oppose any bills that would prevent a railroad common carrier from authorizing the operation of a train that causes a road to be blocked for longer than 15 minutes. Similar legislation has been introduced in recent years. No legislation has been introduced at this point.

Georgia 811: Oppose any legislation which would remove the Georgia 811 exemption for railroads, thereby requiring them to join Georgia 811, "call before you dig." Georgia code currently exempts railroads from mandatory Georgia 811 membership. Any attempts to change the law to make Georgia 811 membership compulsory for railroads would be harmful to the industry, as it would slow railroads down.

Overview of General Assembly

Members of the legislature enjoyed the long Presidents' Day weekend back in their districts before reconvening for Legislative Days 19 and 20 on Tuesday and Thursday this week. Wednesday served as a committee work day for legislators again this week. Crossover Day, which is March 15 this year, is quickly approaching—legislators must pass their bills out of their assigned committees and out of the chamber in which they originated in order to keep them alive for further consideration. The last several

weeks of the session are reserved for the Senate to review House bills and the House to review Senate bills.

Next week will be a busy one under the Gold Dome—the legislature will convene Monday, Tuesday, Thursday and Friday for Legislative Days 21 through 24. Qualifying begins the following week, which means legislators running for reelection or higher office will go to the second floor of the Capitol to officially register to do so. This is a very important week for many legislators to see if they have drawn opposition in their primary or general election contests.

Vaccine Passport Legislation

This week the Senate Health and Human Services Committee considered a substitute version of [Senate Bill 345](#) by Senate Rules Chairman Jeff Mullis (R-Chickamauga), which would prohibit state and local governments from mandating COVID-19 vaccine passports. The substitute version of the bill included a June 30, 2023 sunset. Another change made in committee addressed concerns that the bill would have put the state in conflict with federal law when it comes to the vaccination status of healthcare workers. The Center of Medicare and Medicaid Services (CMS) has mandated the COVID-19 vaccine for workers in facilities that serve Medicare and Medicaid patients. The bill passed out of committee along party lines and must next be selected by the Senate Rules Committee, which is chaired by the bill’s author.

School Mask Mandates

The Senate Education Committee held a contentious debate on school mask mandates this week. The bill, which is also a priority for the governor’s office, is being carried by Governor’s Floor Leader Clint Dixon (R-Buford). In committee, Senator Dixon said that [Senate Bill 514](#), the “Unmask Georgia Students Act,” reaffirms that parents are the best decision makers when it comes to the health and education of their children. It would prevent a local board of education, governing board, superintendent, or state charter school from requiring students to wear face masks while on school property unless parents had the option to exempt their children. Dixon noted that both Republican and Democratic-led states have been rolling back mask mandates and argued that masks inhibit students’ learning. Senator Jason Anavitarte (R-Dallas) pointed out that the measure it set to sunset on June 30, 2023, which would allow the issue to be reassessed in the future if necessary. The bill passed out of the Education Committee along a party-line vote. Next it goes to the Senate Rules Committee for consideration.

Refunds for Taxpayers

[House Bill 1302](#), which would return a \$1.6 billion state revenue surplus back to taxpayers, cleared the House Ways and Means Committee this week. The bill, which is a legislative priority for Governor Kemp this year, would provide a one-time tax refund of \$250 for single tax filers and \$500 joint filers who filed tax returns in 2020 and 2021. Governor’s Floor Leader Josh Bonner (R-Fayetteville), who is carrying the bill, said no action would be required on the part of a qualified taxpayer to receive the refund. He said other logistical details, including the timing of the payments, were being worked out with the Georgia Department of Revenue. The bill now goes on to the House Rules Committee.

Transgender Sports Ban

This week the Senate passed [Senate Bill 435](#) by Senator Marty Harbin (R-Tyrone), which would prohibit schools from participating in athletic programs in which biological males are permitted to compete in athletics events designed for biological females, unless no equivalent existing athletic program exists for males. After an hour of contentious debate on the Senate floor, the bill passed by a vote of 34 to 22. It now heads across the hall to the House for consideration.

The bill’s list of 25 Republican signers includes President Pro Tempore Butch Miller (R-Gainesville) and the governor’s three Senate Floor Leaders: Senator Bo Hatchett (R-Cornelia) Senator Russ Goodman (R-

Cogdell) and Senator Clint Dixon (R-Gwinnett). In his State of the State Address last month, Governor Kemp expressed his support for legislation that would “ensure fairness in school sports.”

Parents’ Bill of Rights Legislation

Two companion bills known as the ‘Parents’ Bill of Rights’ saw movement this week— [Senate Bill 449](#) by Senator Clint Dixon (R-Gwinnett) passed out of the Senate by a vote of 33 to 21 and [House Bill 1178](#) by Representative Josh Bonner (R-Fayetteville) was passed by the House Education Committee. Senator Dixon and Representative Bonner, who are both Floor Leaders for Governor Brian Kemp, dropped identical versions of the bill earlier this session. The legislation is a priority for the governor, who touched on the issue in his State of the State Address during the first week of the session.

Both bills seek to prevent schools and governments from interfering with the right of parents to direct the upbringing and education of their children by enumerating some of parents’ specific rights including, but not limited to, the right to review instructional materials and the right to access all of their children’s records at school. In addition to greater access to information and more transparency for parents, the bill also seeks to facilitate more parent involvement in schools. Critics of the bills say they impose unnecessary burdens on teachers.

Mental Health Reform Legislation

The House Health and Human Services Committee held another hearing this week on [House Bill 1013](#), the Mental Health Parity Act. The measure is a top priority for House leadership and is being carried by Speaker David Ralston (R-Blue Ridge). The bill’s presenters, Mary Margaret Oliver (D-Decatur) and Representative Todd Jones (R-Cumming), said they had received approximately 50 suggested amendments since the last committee hearing and that they were continuing to work on the bill.

The issue of transporting individuals experiencing a mental health crisis remains one of the most contentious issues in the bill. As it is written, a responding officer is not only responsible for taking an individual experiencing a mental health crisis to an emergency department or appropriate facility, but the officer would also be responsible for transporting the individual to any subsequent facilities upon his or her release. The sheriffs and chiefs of police expressed concerns about taking more officers off of the street to do more non-emergency transfers when there is already a workforce issue in law enforcement. Discussions on the bill are ongoing, and we expect to see another substitute version of the omnibus mental health reform bill before it is passed out of committee.

Water and Sewer Infrastructure Funds

This week Governor Kemp [announced](#) \$422 million in preliminary awards for sewer and water infrastructure as part of the American Rescue Plan Act. The investments, which will fund 49 projects across the state, will help improve the treatment of drinking water, extend drinking water service to high-need areas, and secure Georgia’s water resources for future generations.

Applications were reviewed and scored by the Water and Infrastructure Committee, which was made up of relevant state agency heads and prominent legislators, including the chairmen of the House and Senate Appropriations Committees. The announcement comes just a few weeks after the announcement of \$408 million in ARPA awards to provide Georgians with faster and more reliable broadband access. An announcement for awards that will address the economic impacts of COVID-19 is forthcoming.

Pro-Israel Legislation Signed into Law

This week Governor Kemp signed [House Bill 383](#) into law. The measure, which was sponsored by Representative John Carson (R-Marietta), prohibits the state from entering into contracts over \$100,000 with a company with more than four employees unless the contracts include a certification that the business does not currently boycott Israel and will not do so for the duration of the contract with the state.

The bill, which passed with overwhelming support during the 2021 session, comes after a federal judge struck down a similar 2016 law for violating free speech by requiring state contractors to sign an oath. Georgia was one of the first states to sign an anti-Boycott, Divestment, Sanctions (anti-BDS) measure to show support for Israel. The legislature's only Jewish member, Representative Mike Wilensky (D-Dunwoody) was a signer on the bill. Representative Carson said the bill struck a balance between "protecting our interests with the state of Israel and also allowing free speech."