



Legislative Update

February 10, 2023

GRA Legislative Agenda Items

Oppose Truck Size and Weight Increases: 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.

Last week Representative Steven Meeks (R-Screven) introduced [House Bill 189](#), which would increase truck weight limits to 90,000 pounds, remove any reference to a specific commodity, and remove the current mile radius restrictions. Cosponsors of the bill include House Majority Caucus Whip James Burchett (R-Waycross), who carried the truck weight increase bill last year, Representative John Corbett (R-Lake Park), Representative Spencer Frye (D-Athens), Representative Robert Dickey (R-Musella), and Representative Patty Bentley (D-Butler).

This week the House Transportation Committee, chaired by Representative Rick Jasperse (R-Jasper) held a hearing on the bill. The bill's sponsor distributed a substitute version of the bill (also attached to this email) to committee members to consider just hours before the hearing. The substitute version includes financial penalties for overweight trucks as follows:

- 5 cents per pound for every pound over 80,000 pounds if the truck is less than 95,000 pounds;
- 10 cents per pound for every pound over 80,000 pounds if the truck is more than 95,000 pounds; and
- 15 cents per pound for every pound over 80,000 pounds if the truck is over 100,000 pounds.

GRA President Joe Arbona and GRA member Ben Tarbutton were among those to testify in opposition to the bill, along with representatives from the Georgia Municipal Association (GMA) and the Association of County Commissioners of Georgia (ACCG), as well as GDOT Commissioner Russell McMurry and GDOT Chief Engineer Meg Pirkle. After a nearly six hour hearing, the House Transportation Committee voted to pass the bill by a vote of 18 to 11.

The bill will be eligible for selection by the House Rules Committee next week. We are actively working to prevent the bill from getting out of the House. We will continue to keep you updated on the status of the bill.

Defend the Short Line Tax Credit: Defend the 50 percent short line tax credit of \$3500 per mile that is currently in place until the end of 2026.

- There have been no credible threats to the short line tax credit this session, though there exists a vocal faction of legislators, particularly among Senate Republicans, that opposes tax credits, generally. We are closely monitoring the Senate Finance Committee to ensure that there are no threats to the tax credit.

Oppose Anti-Industry Legislation:

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. Legislation mandating a two-man crew was introduced in the 2019 session.

- There has not been any legislation introduced this session that addresses the two-man crew.

Blocked Crossings: 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. There were several bills and resolutions introduced during the 2022 session which would address train length and blocked crossings, including [House Resolution 1023](#), [House Resolution 1027](#), [House Bill 1473](#), and [House Resolution 919](#).

- There has not been any legislation introduced this session that addresses blocked crossings.

Overview of General Assembly

This week the General Assembly was in session Monday through Thursday, convening for Legislative Days 13 through 16. There was a significant uptick in committee activity this week, as well as an influx of new bills introduced in the House and Senate each day.

While each chamber is still focused on getting its own bills passed out at this point in the session, Senate bills are beginning to cross over to the House, and House bills are crossing over to the Senate. Once a bill crosses over to the opposite chamber, it still needs to go through the same committee process that it did in its original chamber. Legislators now have just three weeks to get their bills passed out of their assigned committee, selected by their chamber's Rules Committee, and passed out of their full chamber—Crossover Day, Legislative Day 28, is set for Monday, March 6.

The General Assembly will be back in session next week Monday through Thursday for Legislative Days 17 through 20.

City of Buckhead City Bill

This week Senator Randy Robertson (R-Cataula) introduced [Senate Bill 114](#), which would create the ‘City of Buckhead City.’ If passed, the bill would call for a special election to allow voters within the proposed city limits to vote on City of Buckhead Cityhood. The proposed legislation sets up the structure of the proposed city’s government, including a \$225,000 annual salary for the mayor and \$72,000 salaries for part-time city councilmembers. Cosponsors of the bill include Senator Brandon Beach (R-Alpharetta) and Senator Greg Dolezal (R-Cumming), who were selected by the Lieutenant Governor to serve on the powerful Committee on Assignments, as well as Senator Matt Brass (R-Newnan), who chairs the Senate Rules Committee. Although Lieutenant Governor Burt Jones has been supportive of the measure in the past while he served as a state senator, his office has said that the bill is not one of his legislative priorities this session. The measure has been assigned to the State and Local Governmental Operations Committee, which is now chaired by Senator Frank Ginn (R-Danielsville).

Crime Legislation

- [House Bill 229](#), introduced this week by Majority Caucus Vice-Chairman Houston Gaines (R-Athens) would make it easier for voters to remove a district attorney from office by reducing the requirements to have a recall election. Currently 30 percent of registered voters in a county or judicial circuit need to sign a recall petition for non-statewide prosecutors; the proposed legislation would bring the threshold down to two percent of the voters.
- [House Bill 231](#), introduced this week by Representative Joseph Gullett (R-Dallas), would create the Prosecuting Attorneys Oversight Commission, which would have the power to discipline or remove an elected district attorney or solicitor general, a commission similar to the existing Judicial Qualifications Commission. Representative Gullett introduced a similar piece of legislation last session, but it was not passed by the Senate.
- This week the Senate considered [Senate Bill 36](#) by Senator Randy Robertson (R-Cataula). The measure would impose minimum penalties for pimping and pandering and would change the first offense from a misdemeanor to a felony. The bill passed the Senate along party lines this week, and it has been referred to the Judiciary Non-Civil Committee in the House.
- This week [Senate Bill 44](#) moved a step further in the legislative process, clearing the Senate Judiciary Committee along a party-line vote. The measure, which is part of Governor Kemp’s legislative package this session, is sponsored by Governor’s Floor Leader Bo Hatchett (R-Cornelia). The bill would impose mandatory minimum sentences for violations of the Street Gang Terrorism and Prevention Act—those convicted of recruiting individuals into a gang would be required to serve five to twenty years in prison on top of sentences for other gang-related crimes. The measure was selected by the Senate Rules Committee on Thursday and will be on the Senate floor on Monday.

Tik Tok Ban Legislation

This week House Majority Caucus Chairman Jason Anavitarte (R-Dallas) introduced legislation that would prohibit a state employee from installing or using a social media platform that is controlled or influenced by a foreign adversary on state equipment. [Senate Bill 93](#) would require

the Georgia Emergency Management and Homeland Security Agency (GEMA) to maintain and update a list of foreign adversaries. This legislation comes about two months after Governor Kemp notified state agency heads that TikTok would be banned on all state devices. The bill, which has 31 Republican cosponsors, has been referred to the Veterans, Military, and Homeland Security Committee for consideration.

Gun Bill

This week Representative Charlice Byrd introduced [House Bill 293](#), also called the ‘Second Amendment Preservation Act.’ The bill seeks to protect against infringements on the right to keep and bear arms. Last week former House member and freshman Senator Colton Moore (R-Trenton) introduced similar legislation, [Senate Bill 67](#). Like Senate Bill 67, Representative Byrd’s House Bill 293 would prohibit the enforcement of certain federal laws relative to firearms and would impose a fine of up to \$50,000 for any city, county, or law enforcement agency that employs an officer who knowingly deprives a citizen of his or her Second Amendment rights. House Bill 293 has been assigned to the Judiciary Non-Civil Committee for consideration.

Workforce Development Legislation

This week Senator Larry Walker (R-Perry) introduced legislation that would create the Senate Occupational Licensing Study Committee. [Senate Resolution 85](#), which has over a dozen Republican cosponsors, notes that Georgia has some of the county’s more burdensome occupational licensing laws. It seeks to review how other states have “responsibly reformed occupational licensing to streamline processes, reduce barriers to work, and eliminate unnecessary rules and regulations.” The committee would be composed of five senators appointed by the Lieutenant Governor and would be abolished on December 1, 2023.

This week the Senate considered [Senate Bill 3](#), the “Reducing Barriers to State Employment Act of 2023.” The bill would require state agencies, boards, and public corporations to assess educational and training requirements to identify jobs for which requirements may be reduced. After passing the Government Oversight Committee this week, the bill passed the Senate by a vote of 49 to 1 on Thursday morning.

Vaccine Passport Legislation

This week the Senate passed legislation that would remove the sunset on vaccine passport legislation. Last session [Senate Bill 345](#), sponsored by Senator Jeff Mullis, was passed by the General Assembly and signed by Governor Kemp. The bill prohibits state and local governments from mandating proof of a COVID-19 vaccination for government services. When the measure was under consideration last session, an automatic repeal date of June 30, 2023 was added to allow the legislature to reevaluate the measure this year. [Senate Bill 1](#), authored by Senator Greg Dolezal (R-Cumming), would remove the automatic sunset. The measure to remove the sunset was passed by the Senate Health and Human Services Committee last week; this week it passed the Senate along party lines. Next it heads to the House for further consideration.

Minimum Wage Legislation

This week members of the House minority party introduced [House Bill 241](#), legislation to increase Georgia's minimum wage. The bill, sponsored by Representative Dewey McClain (D-Lawrenceville), would increase the hourly minimum wage from \$5.15 to \$15 per hour. The bill has been assigned to the House Industry and Labor Committee, which is chaired by Bill Werkheiser (R-Glenncville) and has a Republican majority.

Certificate of Need

This week Senator Greg Dolezal (R-Cumming) introduced [Senate Bill 99](#), which would amend Georgia's certificate of need law by providing an exemption from CON requirements for acute care hospitals established in rural counties with populations less than 50,000 that meet certain criteria. The Senate Regulated Industries Committee held a hearing on the bill on Thursday afternoon, but the committee did not take a vote on the measure.