



Legislative Update

March 18, 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.

After a hearing last week, the House Transportation Committee opted not to take a vote on [House Bill 496](#) by Representative James Burchett (R-Waycross). The newest version of the bill would allow vehicles hauling raw forest products, agricultural commodities, and minerals to reach a total gross weight of up to 90,000 pounds with a 2.5 percent allowable variance. This version also reduced the cost of an 'Annual Natural Resources Permit' from \$1,000 to \$150 and included a sunset date of July 1, 2027.

On Crossover Day this week, the bill's author made a last-minute attempt to get the bill passed out of the House Transportation Committee during the day and out of the House by the time the legislature adjourned that evening. The Transportation Committee did not end up meeting that day, so the measure can no longer be considered as a standalone bill this session. However, Representative Burchett is now working to get the provisions from his bill added on to another live bill on the Senate side. GRA is working with the Senate Transportation Committee and Senate leaders to ensure that language from House Bill 496 will not be added to any other bills this session.

Short Line Tax Credit: Last week the House passed [House Bill 1039](#) by Representative Mack Jackson (R-Sandersville), which would extend Georgia's short line tax credit through the end of 2028. GRA is supportive of any enhancements made to the Class III railroad tax credit program, including an extension of the tax credit. The House approved the measure by a vote of 164 to 4 earlier, and on the Senate side it has been assigned to the Finance Committee for consideration.

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.

GRA opposes [House Resolution 1023](#), introduced by Representative Jasmine Clark (D-Lilburn) this week, which would urge the Federal Railroad Administration to take action to regulate the blocking of railroad crossings. This measure has been assigned to the House Transportation Committee for consideration and would only require passage by the House to be adopted, so it is still live this session.

[House Resolution 1027](#), also by Representative Jasmine Clark, would create the House Study Committee on Railroad Crossing Blockages to “determine what can be done legislatively or through railroad company policy to reduce the impacts railroad grade crossing blockages have upon local communities and public safety.” The measure, which is cosponsored by Representative Vance Smith (R-Pine Mountain), has been assigned to the House Transportation Committee for consideration and only requires approval by the House, so it is still live this session.

Last week Representative James Burchett introduced [House Bill 1473](#), which would prohibit a train from blocking a crossing for more than 15 minutes unless the train is stopped due to the mechanical failure of the train; necessary to avoid striking an object or person on the track; due to a derailment or other accident; or in order to comply with federal safety regulations. The bill would also impose a penalty of \$500 for every five minutes a stopped train causes a road to be blocked beyond 15 minutes. The bill did not make it out of the House by the Crossover Day deadline and will not be moving forward as a standalone bill this session. We are monitoring related measures to ensure that language from this bill is not added to another bill.

We are also in opposition to [House Resolution 919](#) by Representative Rick Williams (R-Milledgeville), which would urge the Federal Railroad Administration to follow through with efforts to regulate train length. This measure has been assigned to the House Transportation Committee for consideration and would only require passage by the House to be adopted, so it is still live this session.

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. Language in [House Bill 1372](#) by Representative Vance Smith (R-Pine Mountain) exempts railroads from having to join Georgia 811. This measure has crossed over to the Senate and has been referred to the Senate Regulated Industries and Utilities Committee for consideration.

Overview of General Assembly

This week the legislature convened Tuesday for Crossover Day (Legislative Day 28) and Wednesday through Friday for Legislative Days 29 through 31. The Senate wrapped up their business on Crossover Day around 9:30 PM, and the House was done around 11:00 PM. Any bills that did not successfully pass out of the chamber in which they originated are effectively dead this year and will need to be reintroduced next year. However, in the final days of the legislative session, legislators sometimes attempt to get language from their dead bills attached to related measures that are still alive and moving through the legislative process. Additionally, conference committees—made up of three House and three Senate members appointed to resolve differences between House and Senate positions on certain bills—are sometimes used to attach provisions from related legislation that would not otherwise pass.

While Crossover Day is unarguably one of the busiest days of the year under the Gold Dome, the days immediately following Legislative Day 28 are much slower as the House and Senate typically do not rush to take formal legislative action on bills that came from the other chamber. Next week the legislature will convene Monday, Tuesday, Wednesday, and Friday for Legislative Days 32 through 35. Thursday will serve as a committee work day for members. There are just a few weeks left in the 2022 legislative session— Day 40, *Sine Die*, is scheduled for April 4.

Gas Tax Suspension

Status: Passed House and Senate

Last week Governor Kemp announced plans to work with the legislature to temporarily suspend the state's 29.1 cent per gallon excise tax on motor fuel sales due to the extreme and rapid increase in gas prices as a result of the recent Russian invasion of Ukraine. The measure would take effect upon the governor's signature of [House Bill 304](#) and remain in effect through May 31, 2022. The bill passed the House unanimously last week, and on Crossover Day, the Senate Finance Committee convened to pass it out of committee. The Senate took it up on the floor on Thursday of this week, and it passed unanimously—the measure is now on its way to Governor Kemp's desk for his signature.

Elections Bill

Status: Crossed Over

On Crossover Day the House passed [House Bill 1464](#), an election reform bill sponsored by Representative James Burchett (R-Waycross), by a margin of 98 to 73 after a long period of debate. The measure provides the Georgia Bureau of Investigation with original jurisdiction and subpoena power to investigate election fraud and election crimes and provides that employees must be given time off from work to vote on election day or during early voting. The bill also requires drop boxes to be locked when early voting is not taking place and establishes specific chain of custody requirements for the handling and storage of election materials. The bill has been assigned to the Senate Ethics Committee for consideration.

Horse Racing

Status: Did Not Cross Over

On Crossover Day the Senate was scheduled to consider two measures sponsored by Senate Rules Chairman Jeff Mullis (R-Chickamauga) that would allow gambling on horse racing in Georgia. Senate Resolution 131 proposes an amendment to the Georgia Constitution which, if approved by two-third of the House and Senate and by a majority of Georgia voters, would authorize pari-mutuel and fixed odds betting on horse racing in Georgia. The measure failed in the Senate by a vote of 33 to 20. Chairman Mullis moved to reconsider the resolution, but it was not brought back up for a vote before the Senate adjourned that evening. The enacting legislation, [Senate Bill 212](#), which would create Georgia Horse Racing Commission, was tabled and did not receive a vote on Crossover Day.

Mental Health Parity

Status: Crossed Over

After passing the House by a vote of 169 to 3 last week, Speaker David Ralston's (R-Blue Ridge) mental health parity bill, [House Bill 1013](#), is beginning to make its way through the Senate. This week Senate leaders and mental health advocates held a press conference at the Capitol to discuss the important impacts this legislation will have on Georgia families. The bill will be carried in the Senate by Senator Brian Strickland (R-McDonough), who spoke at Wednesday's press conference. Senator Kay Kirkpatrick noted that there would be changes made to the bill on the Senate side, which would require the bill to go back to the House for further consideration. The Senate has created a special subcommittee within the Health and Human Services Committee to do a deeper dive into mental health and House Bill 1013—the subcommittee is chaired by Senator Dean Burke (R-Bainbridge) and also includes Senator Ben Watson (R-Savannah), Senator John Kennedy (R-Macon), Senator Michelle Au (D-Johns Creek), and Senator Brian Strickland.

Legislator Pay Raise

Status: Crossed Over

On Crossover Day the House passed [House Resolution 842](#) by Representative Wes Cantrell (R-Woodstock), which would establish a salary for sitting senators and representatives of 60 percent of the median household income in Georgia, which is determined biannually by the Georgia Department of Labor. State House and Senate members currently earn about \$17,000 plus a per diem. The measure proposes an amendment to the constitution, which requires approval from two-third of each chamber and a majority of Georgia voters through a ballot question. It passed the House by a vote of 136 to 33 and next heads to the Senate for consideration.

Longer Senate Terms

Status: Crossed Over

On Crossover Day, the Senate approved a measure that would extend the terms of state senators from two years to four years. [Senate Resolution 623](#), authored by outgoing Senator Lindsey Tippins (R-Marietta), passed the Senate by a vote of 49 to 3—Senator Matt Brass (R-Newnan), Senator Greg Dolezal (R-Cumming), and Senator Steve Gooch (R-Dahlonega) were the only ‘no’ votes on the measure. In a committee hearing, Senator Tippins said he would leave it up to House members whether they should also be included in the term length extension. Extending legislators’ term length would require an amendment to the Georgia Constitution, so it will still need two-thirds approval from the House and then approval of a majority of Georgia voters through a ballot question.

Healthcare Workforce Development Measures

Status: Crossed Over

Two measures that seek to address healthcare workforce issues were approved by the House by the Crossover Day deadline. [House Bill 1520](#) by Representative Lee Hawkins (R-Gainesville) would create the Georgia Council on Addressing Health Care Workforce Challenges, which would be made up of 27 members appointed by the governor, lieutenant governor, and Speaker. The council would be tasked with providing strategic thought leadership and recommendations on the future of the health care workforce in Georgia.

[House Bill 1371](#) by Representative Rick Jasperse (R-Jasper) would create the Rural Health Advancement Commission, a 13-member commission that would be tasked with developing private-sector solutions to address short-term and long-term health care and long-term care workforce shortages, with an emphasis on rural areas. Both bills have been assigned to the Senate Government Oversight Committee for consideration.