



*Legislative Update*

**February 25, 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.

Representative Steven Meeks (R-Screven) introduced [House Bill 189](#) earlier this session, which would increase truck weight limits to 90,000 pounds (80,000 pounds with a 12.5 percent variance), 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).

Several weeks ago, 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 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.

Recall that, after a nearly six-hour hearing, the House Transportation Committee voted to pass the bill by a vote of 18 to 11.

Last week, the House Rules Committee referred the bill back to the Transportation Committee, meaning that required passage by the Transportation Committee again in order to move forward in the legislative process.

This week, the House Transportation Committee put an updated version of the bill on the agenda for a vote. The most recent version of the bill (attached to this email) reinstates

the references to specific commodities, e.g., forest products, live poultry, granite, concrete, etc., that would be covered under the proposed 12.5 variance.

The bill passed out of the House Transportation Committee by a margin of 12 to 7 this week, so it is now once again eligible for selection by the House Rules Committee for a floor vote.

On the Senate side, last week Senator Russ Goodman (R-Cogdell) introduced [Senate Bill 165](#), which is identical to the original House version that was introduced. The bill has approximately 30 bipartisan cosponsors and has been referred to the Senate Transportation Committee, which is now chaired by Senator Greg Dolezal (R-Cumming).

On Friday afternoon, the bill was placed on the Transportation Committee calendar for this coming Monday at 1 PM. The bill is on the agenda for a hearing only, so the committee is not scheduled to take a vote on the legislation.

**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 convened Tuesday through Thursday for Legislative Days 21 through 23. At this point in the session, we are still seeing a significant number of bills introduced in both chambers each day, and committee meetings are increasingly running longer, but the clock is quickly running down for members looking to pass bills this session.

Legislators now have just one full week left to pass their bills out of their assigned committees, have them selected by the Rules Committee, and passed out of the chamber in which they originated—the Crossover Day deadline (Legislative Day 28) is Monday, March 6. Following Crossover Day, each chamber will focus its attention on bills that have been passed by the opposite chamber. The final day of the 2023 legislative session, *Sine Die*, is Wednesday, March 29.

Next week the General Assembly will be back in session Monday through Thursday for Legislative Days 24 through 27. Next Friday, March 3 will serve as a committee work day for legislators.

### **Amended Fiscal Year 2023 Budget**

The passage of a balanced budget is the only constitutionally required action item for legislators each session. Senate Appropriations subcommittee chairmen have spent weeks convening to craft their budget recommendations for Amended Fiscal Year 2023. This week, the full Senate Appropriations Committee, chaired by Senator Blake Tillery (R-Vidalia), passed the Senate’s version of [House Bill 18](#), the supplemental appropriations bill for AFY23.

Chairman Tillery presented the AFY23 budget on the Senate floor on Thursday, noting that the budget represented an approximately 6.8 percent increase over last year’s budget. Chairman Tillery also told his Senate colleagues that there was more “wiggle room” in the AFY23 budget compared to the FY24 budget, which the Senate will soon be considering.

The Senate passed the AFY23 budget almost unanimously, and the bill was immediately transmitted back to the House. A conference committee made up of three senators and three representatives will likely be appointed to work through the House and Senate differences in the budget.

### **Tort Reform Legislation**

There have been a number of bills introduced in the last several weeks that seek to improve Georgia’s legal environment.

- On Wednesday the Senate Insurance and Labor Committee considered [Senate Bill 186](#), sponsored by Senator Greg Dolezal (R-Cumming). The “Georgia Landowners Protection Act” would revise current standards for landowners found liable for certain incidents taking place involving third party criminals. The committee heard public testimony on the bill but did not take any action.
- On Wednesday the Senate Transportation Committee considered [Senate Bill 196](#), sponsored by Senator Ben Watson (R-Savannah), which would create the failure to wear a seat belt for children as admissible evidence in civil action cases. A motion to pass the bill out of committee by substitute version failed.
- [Senate Bill 191](#), introduced by Senator Shawn Still (R-Norcross), takes away the ability for plaintiffs to join motor carrier and insurance companies in the same action. The measure was passed by the Senate Transportation Committee this week, so it is now eligible for selection by the Rules Committee.

## **Sports Betting**

- Following a hearing only last week, this week the Senate Economic Development again took up [Senate Bill 57](#) by Senator Billy Hickman (R-Statesboro). The bill would allow sports betting as well as fixed-odds betting on horseracing in Georgia. The measure passed the committee by a margin of 8 to 1 and is now eligible for selection by the Rules Committee.
- On Thursday afternoon the Senate Regulated Industries Committee took up [Senate Bill 172](#), sponsored by Senator Bill Cowsert (R-Athens), which would authorize and provide for the regulation and taxation of sports betting in Georgia. The measure, which has bipartisan cosponsors, did not receive a vote in committee. A corresponding Senate Resolution, [Senate Resolution 140](#), also authored by Senator Cowsert, proposes an amendment to the Georgia Constitution to legalize sports betting. The Resolution was passed by the Regulated Industries Committee and is now eligible for selection by the Rules Committee.

## **Governor Kemp's Legislative Priorities**

- On Thursday the House considered [House Bill 162](#) on the floor. The measure, which is sponsored by Governor's Floor Leader Lauren McDonald (R-Cumming), would provide a one-time tax credit of \$250 for individuals and \$500 for married couples who filed taxes in Georgia in 2021 and 2022. The bill passed the House 170 to 2 and next heads to the Senate for consideration.
- On Thursday Governor's Floor Leader Bo Hatchett (R-Cornelia) introduced [Senate Bill 237](#), which would provide student loan repayment of up to \$20,000 for peace officers. The bill, which is cosponsored by the other Governor's Floor Leader in the Senate, Senator Mike Hodges (R-Brunswick), is one of Governor Kemp's legislative priorities for this session. The bill has been assigned to the Public Safety Committee for consideration.

## **Mental Health Reform**

After the passage of sweeping mental healthcare legislation last session under the leadership of the late Speaker David Ralston, this week the House announced another comprehensive mental healthcare reform bill, [House Bill 520](#). The bill is sponsored by Representatives Todd Jones (R-South Forsyth) and Mary Margaret Oliver (D-Decatur), who carried last year's mental health reform bill, along with Majority Leader Chuck Efstrotation (R-Dacula), Minority Leader James Beverly (D-Macon), Public Health Committee Chairman Sharon Cooper (R-Marietta), and Special Committee on Healthcare Chairman Butch Parrish (R-Swainsboro).

The 50-page bill would expand Georgia's loan forgiveness program for mental health care providers; create new authorities for sharing and collecting data; seeks to define "serious mental illness;" and includes a funding mechanism to allow the legislature to appropriate funds in the Fiscal Year 2024 budget for crisis services in Fulton, Laurens, and Muscogee counties.

## **Transgender Legislation**

This week the Senate Health and Human Services Committee considered two bills that address transgender procedures for minors.

[Senate Bill 141](#), sponsored by Senator Clint Dixon (R-Buford), would prohibit health care providers from performing or aiding in the performance of medical practices on minors relating to gender. To accommodate the large number of individuals who wished to be recognized for public comment, the committee's chairman Ben Watson (R-Savannah) decided not to have the committee take any action on the legislation.

[Senate Bill 140](#), sponsored by Senator Carden Summers (R-Cordele), would prohibit certain procedures and therapies for the treatment of gender dysphoria in minors. After receiving a hearing in the Health and Human Services Committee, the measure passed out of the committee along a party-line vote and is now eligible for selection by the Rules Committee.

## **Antisemitism Legislation**

[House Bill 30](#), sponsored by Representative John Carson (R-Marietta), would provide a definition of 'antisemitism' in Georgia Code and would add any antisemitic actions to Georgia's hate crimes statute. The bill's cosponsors include Majority Leader Chuck Efration (R-Dacula) and Representative Esther Panitch (D-Sandy Springs), who is the only Jewish member of the state legislature. The bill was favorably reported by the Judiciary Committee this week and is now eligible for selection by the House Rules Committee.

## **Certificate of Need Legislation**

This week the Senate Regulated Industries Committee considered two pieces of legislation that would amend Georgia's certificate of need laws. Both bills were passed by the committee and have been placed on the Senate floor calendar for Monday.

- [Senate Bill 99](#), sponsored by Senator Greg Dolezal (R-Cumming), 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 bill was amended in committee and passed by a margin of 7 to 4.
- [Senate Bill 162](#), sponsored by Health and Human Services Chairman Ben Watson (R-Savannah), was described in committee as a "total revamp of CON." The original version of Senator Watson's bill did away with certificate of need entirely, a move which he called "overreaching." The version of the bill considered by the Regulated Industries Committee this week would replace the certificate of need with a special healthcare services license. An amendment offered by Senator John Albers (R-Roswell) removed the requirement that a hospital's capital expenditure be greater than \$10 million to be exempt from the special healthcare services license process. The bill was also amended

to include provisions from Senate Bill 99. After a failed motion to table the bill, the committee took a vote. Regulated Industries Chairman Bill Cowser (R-Athens) served as the tie-breaking vote to let the bill move on to the Rules Committee.

### **Longer Terms for State Legislators**

[House Resolution 212](#), sponsored by Representative Angela Moore (D-Stonecrest), proposes an amendment to Georgia's constitution that would extend terms for state senators and representatives from two years to four years beginning in 2026. The resolution would require two-thirds approval by both the House and Senate, and then the question would go to Georgia voters on the ballot.