



Legislative Update

March 24, 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 seeks to increase maximum allowable truck weights in Georgia. The original version of the bill would have allowed trucks of up to 90,000 pounds (80,000 pounds with a 12.5 percent variance) and removed any reference to specific commodities that could use the variance, so that the heavier weight limits would apply to all trucks.

The version passed out of the House by a two-vote margin would allow a 10 percent variance (up to 88,000 pounds) for trucks carrying the specific commodities currently covered in Georgia Code, e.g., forest products, live poultry, granite, concrete, etc.

This week the Senate passed a version of the bill that would do the following:

- Allows a 10 percent variance for trucks carrying agricultural or farm products within a 75 mile radius outside of a nonattainment area (essentially outside of the metro Atlanta area);
- Includes a July 1, 2024 sunset for the additional variance;
- Increases the monetary penalties for hauling above the allowable weights; and
- Authorizes local law enforcement to issue citations and warnings to truck drivers hauling over the legal limit, a function that is currently limited only to the Department of Public Safety.

Because the Senate changed provisions in the bill, it must next go back to the House for House members to approve or reject changes made by the Senate. In the floor debate on the bill this week, Majority Leader Steve Gooch (R-Dahlonega), Senate Transportation Chairman Greg Dolezal (R-Cumming), and Senator Brandon Beach (R-Alpharetta) emphasized the importance of additional infrastructure funding. Chairman Dolezal told House members this would be the best deal they would get on the bill; and Leader Gooch warned the House against sending back a bill that included higher weights or more industries that would receive the additional variance.

On the Senate side, Senator Russ Goodman (R-Cogdell) introduced [Senate Bill 165](#) earlier this session, which is identical to the original House version that was introduced (90,000 pound maximum for all trucks). Several weeks ago, the Senate Transportation Committee, chaired by Senator Greg Dolezal (R-Cumming) held a hearing on the measure, but did not take a vote, so the bill was ineligible for floor action on Crossover Day.

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:

This week two Senate Resolutions were introduced, which GRA opposed:

- [Senate Resolution 376](#), sponsored by Senator Randy Robertson (R-Columbus), would urge the United States Congress to pass S-576, the Railway Safety Act of 2023. The bill has been assigned to the Transportation Committee for consideration, and is ineligible for further legislative action at this late point in the session.
- [Senate Resolution 383](#), sponsored by Senator Rick Williams (R-Milledgeville), would create the Senate Study Committee on Railway Safety. The resolution was assigned to the Rules Committee this week, but it was not placed on a consent calendar with other study committee resolutions. We are continuing to monitor this resolution to ensure that it does not end up on the floor in the final days of the session.

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.

Freight and Logistics: Following a two-year study on freight and logistics by the House and Senate, House Transportation Chairman Rick Jasperse has introduced [House Bill 617](#), which

would provide for the development and maintenance of a statewide freight and logistics implementation plan. The bill passed the House Transportation Committee ahead of Crossover Day, but was never called up for a vote on the House floor.

Broadband Legislation: Last week the House unanimously passed [Senate Bill 193](#), which would provide for the Department of Community Affairs to determine locations that are eligible for state or federal funding programs administered by the state for improved broadband services. Since the measure was not amended by the House, the next step is for it to be sent to the governor's desk for his consideration.

Overview of General Assembly

During the last full week of the 2023 Legislative Session, the General Assembly convened Monday, Tuesday, and Thursday for Legislative Days 36 through 38. Wednesday served as a committee workday for members working to get their bills out of committee and onto the floor ahead of next Wednesday, which is *Sine Die*.

While the House is typically more procedurally flexible than the Senate, with committees sometimes passing bills that end up on the House floor later the same day, this week House Rules Chairman Richard Smith (R-Columbus) announced that any bills not passed out of committee by Wednesday, March 22 would not be eligible for further legislative action this session. The Senate convened late on Thursday to allow House bills a final opportunity to pass out of committee that morning.

In addition to voting on legislation on the floor this week, the House and Senate took up a number of agree/disagree motions. If a bill is amended by the opposite chamber, it must first go back to its original chamber for members to either agree or disagree with the changes made to the bill. If the original chamber votes to agree to the changes made, the bill is sent to the governor's desk. If each chamber insists on its own version of the bill, a conference committee made up of three representatives and three senators is appointed to resolve the differences between the House and Senate versions of the bill.

Next week the legislature will be in session Monday and Wednesday for the final two days of the session. After the General Assembly adjourns *Sine Die* at midnight on Day 40, Governor Kemp and his team begin the 40-day bill review process, during which they will assess the legislation that was passed by the General Assembly to determine which measures Governor Kemp will sign and which measures he will veto. If the governor takes no action on a bill, the bill becomes law. A governor's veto of a bill requires a two-thirds majority of both the House and the Senate to override.

The governor has already signed several pieces of legislation this session, including the Amended Fiscal Year 2023 budget, a bill that provides a tax refund to Georgians, and a bill prohibiting gender reassignment surgery and hormone therapy for minors with gender dysphoria.

Fiscal Year 2024 Budget

This week the Senate Appropriations Committee, chaired by Senator Blake Tillery (R-Vidalia), met to approve a committee substitute version of [House Bill 19](#), the Fiscal Year 2024 budget.

The Senate's version of the budget includes a \$2,000 pay raise for teachers; a \$6,000 pay raise for state law enforcement; 100 percent tuition paid for HOPE scholarship recipients; \$5 million to screen for dyslexia; and \$5 million to end foster care hoteling. The major difference in the Senate budget is the removal of the approximately \$105 million in the University System budget for an information system that is intended to be part of a planned partnership between Augusta University Health System and WellStar.

To resolve the differences between the House and Senate versions of the budget, a conference committee was appointed by Speaker Jon Burns and Lieutenant Governor Burt Jones. When a consensus is reached among conference committee appointees, both chambers will vote on the conference committee report before the Fiscal Year 2024 budget can be sent to Governor Kemp's desk. The passage of a balanced budget is the only constitutionally mandated action item for legislators each session.

Sports Betting

Last week the Senate Economic Development Committee members voted to add language allowing sports betting under the Georgia Lottery to [House Bill 237](#). Provisions of the original bill, sponsored by Representative Leesa Hagan (R-Lyons), would designate the Southeast Georgia Soap Box Derby as the official soap box derby of the State of Georgia. At the request of Representative Hagan, the language relating to the soap box derby was taken out of the substitute version of the bill entirely, so the substitute version of the bill only addresses sports betting. Unlike some other sports betting measures, this bill does not seek to amend Georgia's constitution, so the bill requires a simple majority rather than a two-thirds majority to pass.

On Thursday afternoon, Senator Brandon Beach (R-Alpharetta), who sits on the Rules Committee, selected the bill to receive a Senate floor vote next week. Because the bill has been amended on the Senate side, if the measure is passed by the full Senate, it will need to go back to the House for final approval before it could go to Governor Kemp's desk.

Different sports betting measures have failed in the Senate earlier this session—one measure, which would have amended Georgia's constitution to legalize sports betting, failed to meet the requisite two-thirds majority to pass. The other failed measure to legalize sports betting, which only required a simple majority vote to pass, also included language to legalize horse racing in Georgia.

Language from Representative Hagan's soapbox derby bill, the original House Bill 237, has been substituted into Senate Bill 158, a bill that would have originally provided insurance discounts for retrofitting properties to better resist natural disasters.

Apex Doctrine Legislation

[House Bill 530](#), sponsored by Rep. James Burchett (R-Waycross), addresses an issue known as the "Apex Doctrine." This measure would allow a court to grant a protective order prohibiting the deposition of high-ranking corporate officers who lack unique, personal knowledge of any matters relevant to the lawsuit. The measure passed the House overwhelming earlier this session, and on Thursday evening, it was selected by the Senate Rules Committee to go to the floor for a

vote next week. House Bill 530 is the only remaining tort reform legislation still alive this session.

Governor Kemp's Legislative Priorities

- [Senate Bill 42](#), sponsored by Senator Mike Hodges (R-Brunswick), would increase the fines for businesses that fail to comply with model notice requirements for the human trafficking hotline. This week the measure, which was carried in the House by Representative Will Wade (R-Dawsonville), passed out of the House unanimously. Next it heads to Governor Kemp's desk for his signature.
- [House Bill 130](#), sponsored by Representative Matthew Gambill (R-Cartersville), would create a program to repay up to \$20,000 in educational loans for up to 800 officers in exchange for 5 years of service. The bill passed the House unanimously earlier this session. This week, it was selected by the Rules Committee for a Senate floor vote next week. The bill will be carried in the Senate by Senator Bo Hatchett (R-Cornelia).
- On Thursday evening the House the Senate considered [House Bill 128](#), by Representative Soo Hong (R-Lawrenceville), which would provide for the representation of minority business enterprises, women owned businesses, and veteran owned businesses in the area of procurement of state contracts for construction, services, equipment, and goods. The measure, which was carried on the Senate floor by Mike Hodges (R-Brunswick), passed the Senate 44 to 1. Next it heads to Governor Kemp's desk.

Transgender Legislation

On Tuesday the Senate considered [Senate Bill 140](#), sponsored by Senator Carden Summers (R-Cordele), which would prohibit doctors from performing sex change operations or providing certain hormones like estrogen and testosterone to minors with gender dysphoria.

The House Health and Human Services Committee added an amendment to the bill that would hold physicians and health care practitioners civilly liable or criminally responsible for damages, injury, death, or loss related to gender reassignment surgeries or therapies. The bill was passed by the House last week 96 to 75, but because the House committee modified the language in the bill, it had to be sent back to the Senate for an "agree" or "disagree" motion.

On Tuesday, the Senate considered Senate Bill 140 as amended by the House. After a lengthy floor debate, the Senate voted 31 to 21 to agree to the House version of the measure, sending it to Governor Kemp's desk. On Thursday Governor Kemp announced he signed the measure into law.

COVID Passport Legislation

On Thursday the House considered [Senate Bill 1](#) by Senator Greg Dolezal (R-Cumming). The bill would remove the sunset on the prohibition on state and local governments from requiring proof of COVID vaccination for government services. The prohibition is currently set to expire June 30, 2023. Last week there was a tie vote in committee on the bill, with Chairman Sharon Cooper serving as the tie-breaking vote to pass it out of committee. The measure passed the House 99 to 69 and now heads to the governor's desk for his consideration.

TikTok Ban

This week the House considered [Senate Bill 93](#), which 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. The legislation would require the Georgia Emergency Management and Homeland Security Agency (GEMA) to maintain and update a list of foreign adversaries. The bill passed the House unanimously, but it must go back to the Senate for final approval since a House committee made minor changes to the legislation.