



LEGISLATIVE Update

February 7, 2020

The House and Senate were in session this week for legislative days 10 through 12. Legislative day 13 was scheduled for Thursday, but on Wednesday, the legislature passed a new adjournment resolution, rescheduling Day 13 for February 18. The House and Senate will not be in session next week, which will allow the House to spend more time working on this year's high stakes budget.

Religious Liberty

On Tuesday, Senator Marty Harbin (R-Tyrone) filed Senate Bill 368, which would allow faith-based adoption agencies to refuse to place children with couples that violate "certain religious or moral convictions." Harbin said the bill is intended to preserve choice for mothers who want to ensure their child grows up in a particular religious background. Though he has not yet commented on this piece of legislation, Governor Kemp has made it a legislative priority this session to increase the ease of adoption in Georgia. Senator Harbin has introduced similar legislation in past years.

Texting While Driving

Following this passage of his bill two years ago that banned phone use while driving, this year Representative John Carson is working to pass House Bill 113, which would double the fines for those caught using their phone while driving, increase the penalties for violations in work zones and school zones, and intend the fines raised from violation to go to the Georgia Trauma Fund. The bill was heard in the House Public Safety Committee this week, though no action was taken on it. Committee members were generally supportive of Representative Carson's efforts, though they expressed concerns with certain aspects of the bill.

Surprise Billing

In his State of the State Address he gave during the first week of the session, Governor Brian Kemp announced several of his legislative priorities, one of which was to address surprise billing. Senate Finance Chairman Chuck Hufstetler (R- Rome) this week introduced Senate Bill 359, which would provide consumer protections against surprise billing. The bill would provide mechanisms to resolve payment disputes between out-of-network providers regarding the provision of healthcare services. Representative Lee Hawkins dropped a similar bill, House Bill 888 in the House. As a priority of the governor's office, the bill is expected to move relatively quickly through the Senate and House.

Testing in Public Schools

In a press conference on Tuesday flanked by Republicans and Democrats, Governor Brian Kemp announced he would back legislation that would further reduce the number of tests required for students. This push for fewer tests comes after Kemp's statewide tour last year in which he listened to the concerns

of school leaders, teachers, and parents. Among the concerns the governor heard was the burdensome number of standardized tests that students are required to take each year. In 2016, the legislature already reduced the number of mandatory standardized tests from 32 to 24, but this is still significantly higher than the 17 tests that are required by federal laws. Senator Martin's SB 367 was first read in the Senate on Wednesday.

Daylight Savings

A bill that would give Georgians the option to vote on doing away with daylight savings time was heard in committee this week, but did not receive a vote. Representative Wes Cantrell (R-Woodstock) introduced House Bill 709 last session, noting that he receives a large number of phone calls from constituents complaining about the time change and citing the increase in the number of traffic accidents that correspond with the time change. The bill has received a great deal of attention, though some members have expressed concerns about its potential to adversely affect business with other states. Senator Ben Watson (R-Savannah) introduced similar legislation in the Senate, Senate Bill 351, which has a long list of co-sponsors from both parties.

Vaping

Representative Bonnie Rich (R-Suwanee) introduced legislation this week to tackle vaping. House Bill 864 would impose a 7 percent excise tax on vaping products and set a \$250 licensing fee for businesses that sell them. As a mother of teenagers, Representative Rich cited the harmful effects of youth vaping in her community as an impetus for the legislation.

Short Term Rentals

Another bill garnering some attention under the Gold Dome this week is House Bill 523. Last session, Representative Kasey Carpenter (R- Dalton) introduced House Bill 523, which would prohibit local governments from regulating short term rental properties or residential properties that are rented for less than eight days. The bill was passed out of the House Regulated Industries Committee on Tuesday this week, and next heads to the House Rules Committee before it can head to the floor for a full vote in the House.

GRA Legislative Update

House Bill 820, introduced last week by House Transportation Chairman Kevin Tanner, is a product of the Freight and Logistics Commission's recommendations. It would create a budget placeholder for rail and would create the Georgia Freight Railroad Program, which would be administered under the Georgia Department of Transportation. The bill was favorably reported out of the House Transportation Committee and next heads to the House Rules Committee before it can head to the House floor for a full vote. This week, Senate Majority Whip Steve Gooch introduced a similar piece of legislation in the Senate, Senate Bill 371.

Under HB 820/SB 371, there would be three subprograms within the Georgia Freight Railroad Program:

- Rail Enhancement Fund, which would focus on large rail improvement capital projects that enhance safety and support economic development;

- Rail Preservation Fund, which would focus on small rail maintenance projects that help the continuation and preservation of short line railroads that provide access to both urban and rural communities; and
- Rail Industrial Access Fund, which would focus on the construction of rail infrastructure that connects industry to existing rail lines in urban and rural areas of the state.

After being unanimously passed out of the House Transportation Committee last week, House Resolution 935, which would extend the Joint Committee on Freight and Logistics Commission for an additional year, was this week adopted by the House by a vote of 169 to 0.

We are continuing to keep an eye on several pieces of legislation that did not pass last session, but are still in play for this session:

HB 190, Two Man Crew: GRA opposes HB 190, introduced by Representative Rick Williams, which seeks to require a train that is in use for the movement of freight to operate with at least two crew members. The bill also seeks to require railroad companies to provide automated external defibrillators on trains and provides for monetary penalties for failure to comply with the proposed provisions in the bill. There has not been any movement on this piece of legislation yet this session.

HB 375, Rail Crossings: GRA opposes HB 375, introduced by Representative Joseph Gullett. The proposed legislation 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, except under certain circumstances. There has not been any movement on this piece of legislation yet this session.

SB 96, Whistle Posts: GRA opposes SB 96, introduced by Senator Randy Robertson last session, which would require railroad companies to put up and maintain whistle posts at least 0.25 miles ahead of an approaching private grade crossing. There has not been any movement on this piece of legislation yet this session.

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. Though there has not been legislation introduced relating to truck weights, we are keeping a close eye on this issue following a recommendation by the Senate Study Committee on Reducing Georgia's Cost of Doing Business during the interim to address truck weights.

Protecting Railroad Right of Way: In 2019, the General Assembly passed SB 2, designed to facilitate Electric Membership Corporations (EMCs) to provide broadband services to rural Georgia. One provision allows the EMCs to add additional facilities on existing electric easements without additional consideration or safety measures. GRA has been working with members to address the concerns raised by SB 2. This week Senate Majority Whip Steve Gooch filed Senate Bill 370, which specifies that EMCs are required to comply with the application, review, safety, and permit requirements of railroad companies and state agencies when working in an electric easement that is located on property controlled by railroads or state agencies. We will keep you updated on its movement this session.