



LEGISLATIVE Update

January 31, 2020

Following a busy week of budget hearings, the legislature was back in session this week for legislative days 5 through 9. As is usually the case following budget week, the legislature saw a great number of bills introduced in both the House and Senate. Additionally, some House and Senate committees began to hold hearings for bills to begin to move them through the committee process.

Elections and Politics

The bill garnering the most attention under the Gold Dome at the beginning of the week was HB 757, which, ironically, was the same bill number of the highly contentious religious liberty bill during the 2015-2016 session. The bill seeks to amend the election process for Georgia's US Senators; the effect of which would be to force US Senator Kelly Loeffler, who Governor Brian Kemp selected to replace Senator Johnny Isakson, into a Republican primary election against Congressman Doug Collins, who this week officially announced his intention to run for US Senate. The House pushed the legislation through the committee process this week despite Governor Kemp's threat to veto the legislation. On Thursday morning, however, the bill was sent back to committee for further work.

Dual Enrollment

Also widely discussed this week was the Senate's passage of HB 444, the Dual Enrollment Act, which would reduce the maximum number of college credit hours a high school student can earn in a dual enrollment program that is paid by state funding to 30 hours. The dual enrollment program has far exceeded expectations as it has become wildly popular throughout Georgia in recent years. As a result, the costs have also exceeded expectations. The limitations imposed by House Bill 444 are expected to minimize those costs to the state.

Horse Racing

One of the most contentious issues this session so far remains the question of whether casinos, horse racing, and sports betting should be legalized. Last session, Senator Brandon Beach introduced Senate Resolution 84, which would put the question of whether horseracing should be legal in Georgia on the ballot, and Senate Bill 45, which would create the Georgia Horse Racing Commission, which would approve licenses and regulate facilities for horse racing. Interested parties packed the Senate Economic Development and Tourism committee on Wednesday where the horse racing resolution and bill were scheduled to be heard, but committee chairman Frank Ginn announced he would be postponing a vote on the bills to allow more time for the senators to consider them.

Sex Trafficking

Following a press conference held by the GRACE (Georgians for Refuge, Action, Compassion, and Education) Commission last week, Representative Houston Gaines introduced HB 823, which would disqualify an individual convicted of human trafficking from operating a commercial motor vehicle.

Governor Kemp and First Lady Marty Kemp have made fighting human trafficking in Georgia an administration priority, and we expect to see several more bills on the issue this session.

GRA Legislative Update

The biggest rail-related news out of the General Assembly this week was the report finalized by the 2019 Freight and Logistics Commission, which dovetails into the introduction of House Bill 820 by House Transportation Chairman Kevin Tanner. You will receive a copy of the full 2019 report when it is released to the public. House Bill 820, which is a product of the Freight and Logistics Commission's recommendations, 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.

Under HB 820, 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.

In the House Transportation Committee where Chairman Tanner presented the bill, he noted that this proposed legislation is important because it identifies rail as a priority in our state. The legislation received a unanimous "do pass" recommendation, and will be sent to the House Rules Committee before it heads to the House floor for a vote.

Also in the House Transportation Committee, Chairman Tanner presented House Resolution 935, which would extend the Joint Committee on Freight and Logistics Commission for an additional year. The resolution was unanimously passed out of the committee and heads to the House Rules Committee.

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. Though there has not yet been movement this session on any of the bills listed below, we are closely watching them, and will update you should any of these bills begin to move.

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 is working with members to address the safety and financial concerns raised by Senate Bill 2 and will keep you updated on any developments.