

2021 Georgia General Assembly Legislative Days 17-19 Overview



Housekeeping

The Georgia General Assembly convened for the sixth week (Legislative Days 17-19). During the week, the General Assembly saw a large amount of movement of the election reform bills with many passing out of the Senate Ethics Committee. As this is being written, of the 785 of the total bills introduced by the Georgia General Assembly, 9.68% of all the bills have been election bills. Additionally, Governor Brian Kemp also introduced legislation to repeal Georgia's citizens' arrest law following the murder of Ahmaud Arbery. On the federal level, the Biden administration thwarted Kemp's Medicaid plan affecting 50,000 Georgians. The General Assembly will reconvene on Monday, February 22nd for Legislative Day 20.



House Bill 479 - Citizens' Arrest Laws

On Tuesday February 16th, Governor Kemp's Floor Leader introduced House Bill 479 that would end citizens' arrest in Georgia. The bill had bipartisan sponsors, and Governor Kemp highlighted it as a top priority this legislative session. Action on this issue arose from the tragic murder of Ahmaud Arbery in Brunswick, Georgia in February 2020. Arbery's death was in the spotlight of the Black Lives Matter protests last year, and a bipartisan coalition of legislators have been voicing their support in repealing the citizen's arrest law since. Georgia's citizen arrest law has been in statute since the Civil War, and has largely been viewed as outdated. The National Association of Advancement of Colored People (NAACP) praised Governor Kemp on the action, and has announced support for this legislation.



Election Bills on the Move

Various election bills are on the move this week. Committees have been working steadfast in holding votes on bills, and providing substitutes and amendments as they see fit. One of the most closely watched bills, SB 67 sponsored by Caucus Vice-Chairman Sen. Larry Walker III, passed Senate Ethics with major changes. Originally introduced to require voters to submit photocopies of their IDs with their absentee ballot applications, the bill has been changed by substitute to allow for just driver license numbers to be listed instead. Numerous other bills were passed in Senate Ethics and the House's Special Committee on Election Integrity.

The following elections bills moved this week:

Sen. Butch Miller , SB 89 - This bill would create the position of an Elections Assistance Officer in the Secretary of the State's Office that is selected by the State Elections Board. The Officer would work closely with local election officials on training and voting processes.

This bill passed Senate Ethics.

Sen. Larry Walker III, SB 67 - This bill would require an additional step of identification to be provided from voters when sending their absentee ballot application. In order to ensure their identity, voters would need to provide either a driver's license number, a state ID number, or supply a copy of an acceptable form of photo ID (ex: passport).

This bill passed Senate Ethics.

Sen. Bill Cowser - SB 184 - This bill would shorten the time county election officials have to input voter information into the state's system from 60 days to 30 or face a \$100-a-day fine.

This bill passed Senate Ethics.

Sen. Jen Jordan - SB 40 - This bill would require county officials to begin processing absentee ballots eight days before election day, aiming to cut down on delays in counting mail-in ballots on election days.

This bill passed Senate Ethics.

Rep. Barry Flemming - HB 531 - This bill is a large omnibus bill that covers an array of election reform. This bill has sweeping changes to Georgia's election systems, and includes language to change: outside funding that county elections offices would be able to receive, abilities for poll workers to serve in adjacent counties, additional voting machines and poll workers for long lines, restrictions on mobile precincts, increased flexibility for county election officials, absentee ballot application regulations, drop boxes, instant runoff ranked-choice voting for military members, weekend voting, signature verification, giving food or water to voters standing in line, out-of-precinct provisionals, among others.

This bill is being heard in the House Special Committee on Election Integrity.



Governor Kemp's "Georgia Pathways"- in Limbo

On Monday, February 15th, President Joe Biden's administration put Governor Kemp's "Georgia Pathways" Plan on hold, shifting his plan from "approved" to now "pending." Governor Kemp's plan is a unique proposal to the federal government that would have covered 50,000 Georgians. Georgia was issued thirty days to respond to the proposal change. The Biden administration's reasoning for the action is because of components of the plan that included "work and community involvement" requirements. Since 2013, Democrats in Georgia have pushed for full Medicaid expansion under the Affordable Care Act, while Republicans in Georgia have noted that full expansion would be too expensive for the state in the long run. There has been speculation that Democrats in the U.S. Senate are thinking of adding federal aid incentives for states who decide to enroll in full Medicaid expansion.

General Bills

HB 80 (Speaker David Ralston) - This bill is the Supplemental "Midterm" Budget Bill. This bill passed the House and the Senate and was sent to the Governor on February 11th. This is important as it is one of the required bills. The other required bill is the FY22 budget.

This bill was fully passed by the general assembly, signed by the governor, and came into effect Feb. 15.

HB 112 (Rep. Trey Kelley) - This bill extends the applicability of the COVID-19 liability protections enacted last year for one year beginning on July 14, 2021. This bill was

passed out of the Special Committee on Access to the Civil Justice System. This bill was passed by the House. The Senate read and referred to the Judiciary Committee.

HB 270 (Rep. Barry Flemming) - This bill stops the issuing of absentee ballots within ten days of primary or election day, pushing it seven days earlier than the current deadline. This bill was passed by the Georgia House Special Committee on Election Integrity on Thursday, February 9th.

HB 86 (Rep. Ron Stephens) - This bill would create the Georgia Lottery Mobile Sports Wagering Integrity Act. This Act would allow for Georgians to participate in mobile sports betting regulated by the Georgia Lottery Commission. The House withdrew and recommitted this bill to the Committee of Economic Development and Tourism.

HB 394 (Rep. Ron Stephens) - This bill would raise the tax on cigarettes from \$.37 to \$1.87 per pack. The bill provides that cigars, smokeless tobacco and other nicotine products would be taxed at 39% of the wholesale cost. The bill raises the tax on vapor products from 7% to 39%. This bill is in the House Ways and Means Committee.

Legislation

HB 90 (Rep. Bruce Williamson) - This bill will allow for persons or businesses who are buyers of land for conversion of timber to be exempt from certain liabilities relating to damages. This bill was voted out of the House Judiciary Committee, and passed by the House.

HB 147 (Rep. Heath Clark) - This bill would create a licensure by endorsement where a licensed professional establishes residency in Georgia and (1) holds a current license to practice such occupation or profession issued by another state that was acquired prior to moving from another state and establishing residency in this state for which the training, experience, and testing are substantially similar in qualifications and scope to the requirements under this state to obtain a license; (2) is in good standing in such other state; and (3) passes any examination that may only be required to demonstrate knowledge of the laws and rules and regulations of this state specific to the practice of the profession, business, or trade for which such license by endorsement is being sought. The House read and referred to the Committee on Regulated Industries.

SB 49 (Sen. Clint Dixon) - This bill focuses on standards for construction and will provide for procedures for alternative plan review, permitting and inspection by a private provider and allow for the applicant to keep the private provider at their own expense. This bill passed through the Senate Committee on State and Local Governments and was voted out by the senate. The House read and referred to the Committee of Agriculture and Consumer Affairs.

SB 143 (Sen. Lindsey Tippins)- This bill will affect mechanics and materialmen by conforming a reference within a statutory form regarding labor and material bond rights and waivers of lien. This bill is in the Senate Judiciary Committee.

HB 435 (Rep. Victor Anderson)- This bill will provide for the exemption of certain contracts procured competitively by the state or organizations relating to contract and bidding requirements for public works. This bill is in the House Governmental Affairs Committee.

HB 99 (Rep. Ron Stephens)- This bill would provide for access to employee toilet facilities in retail establishments. This bill is in the House Judiciary Committee.

HB 480 (Rep. Dale Washburn)- This bill provides for the creation, declaration,

amendment, notice, and priority of liens for labor, services, or materials performed or furnished by registered interior designers. This bill is in the House Judiciary Committee.

HB 122 (Rep. John Corbett)- This bill will provide for the extension of deadlines for a manufacturers' sales tax exemption for concrete mixers. This bill was passed by the House Ways and Means Committee.