

Specialty Contractors Coalition Legislative Update

Week Number 12



The 2015 Georgia General Assembly wrapped up at the stroke of midnight on Thursday, April 2nd. During the last week of the 2015 session, the General Assembly had many debates over several pieces of legislation, such as HB 76: FY 2016 Budget, HB 170: The Transportation Funding Act, and HB 412: Workers' Compensation. The Governor now has 40 days to consider whether to veto or sign legislation that passed the General Assembly. Since this was the first year of a two year session, bills not voted on this year will be eligible for passage in 2016.

The 2015 General Assembly reviewed 2,554 pieces of legislation this session:

House Resolutions: 960
House Bills: 706

Senate Resolutions: 639
Senate Bills: 249

Top 3 Bills of Importance:

1. The House and Senate agreed to the conference committee report on [HB 76 – FY 2016 Budget](#). The finalized \$21.8 billion budget will now be sent to Governor Deal for his approval.
Bill Status: House Conference Committee Report Adopted; Senate Conference Committee Report; House Sent to Governor
2. One of the greatest successes of the 2015 Georgia General Assembly was the final passage of [HB 170 - Transportation Funding Act of 2015](#) sponsored by Representative Jay Roberts. After a meticulous journey to the finish line, the 34 page bill is the epitome of compromise. HB170 will assist in raising much of the \$1 billion in new revenue sought after, and accomplishes it a way that will draw fuel tax and fees from visitors to and through Georgia. A balance of dedicated funding through excise taxes per gallon of fuel (from \$0.19 currently to \$0.26 on gas and \$0.29 on diesel) and a combination of hotel and heavy truck registration fees add to revenue. Provisions have been set to revive dedicated transportation sales taxes for a region of the state or just a single county. Although the Transportation Funding Act of 2015 is not flawless, this legislation will supply significant transportation infrastructure funding to enhance mobility, address safety, and make certain that Georgia will continue to attract new jobs. HB 170 received support from both sides of the aisle with the Senate voting 42-12 and the House voting 129-41.

Key Changes Include:

- An excise tax of \$0.26 per gallon on gas and \$0.29 per gallon on diesel
- Elimination of the 4% state's sales tax on motor fuel
- A new provision charging an annual highway impact fee for heavy trucks
- Counties are provided the option of holding a referendum to institute a local sales tax of a fraction of a penny to fund transportation projects



- A Flat \$5 per-night hotel/motel tax statewide
- Elimination of tax breaks for airlines on jet fuel
- Elimination of \$5,000 state income tax credit for the purchase of an electric vehicle
- A new annual fee on electric vehicles of \$200 for private vehicles and \$300 for commercial vehicles

Bill Status: House Conference Committee Report Adopted; Senate Conference Committee Report; House Sent to Governor

3. [HB 412 - Workers' Compensation; change certain provisions](#) - Rep. Mark Hamilton – This bill includes several important provisions developed and agreed upon by the State Board's legislative advisory council. One of the greatest changes of interest provides protection of the exclusive remedy for workers' comp and strengthens Georgia's workers' comp system for employers and employees alike. Additionally, the bill extends the Subsequent Injury Trust Fund sunset which will maintain important stability and help to facilitate the settling of cases.



Bill Status: House Passed/Adopted by Substitute; Senate Passed/Adopted by vote of 46-0, House sent to Governor

Bills of Interest:

Transportation:

[HB 106 - Revision of Language for HB 170 Transportation Funding Act](#) – Rep. Jay Roberts – This bill was utilized to amend technical issues found in the language of HB 170, after it passed March 31st. This bill will allow cities in a county where 90% of the land area is incorporated to call for a TSPLOST without having to have the county agree to the call.

Bill Status: House Passed/Adopted by Substitute; Senate Passed/Adopted by Substitute; House Agreed Senate Amend or Sub as Amended; Senate Agree House Amend or Sub

Chain-Up



[HB 123: Trailer Safety Chain](#) – Rep. John Yates – This bill would require that any vehicle towing a trailer utilize a safety chain, cable, or similar device to ensure the trailer remains attached and in tow should it become detached from the hitch.

Bill Status: House Passed/Adopted by Substitute; Senate Passed/Adopted; House sent to Governor

[HB 225 - All For-Hire Drivers Must Obtain a For-Hire License Endorsement Before Driving For Hire](#) – Rep. Alan Powell – This bill would require all for-hire drivers to obtain a for-hire license endorsement before driving for hire; would require that all for-hire drivers have certain insurance; and provide penalties.

Bill Status: House Passed/Adopted by Substitute; Senate Passed/Adopted by Substitute; House Agreed Senate Amend or Sub; Senate Agreed House Amend or Sub

[HB 411 - Increase Truck Weight for Hauling Unprocessed Wood](#) – Rep. Sam Watson – This bill would increase the truck weight for trucks hauling unprocessed wood to 84,000 lbs with a 5% variance on state and local roads; and expand the radius from 100 to 150 miles. Following a big transportation funding bill, the timing for HB 411 was bad and did not continue further in the 2015 session. We believe a study committee will form over this summer to gather additional information and pursue it further next year.

Bill Status: House Committee Favorably Reported by Substitute; House Withdrawn, Recommitted



[SB 4 - Surface Transportation Projects in Urban Redevelopment Areas](#) – Sen. Steve Gooch – This bill would allow for surface transportation projects in Urban Redevelopment Areas. It also expands the projects that fall under the urban redevelopment provisions to include transit facilities and improvements, sidewalks, streetscapes, trails and bicycle facilities.

Bill Status: Senate Passed/Adopted by Substitute; House Passed Adopted by Substitute; Senate Disagree House Amend or Substitute; Senate Conference Committee Appointed 51st, 47th, & 21st; House Conference Committee Appointed 51st, 24th, & 54th; House Conference Committee Reported Adopted; Senate Conference Committee Report Adopted

Business:

[HB 57 - Financing of Solar Technology by Retail Customers](#) – Rep. Mike Dudgeon – This bill would include the following:

- Allow for the financing of solar technology by retail electric customers for the generation of electric energy.
- Solar technology may be leased by the retail customer from a solar financing agent who may be an electric service provider or any person whose business includes the leasing, financing, or installation of solar technology.
- Residential application is limited to ten kilowatts for a customer or 125 per cent of the actual or expected maximum annual peak demand of the premises for a commercial customer.
- The intent of the legislation is to facilitate customers of electric service providers to invest in and install solar technology, to reduce upfront costs involved in solar technology investments, and not be considered as electric service providers.



Bill Status: House Passed/Adopted; Senate Passed/Adopted; House sent to Governor

[HB 63 - GA Employer GED Tax Credit Act of 2015](#) - Rep. Kevin Tanner – This bill will revise the amount and training requirements of the adult basic skills education program tax credit for employers who help employees get their GED. It would increase the current tax credit of \$150 per employee to a possible \$1,200 for each employee who takes the proper training classes and successfully passes the skills education test.

Bill Status: House Passed/Adopted by Substitute; Senate Passed/Adopted by Substitute; House Agreed Senate Amend or Sub

[HB 237 - Angel Investor Tax Credit](#) – Rep. Bruce Williamson – This bill would extend the angel investor tax credit to the years of 2016 through 2020 calendar years, and limit the total aggregate amount of all tax credits for these years to \$5 million each year.

Bill Status: House Passed/Adopted by Substitute; Senate Passed/Adopted by a vote 48-3, House sent to Governor

[HB 255 - Equal Green Building Credits for Georgia](#) – Rep. Mike Cheokas – This bill would require that Georgia forest products receive equal certification credit when the state uses “green” building standards in state construction projects.

Bill Status: House Passed/Adopted by Substitute; Senate Passed/Adopted; House sent to Governor

[HB 341 - Building Officials' Association of GA Qualified Inspectors](#) – Rep. Howard Maxwell – This bill relates to definitions and requirements regarding state building, plumbing, and electrical codes, so as to provide that certain qualified inspectors may be certified by the Building Officials' Association of Georgia.

Bill Status: House Passed/Adopted; Senate Passed/Adopted by Substitute; House Agreed Senate Amend or Sub



[SB 59 - "Partnership for Public Facilities and Infrastructure Act"](#) – Sen. Hunter Hill – This bill would amend Georgia law to allow for public agencies to engage with private-sector parties in public-private partnerships to meet current and future needs for government facilities and infrastructure. This would allow private firms to submit unsolicited proposals for projects that have been identified as a public needs.

Bill Status: Senate Passed/Adopted by Substitute; House Committee Favorably Reported by Substitute; Senate Agreed House Amend or Sub

[SB 85 - Development Authorities; modify tax exemption](#) – Sen. Brandon Beach – This bill relates to development authorities, so as to revise the definition of project as applicable to said chapter; to modify the tax exemption of development authorities; and to correct cross-references.

Bill Status: Senate Passed/Adopted; House Committee Favorably Reported by Substitute; House Withdrawn; Recommitted

[SB 88 - Payment of Wages by Payroll Card](#) - Sen. Burt Jones - The bill would allow an employer to enroll employees in a payroll debit card program if, after giving the option to choose direct deposit, the employee does not select direct deposit as his/her preference. SB 88 will make it easier for some businesses to pay their workers with a technology that allows workers to avoid the high fees associated with check cashing services or long bank lines.

Bill Status: Senate Passed/Adopted by Substitute; House Passed/Adopted by Substitute, Senate Agreed House Amend or Sub



Education:

[SB 2: Competencies and Core Curriculum in Elementary and Secondary Education](#) – Sen. Lindsey Tippins – This bill would provide that a student who completes certain requirements relating to postsecondary coursework may be awarded a high school diploma.

Bill Status: Senate Passed/Adopted by Substitute; House Passed/Adopted as Amended by vote 165-0; Senate Agreed House Amend

[SB 132 - "Move On When Ready Act"](#) – Sen. Mike Dugan – This bill relates to the "Quality Basic Education Act," so as to revise provisions relating to the program for high school students to attend postsecondary institutions; to provide for a short title; to provide a program for eligible students to take dual credit courses; and to repeal a statute relating to dual credit courses.

Bill Status: Senate Passed/Adopted; House Passed/Adopted by Substitute; Senate Agreed House Amend or Sub

[SB 133 - Opportunity School District](#) - Sen. Butch Miller – This bill will create an Opportunity School District that allows the state to intervene in persistently failing schools through a new system of governance that would be controlled under the Governor’s Office of Student Achievement. The state proposes to intervene in no more than 20 schools per year and in no more than 100 schools at any given time.

Bill Status: Senate Passed/Adopted by Substitute; House Passed/Adopted by Substitute; Senate Agreed House Amend or Sub



[SR 287 - Opportunity School District](#) – Sen. Butch Miller – This resolution is a Constitutional Amendment to allow the General Assembly to authorize the establishment of an Opportunity School District to provide for state intervention for failing schools.

Bill Status: Senate Passed/Adopted by Substitute; House Passed/Adopted; House Immediately Transmitted to Senate

Other:

HB 1 - Haleigh's Hope Act – Rep. Allen Peake – This bill would provide immunity from criminal prosecution for persons who possess cannabis oil, a derivative of marijuana which has been effective in the treatment of certain conditions, including children's seizures.

Bill Status: House Passed/Adopted by Substitute; Senate Passed/Adopted by Substitute; House Agreed Senate Amend or Sub; House sent to Governor

HB 110 - Sale of Consumer Fireworks – Rep. Jay Roberts – This bill would authorize the sale of fireworks in Georgia which are not prohibited by federal law to anyone age 18 or older. Fireworks are subject to a 5% excise tax. Fireworks may be used between 10 a.m. and 12 midnight, with hours extended on January 1st and 3rd, July 4th, and December 31st. Local governments may authorize extended times on other dates. While there is no opt-out provision for counties wishing to prohibit fireworks sale or usage, counties may regulate the sale of fireworks from temporary locations.



Bill Status: House Passed/Adopted by Substitute; Senate Passed/Adopted by Substitute; House Agreed Senate Amend or Sub

HB 461 - Metal Theft – Rep. Jason Shaw – This bill seeks to clarify some issues that have come to pass since this law was originally passed. The bill includes batteries on the list of regulated metals that were previously excluded. Thus making it harder for criminal to cash in on their crimes.

Bill Status: House Passed/Adopted by substitute; Senate Passed/Adopted by Substitute; House Agreed Senate Amend or Sub

HR 744 - Unmanned Aerial Vehicles (Drones) – Rep. Kevin Tanner – This bill will establish a House Study Committee on the Use of Drones. The committee will undertake a study of the areas of concern including the use of law enforcement agencies in obtaining evidence in criminal matters as well as in emergency conditions; the use of drones by state and local governing authorities and agencies; flying drones over private property and over the property with or without permission; the use of drones to photograph citizens in their private lives; and flying drones over public property.

Bill Status: House Passed/Adopted by Substitute



SB 129 - Georgia Religious Freedom Restoration Act – Sen. Joshua McKoon – This bill relates to state government, and provides for the preservation of religious freedom, provides for legislative findings, definitions, and effective date.

Bill Status: Failed

- **FIRST READING**
 - Is the Introduction of the Bill and Bill is assigned to a standing committee.
- **SECOND READING**
 - In the House only, on next legislative day
 - In Senate, second reading comes after bill is reported favorably from committee.
- **COMMITTEE ACTION**
 - Recommend Bill or Resolution Do Pass; or
 - Recommend Do NOT Pass; or
 - Recommend Do Pass with changes (amendments or substitutes);or
 - Hold Bill.
- **THIRD READING AND PASSAGE**
 - House Clerk or Senate Secretary prepares a General Calendar of bills favorably reported from committee, one of the following happens:
- Legislation which was second read the day before is placed on a calendar in numeric order for floor action prior to the Rules Committee meeting to choose bills for consideration.
- After a certain point, set by rule, the Rules Committee meets and prepares a Rules Calendar for the next day's floor consideration from bills on General Calendar.
- The presiding officer calls up bills from the Rules Calendar for floor action in order as they appear on this calendar.
 - Once presiding officer calls bill up from Rules Calendar, Clerk or Secretary reads bill's title (third reading). Bill is now ready for floor debate, amendments, and voting. After debate, main question is called and members vote. if bill is approved by majority of total membership of that house , it is sent to the other house.
- **TRANSMITTAL TO OTHER CHAMBER** Bill is passed if:
 - If second chamber passes bill, it is returned to chamber where bill was introduced.
 - If first chamber rejects changes and second chamber insists, a conference committee may be appointed. Committee report is accepted by both chambers.
- Bill is enrolled and sent to the Governor (if requested). Otherwise, all enrolled bills sent to Governor following adjournment sine die.
- **GOVERNOR'S SIGNATURE/VETO** Governor may sign bill or do nothing, and bill becomes law. Governor may veto bill, which requires two-thirds of members of each house to override.
- **ACT:** Act and other laws enacted at the session are printed in the Georgia Laws series. Also, act is incorporated into the Official Code of Georgia Annotated. Act becomes effective the following July 1, unless a different effective date is provided in act.