



**FULTON  
COUNTY**

**Fulton County Board of Commissioners  
April 13, 2022**

**State Legislative Update**

**Ensure Local Home Rule: Redistricting**

**Strengthen Behavioral Health Model & Funding  
For Substance Abuse Treatment & Prevention**

**Create A More Efficient & Effective  
Justice System - Compensation for Officials**

**Create A More Efficient & Effective Justice System  
– Diversion & Reentry Programs**

**Create A More Efficient & Effective Justice System  
– Codify Judicial Practices**

**Support Certain Evictions Record Sealing**

**Support Homeowner Protections With Greater  
HOA Transparency**



**FULTON  
COUNTY**

**2022  
State Legislative  
Agenda**

# Budget: Fiscal Year 2023

The Fiscal Year 2023 budget ([HB 911](#)) has been sent to Governor Brian P. Kemp. This bill is based on a revenue estimate of \$30.2 billion, an increase of \$2.9 billion or 10.8%, over the original Fiscal Year 2022 budget. Highlights:

- \$1.6 billion in undesignated regular surplus to be used to provide refunds for all taxpayers for the 2021 tax year between \$250 and \$500. (Enabled by [HB 1302](#))
- \$5,000 pay adjustment to state employees, County Commissioners, Constitutional Officers (Sheriffs, Superior Court Clerks, Probate Judges, and Tax Commissioners), and Magistrate Judges; Increases for local officials will be effective January 1, 2023
- \$2,000 pay adjustment for public school teachers

# Omnibus Behavioral Health Reforms

**HB 1013** – Mental Health Parity Act, sponsored by Speaker David Ralston (7<sup>th</sup>) was signed into law by Governor Brian P. Kemp on Monday, April 4. Highlights:

- Requires health care insurance plans that provide coverage for mental health treatment or substance use disorders do so in accordance with the federal 'Mental Health Parity and Addiction Equity Act of 2008.'
- Health insurers must provide an annual comparative analysis report to the insurance commissioner, which will be available on the Office of the Commissioner of Insurance and Safety Fire's (OCI) website. Failure to submit timely reports can result in fines ranging from \$2,000 to \$5,000.
- Subject to appropriations, the Criminal Justice Coordinating Council (CJCC) will create a grant program to fund accountability courts serving the mental health and co-occurring substance use disorder population to implement trauma-informed treatment and designate an employee to issue technical assistance to the courts. The council will also create a grant program to fund emergency transportation cost for local governments depending on funds.
- Creates a three-year assisted outpatient treatment grant program to establish the efficacy of the assisted outpatient treatment model in Georgia.



# Omnibus Behavioral Health Reforms, Cont.

- The Department of Behavioral Health and Developmental Disabilities (DBHDD) will establish a grant program for the implementation of assisted outpatient treatment and provide three years of funding, technical support, and oversight to five grantees. The grantees must be a collaboration between community service boards or private providers, probate courts or other courts with jurisdiction, and sheriffs' offices.
- Adds to the list of authorized expenditures of the County Drug Abuse Treatment and Education Fund to include drug abuse treatment and education programs relating to controlled substances, alcohol, and marijuana for adults and children. Additionally, the fund can be used by a mental health court division that serves those with co-occurring substance use disorders.
- Behavioral Health Reform and Innovation Commission is extended from June 30, 2023 to June 30, 2025.
- Requires the Georgia Data Analytic Center Project's administrator to prepare an annual unified report of suspected mental health parity violations with data received from OCI and DCH. The bill also requires DCH to provide Medicaid coverage for any prescription prescribed to an adult by a licensed practitioner medically necessary for the treatment of delusion and mood disorders, including schizophrenia and bipolar disorder, if certain criteria are met.

# Health & Human Services

Bill Caption/Author	Bill Description	Status
<p><a href="#">HB 1092</a> – Court Sentence Deference for Pregnant Women; Rep. Cooper (43<sup>rd</sup>)</p>	<p>Allows women who are pregnant at the time of conviction of a crime to have their sentence deferred until six weeks after they have given birth.</p>	<p><i>Did Not Pass</i></p>
<p><a href="#">HB 1192</a> – Treatment under Medicaid to persons with HIV; Rep. Cooper (43<sup>rd</sup>)</p>	<p>Requires the Department of Community Health to submit a Section 1115 waiver request to the federal Centers for Medicare and Medicaid for a demonstration project to provide treatment services under Medicaid to persons in this state living with HIV.</p>	<p><i>Did Not Pass</i></p>
<p><a href="#">SB 338</a> – Medicaid; Postpartum coverage; Sen. Burke (11<sup>th</sup>)</p>	<p>Extends postpartum coverage under Medicaid from six months to one year after delivery.</p>	<p>Passed</p>
<p><a href="#">SB 610</a> – Dept of Community Health; conduct a review of provider reimbursement rates for home and community based svcs; Sen. Harrell (40<sup>th</sup>)</p>	<p>Requires the GA DCH to conduct a comprehensive review every four years of provider reimbursement rates for home and community-based waiver services and programs and propose rate models, policy changes, and fiscal projections. Also instructs the Department of Community Health to submit a waiver request to the Centers of Medicare and Medicaid Services allowing private mental health institutions to qualify for Medicaid reimbursement (<a href="#">HB 1404</a>).</p>	<p>Passed</p>

# Behavioral Health Reforms

Bill Caption/Author	Bill Description	Status
<a href="#">HB 752</a> – Psychiatric Advance Directive; Rep. Cooper (43 <sup>rd</sup> )	Provides for a competent adult to express their preference for mental health care treatment through instructions or an agent.	Passed
<a href="#">HB 1324</a> – Health and insurance; clarification re: prudent layperson standard; Rep. Camp (131 <sup>st</sup> )	Requires insurers to provide coverage for emergency physical or mental health care regardless of the diagnosis given.	Passed
<a href="#">SB 342</a> – Mental Health Parity Insurance; Sen. Kirkpatrick (32 <sup>nd</sup> )	Establishes reporting requirements for insurance companies to ensure that there is mental health parity within healthcare plans.	<i>Did Not Pass</i>
<a href="#">SB 403</a> – "GA Behavioral Health & Peace Officer Co-Responder Act"; Sen. Watson (1 <sup>st</sup> )	Requires each Community Service Board to establish a co-responder program to assist law enforcement officers with special behavior health cases. <b><u>It also requires counties to retain a list of all law enforcement agencies who respond to emergency calls.</u></b>	Passed

# Elections

Bill Caption/Author	Bill Description	Status
<p><a href="#">HB 1464</a> – Voting Hours for Employees; Rep. Burchett (176<sup>th</sup>)</p>	<p>Requires employers to allow employees up to two hours off work in order to vote in any municipal, county, state, or federal political party primary or election on either one of the days that are designated for advance in-person voting or on Election day.</p>	<p><i>Did Not Pass</i></p>
<p><a href="#">SB 89</a> – Elections and Primaries; Omnibus Bill; Sen. Miller (49<sup>th</sup>)</p>	<p>Omnibus bill allows State Election Board to appoint members to county performance review boards; provides chain of custody requirements and handling and storage guidelines for specified election materials; requires clerk or county records manager is required to retain and preserve specified election materials for 24 months and prevent such materials from being altered, amended, damaged, modified, or mutilated; and provides the Georgia Bureau of Investigation with original jurisdiction and subpoena power to investigate election fraud and election crimes in specified instances; and for other purposes.</p>	<p><i>Did Not Pass</i></p>
<p><a href="#">SB 441</a> – Courts; reestablishment of the Criminal Case Data Exchange Board as an advisory board to The Council of Superior Court Clerks of Georgia; Sen. Hatchett (50<sup>th</sup>)</p>	<p>Provides original jurisdiction to the Georgia Bureau of Investigation (GBI) to identify and investigate election-related claims if there is evidence that is sufficient to change or place in doubt the result of an election. In an election-related investigation, the GBI director, assistant director, and deputy director for investigations is authorized to issue a subpoena, with the consent of the Attorney General, to compel the production of books, papers, documents, or other tangible items.</p>	<p>Passed</p>



# Justice System

Bill Caption/Author	Bill Description	Status
<b><a href="#">HB 830</a> – Courts; limiting sheriffs to one additional salary for serving as the sheriff of multiple courts; repeal provisions; Rep. Erwin (28<sup>th</sup>)</b>	Requires counties to pay their sheriff a supplement for official services in up to two courts beyond the Superior Court. Current law provides that sheriffs can only receive this supplement for one court regardless of the number of the courts served.  Added to <a href="#">SB 183</a> : <i>Did Not Pass</i>	<i>Did Not Pass</i>
<b><a href="#">HB 1234</a> – Juvenile proceedings; right to an attorney for any child receiving extended care services; Rep. Ballinger (23<sup>rd</sup>)</b>	Clarifies that individuals receiving extended care youth services from the Division of Family and Children Services remain entitled to receive court appointed legal representation.  Added to <a href="#">HB 322</a> : <i>Did Not Pass</i>	<i>Did Not Pass</i>

# Public Safety and the Courts

Bill Caption/Author	Bill Description	Status
<p><a href="#">HB 1134</a> – Prosecute offenses involving criminal gang activity; provide for concurrent authority; Rep. Efration (104<sup>th</sup>)</p>	<p>Provides the attorney general with concurrent jurisdiction with prosecutors for certain criminal gang-related crimes across the state. The attorney general may also employ peace officers for investigative purposes.</p>	<p>Passed</p>
<p><a href="#">SB 277</a> – Firearms Carry laws for court; Sen. Mullis (53<sup>rd</sup>)</p>	<p>Reduces the maximum allowable cash in a bonding company's escrow account from 10 percent to five percent of the current outstanding bail bond liability. The bill removes the requirement that the company have on deposit an amount in excess of one million dollars in a cash escrow account.</p> <p><b>BOC Position on previous version of bill: OPPOSE</b></p>	<p><i>Did Not Pass</i></p>
<p><a href="#">SB 319</a> – "Georgia Constitutional Carry Act of 2021"; Sen. Anavitarte (31<sup>st</sup>)</p>	<p>Eliminates gun permit requirement in order to carry a gun in public if the individual is a lawful weapons carrier.</p>	<p>Passed</p>
<p><a href="#">SB 505</a> – Communications Officers: Require Training to Deliver of High-quality Telephone Cardiopulmonary Resuscitation; Sen. Robertson (29<sup>th</sup>)</p>	<p>Requires 9-1-1 communications officers to receive training in the delivery of high-quality telephone cardiopulmonary resuscitation in addition to basic training. On and after July 1, 2024, no person will be certified by the council without satisfying this requirement. By January 1, 2024 and in coordination with the Georgia Emergency Communications Authority, the council must establish an amount of continuing education units to be completed annually by communications officers.</p>	<p>Passed</p>

# Development Authorities

Bill Caption/Author	Bill Description	Status
<p><b><a href="#">HB 923</a> – Development authorities; cap the per diem allowance; Rep. Oliver (82<sup>nd</sup>)</b></p>	<p>Sets a specified limit on the per diem allowance paid to development authority directors of counties having a population of 550,000 or more. In addition to the governor, the Georgia Government Transparency and Campaign Finance Commission and local ethics boards or offices are authorized to have concurrent jurisdiction over ethics violations of development authority members. The bill also establishes and clarifies the procedures for ethics violation hearings of development authority members.</p>	<p>Passed</p>
<p><b><a href="#">HB 1044</a> – Creation of regional development authorities; Rep. Pirkle (155<sup>th</sup>)</b></p>	<p>Provides for the creation of regional development authorities and an enhancement for the jobs tax credit for such authorities. A county shall not belong to more than one regional development authority. Also clarifies the definitions of cable and video services related to franchise fees. Cable and video services shall not include video programming accessed via a service that enables users to access content offered over the internet, including streaming content. Video service shall not include any video programming provided by a direct broadcast satellite service provider (<a href="#">SB 529</a>).</p>	<p>Passed</p>
<p><b><a href="#">HB 1382</a> – Local government; require directors to do yearly continuing education; Rep. Stephens (164<sup>th</sup>)</b></p>	<p>Requires each director of a development authority to complete at least four hours of continuing education training courses yearly on development and redevelopment programs. This training is not required if you're a member of a governing body of a municipality or county. The training can occur either in person or online and is required to access funding from or administered by the One Georgia Authority.</p>	<p><i>Did Not Pass</i></p>

# Vaccination Prohibition

Bill Caption/Author	Bill Description	Status
<b><a href="#">SB 345</a> – State Government; state and local governments from mandating vaccine passports; prohibit; Sen. Mullis (53<sup>rd</sup>)</b>	Prohibits state and local governments from requiring proof of COVID-19 vaccination as a condition of providing services, accessing a facility, issuing licenses or permits, performing duties, and other matters. Exceptions are applied if compliance would violate Centers for Medicare and Medicaid Services regulations or federal contracts relating to workplace locations. Sunset Date: June 30, 2023.	Passed

# Annexation

Bill Caption/Author	Bill Description	Status
<b><a href="#">HB 836</a> – Atlanta, City of; change corporate limits; Rep. Bruce (61st)</b>	Incorporate currently unincorporated property in the Fulton Industrial District that lies north of U.S. Interstate 20.	<i>Did Not Pass</i>
<b><a href="#">HB 1461</a> – Local government; annexation of territory; revise provisions relating to dispute resolution; Rep. Anderson (10<sup>th</sup>)</b>	Requires a municipal corporation to provide notice of a petition of annexation to any impacted school system. The bill also provides proposed annexation objection and arbitration guidelines and procedures for impacted school systems and county governing authorities.	Passed
<b><a href="#">SR 298</a> – Senate Annexation Study Committee; Sen. Beach (21<sup>st</sup>)</b>	Creates five-member committee to study Article 7 of Chapter 36 of Title 36 of the Official Code of Georgia Annotated in 2007 to provide an annexation dispute resolution procedure update.	<i>Did Not Pass</i>



# Public Works

Bill Caption/Author	Bill Description	Status
<b><u>SB 438</u> – Contracts; certain provisions relating to retainage of progress payments; Sen. Tippins (37<sup>th</sup>)</b>	Alters the retainage amount for progress payments on public works construction contracts from the current formula of 10 percent of the value of the completed work until 50 percent of the contract is completed to a new formula of five percent throughout the contract.	Passed

# Revenue and Taxation

Bill Caption/Author	Bill Description	Status
<p><b><a href="#">HB 1280</a> – Tax Commissioners: Provide for Collection Contracting Requirements and Compensation; Rep. Lim (99<sup>th</sup>)</b></p>	<p>Establishes a 3-way collection contract between municipalities, counties and tax commissioners regarding the annual collection of property taxes and fees. This bill also provides for the tax commissioner's compensation requirements to be included in the contract with a municipality or county and caps their pay at 50% of their base salary. <a href="#">SB 584</a> and <a href="#">HB 1224</a> were added to the bill.</p>	<p><i>Did Not Pass</i></p>
<p><b><a href="#">SB 511</a> - County Boards of Equalization; handling of appeals of property tax assessments; revise certain deadlines; Sen. Anderson (24<sup>th</sup>)</b></p>	<p>Changes amount of time tax assessors have to review and notify a taxpayer of any corrections or changes to their property tax appeal, from 180 days to 90 days. Within 90 days of the receipt of the notice of appeal, the county board of equalization shall hold a hearing on the questions presented, and shall notify the taxpayer and county assessors, by mail or email, if email is provided by appellant taxpayer. If there is no hearing scheduled by the appeal administrator within 180 days from the date of the appeal, then the property valuation asserted by the taxpayer on the property tax return, or the taxpayer's notice of appeal, shall become the assessed fair market value for the taxpayer's property.</p>	<p><i>Did Not Pass</i></p>

# Revenue and Taxation

Bill Caption/Author	Bill Description	Status
<b><a href="#">HB 1437</a> Income tax; revise rates of taxation on income; Rep. Blackmon (146<sup>th</sup>)</b>	This bill will lower the income tax rate to 5.49% in 2024, stepping down gradually until it reaches 4.99% in 2029. Standard exemptions would rise gradually as well. The standard exemption would go from \$2,700 for single filers to \$12,000. For married couples filing jointly, it would go from \$7,400 to \$24,000.	Passed
<b><a href="#">HB 1556</a> Fulton County; ad valorem tax for educational purposes; Rep. Martin (49<sup>th</sup>)</b>	Provides a \$10,000 homestead exemption from Fulton County School District taxes for residents who are older than 65 years of age.	Passed

# Veterans Affairs

Bill Caption/Author	Bill Description	Status
<p><b><u>SB 87</u></b> – "Senator Jack Hill Veterans' Act"; Sen. Rhett (33<sup>rd</sup>) and others</p>	<p>Authorizes Georgia taxpayers to make certain voluntary contributions through the income tax payment and refund process to aid and assist service-disabled veterans through scholarships to the Technical College System of Georgia through the Department of Revenue. This law shall apply to all taxable years beginning on or after January 1, 2023.</p>	<p>Passed</p>
<p><b><u>SB 339</u></b> – 'Green Call Act'; Sen. Kirkpatrick (32<sup>nd</sup>)</p>	<p>Establishes a program called the "green alert program" which is a system that will help the Georgia Bureau of Investigation and local law enforcement identify missing military veterans who have physical or mental health conditions, and who are at risk of imminent self-harm.</p>	<p><i>Did Not Pass</i></p>
<p><b><u>SB 358</u></b> – GA Public Safety Training Center reimbursements; Sen. Kirkpatrick (32<sup>nd</sup>)</p>	<p>Ensures appropriations designated to reimburse certain costs incurred in training active duty, retired, or honorably discharged members of the United States armed forces who are attending basic law enforcement training at the Georgia Public Safety Training Center are sufficient. If appropriations are not sufficient, the cost shall be reduced to match the designated appropriations.</p>	<p>Passed</p>

# House and Joint Study Committees

Bill Caption/Author	Bill Description	Status
<p><a href="#"><u>HR 798</u></a> – House Study Committee for Cannabis Waste Disposal and Recycling; create; Rep. Mainor (56<sup>th</sup>)</p>	<p>Creates five-member committee to study the waste created from products related to medical cannabis and potential uses and value of that waste in producing renewable energy.</p>	<p>Passed</p>
<p><a href="#"><u>HR 1082</u></a> – House Study Committee on State and Local Law Enforcement Salaries; create; Rep. Cheokas (138)</p>	<p>Creates five-member committee to study how law enforcement salaries in Georgia compare to salaries offered to law enforcement officers in other states is necessary to ensure this state retains experienced officers and is competitive in law enforcement officer recruiting efforts.</p>	<p>Passed</p>
<p><a href="#"><u>HR 1149</u></a> – House Study Committee on Regulation, Affordability, and Access to Housing; Rep. Washburn (141<sup>st</sup>)</p>	<p>Creates committee composed of seven members appointed by the speaker of the House, including four members of the House, a real estate industry professional, a serving mayor or county commissioner, and another individual who may be a serving mayor or county commissioner. The committee is abolished on December 1, 2022.</p>	<p>Passed</p>
<p><a href="#"><u>SR 477</u></a> – Joint Georgia Music Heritage Study Committee; Sen. Mullis (53<sup>rd</sup>)</p>	<p>Creates the Joint Georgia Music Heritage Study Committee composed of 14 members to examine: the economic impact of the music industry in Georgia, as well as ways to measure, expand, and promote the state's music economy and foster integration with other creative industries, including film, digital media, and gaming; the current state of the music tourism sector in Georgia and ways to support, promote, and grow that sector; musical tour and theatrical productions in Georgia and ways to develop, promote, and attract investment from that sector of the industry; and the Georgia Music Hall of Fame and its awards ceremony and ways that the institution can promote music in the state while providing for continued economic development.</p>	<p>Passed</p>



# Senate Study Committees

Bill Caption/Author	Bill Description	Status
<p><a href="#"><u>SR 615</u></a> – Senate Property Owners' Associations, Homeowners' Associations, and Condominium Associations Study Committee; Sen. James (35<sup>th</sup>)</p>	<p>Creates five-member Senate Property Owners' Associations, Homeowners' Associations, and Condominium Associations Study Committee. The committee shall stand abolished on December 1, 2022.</p>	<p>Passed</p>
<p><a href="#"><u>SR 659</u></a> – Senate Study Committee on Unsheltered Homelessness; Sen. Summers (13<sup>th</sup>)</p>	<p>Creates five-member committee to study unsheltered homelessness in Georgia and the City of Atlanta.</p>	<p>Passed</p>
<p><a href="#"><u>SR 809</u></a> – Senate Development Authorities and Downtown Development Authorities Study Committee; Sen. Burns (23<sup>rd</sup>)</p>	<p>Creates five-member committee to study the creation, operation, and management of development authorities and downtown development authorities in the state.</p>	<p>Passed</p>

# Transportation Resolutions

Bill Caption/Author	Bill Description	Status
<p><a href="#">HR 664</a> – Property; conveyance of certain state owned property; Rep. Greene (151<sup>st</sup>)</p>	<p>Conveyance resolution for properties located in eight counties, conveying property owned by the State of Georgia or amending those conveyances. Article 6 leases approximately 119.25 acres in Fulton County, under the custody of the Department of Public Safety, to the Justice Federal Credit Union at a fair market rate for a three-year term, with an option for an additional three-year term.</p>	<p>Passed</p>
<p><a href="#">HR 683</a> – Property; granting of nonexclusive easements; authorize; Rep. Greene (151<sup>st</sup>)</p>	<p>Authorizes the granting of non-exclusive easements for the construction, operation, and maintenance of facilities, utilities, roads, and ingress and egress in, on, over, under, upon, across, or through property owned by the state of Georgia in ten counties. Article 4 grants an easement to the Georgia Power Company or its successors and assigns over approximately 0.48 of an acre in Fulton County under the custody of the Department of Public Safety to remove existing facilities and construct, install, operate, and maintain overhead and underground electrical distribution lines and associated equipment to serve the new public safety headquarters building (DPS-043) for \$10. Article 5 grants an easement to the City of Atlanta or its successors and assigns over approximately 0.13 of an acre in Fulton County under the custody of the Department of Economic Development for stormwater culvert upgrades to increase drainage capacity to serve the Georgia World Congress Center for \$10.</p>	<p>Passed</p>
<p><a href="#">HR 820</a> – James J. Boss Memorial Roundabout; Barrow County; Rep. England (116<sup>th</sup>)</p>	<p>Annual road facility dedication package and includes the following Fulton County dedications: 1) The bridge on State Route 70 at Interstate 285 in Fulton County is dedicated as the Rev. Joseph Jones, Sr., and Darnella Jones Memorial Bridge and 2) The interchange at Interstate 75/Interstate 85 and State Route 10 in Fulton County is dedicated as the Maynard Jackson Interchange.</p>	<p>Passed</p>



Governor Kemp has 40 days from Sine Die to review bills and exercise his veto power.

# Upcoming Events



April 28-May 1: ACCG Annual Conference  
Savannah, GA