



**FULTON
COUNTY**



Fulton County Board of Commissioners February 16, 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**



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2022 State Legislative Agenda

Joint Legislative Session Overview

- Georgia Supreme Court Chief Justice David Nahmias, presented the State of the Judiciary in a joint session on Tuesday, February 8.
 - He provided an update on the court case backlog throughout the State's courts due to the COVID-19 pandemic, noting new efficiencies utilizing virtual technology for certain proceedings that the Court would like to continue on a permanent basis.
 - Shared the Supreme Court's support for strong mental health reforms and related funding and highlighted the importance of the State's Accountability Courts.
 - Applauded Fulton County on utilizing \$75 million dollar of ARPA funding to support the County's Court System.

FY 2022 Amended Budget

HB 910, the Amended FY 2022 budget, passed the House of Representatives (152-4) and moved to the Senate for consideration. This bill is based on a revenue estimate of \$29.9 billion, an increase of 9.7 percent over the current approved budget. Highlights:

- Bill provides the Secretary of State's office with \$2.5 million to reimburse counties for postage expenses for mailing new election precinct cards to all active and inactive Georgia voters.
- \$5,000 raises for state employees; counties would also be required to give this \$5,000 increase to their constitutional officers, magistrate judges, and county commissioners beginning January 1, 2023. According to ACCG, the law requires counties to provide the same COLA to these local elected positions that state employees receive.
- \$4,800,000 in 20-year bonds to complete construction of a new public safety headquarters building in Atlanta, Fulton County.
- \$310,000 Added for technology upgrades to the Georgia Crisis Access Line in preparation for interfacing with the national 988 suicide prevention hotline.

Fulton County Redistricting

Bill Caption/Author	Bill Description	Status
HB 1199 - Fulton County Board of Commissioners; Change description of Districts; Rep. Mainor (56th)	Bill provides new district lines and map for Fulton County District. Map used for this bill is a revised, substitute map of Senator Albers' original map.	Heard in Governmental Affairs Redistricting and Elections Special Subcommittee & House Governmental Affairs
HB 1244 – Fulton County Board of Commissioners; Change description of Districts; Rep. Dreyer (59th)	Bill provides new district lines and map for Fulton County District. Map used for this bill is the original map designed for Senator Albers, which is based on the Board of Commissioners' approved map.	Favorably Approved by the House Government Affairs Committee
SB 437 - Fulton County Board of Commissioners; Change description of Districts; Sen. Albers (56th)	Bill provides new district lines and map for Fulton County District. Map used for this bill is the original map designed for Senator Albers, which is based on the Board of Commissioners' approved map.	Senate Adopted; House Government Affairs Favorably Approved by Substitute

Evictions Public Relief

Bill Caption/Author	Bill Description	Status
HB 894 - Property; prospective tenant shall not be refused a rental or lease agreement solely based upon a previous eviction due to COVID-19; Rep. Boddie (62nd)	No landlord or owner of real estate shall refuse to enter into a rental or lease agreement with a prospective tenant if such refusal is solely based upon such prospective tenant being previously evicted during a period when a public health emergency related to the COVID-19 pandemic was declared to exist by the United States Secretary of Health and Human Services.	Second Reader; House Judiciary Committee
HB 1149 - Georgia Evictions Records Restriction Act; Rep. Burnough (77th) & Rep. Boddie (62nd)	Bill provides for one-time sealing of evictions records caused by non-payment of rent during a public health emergency and under other adjudication terms.	Second Reader; House Judiciary Committee

Annexation & Cityhood

Bill Caption/Author	Bill Description	Status
<u>HB 0836</u> - Atlanta, City of; change corporate limits; Rep. Bruce (61st)	Bill would incorporate currently unincorporated property in the Fulton Industrial District that lies north of U.S. Interstate 20.	Senate Read & Referred to State and Local Governmental Operations
<u>HB 0854</u> -Buckhead City, incorporate; Rep. Jones (25 th)	This bill would establish the City of Buckhead in Fulton County.	House Second Readers; Governmental Affairs*
<u>SB 324</u> - Buckhead City, incorporate; Sen. Beach (21 st)	This bill would establish the City of Buckhead in Fulton County.	Senate Read & Referred to Urban Affairs*
<u>SR 0298</u> - Senate Annexation Study Committee; Sen. Beach (21 st)	This resolution creates a five-member Senate Annexation Study 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.	Senate Rules

*General Assembly leadership indicates that these bills will not be taken up during the 2022 Legislative Session.

Elections

Bill Caption/Author	Bill Description	Status
HB 886 –Security Tracking of the Security Ballot Paper; Rep. Powell (32nd)	This bill requires new security ballot paper be in locked containers; sealed and numbered, with the numbers recorded on tracking forms. Persons in possession of the containers must provide written confirmation with the date/time, number of ballots to tract chain of custody.	Governmental Affairs Favorably Reported
HB 933 - Retention of ballots; Rep. Blackmon, (146th)	This bill allows persons to inspect ballots and other elections documents (following election returns) held by the Clerk of Superior Court. No one outside the Clerk’s office will physically handle the ballots.	House Second Readers; Government Affairs
HB 1085 - Elections; option for municipalities to adopt and use instant runoff voting; Rep. Gullett (19th)	Bill would allow for instant runoff (or ranked choice) voting in municipal elections. Voters would indicate their preference for each office by marking a “1” next to their first choice, a “2” for the second choice, etc. for the political party in whose primary the elector desires to vote. In the case of a runoff, the candidate who receives the elector’s highest designation would receive the vote.	House Second Readers; Government Affairs
SB 325 - Elections and Primaries; Sen. Miller (49th)	Bill eliminates the use of absentee ballot drop boxes and related legal provisions in the Official Code of Georgia.	Senate Read & Referred to Ethics

Development Authorities

Bill Caption/Author	Bill Description	Status
HB 923 - Development authorities; cap the per diem allowance; Rep. Oliver (82nd)	Bill would cap per diem allowance for development authority boards at the salary level of State General Assembly members. Adds enforcement powers to the State Transparency and Campaign Finance Commission.	House Second Readers: Government Affairs
HB 1044 - Creation of regional development authorities; Rep. Pirkle (155th)	Bill 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.	Economic Development & Tourism Favorably Reported By Sub.
HB 1181 - Directors of development authorities shall not serve as chairperson or chief executive officers; Rep. Jackson (64th)	This bill prohibits members of a county or municipal governing authority that are appointed as directors of development authorities from serving as chairpersons or chief executive officers of such authority. It also requires consent of impacted municipalities and school boards for tax abated projects and deals. The bill applies to Fulton County Government, All Cities in Fulton County except the City of South Fulton and the Development Authority of Fulton County.	House Second Readers; Governmental Affairs

Health & Human Services

Bill Caption/Author	Bill Description	Status
HB 853 – Mental Health treatment alternatives to imprisonment; Rep. Scott (76th)	Bill would address defendants with mental health issues who plead guilty or nolo contendere. This bill would allow any defendant who was eligible for public mental health services to petition the court for mental health treatment to be included in their sentence.	House Second Readers; Judiciary Non-Civil
HB 1013 -Mental Health Parity Act; (Omnibus) Speaker David Ralston (7th)	Bill proposes to: Require parity for mental health insurance coverage; Increase the number of mental health professionals in the state; Provide help to first responders help on mental health crisis calls; Improve data and transparency including enforcement of the Federal Parity Act of 2008 by requiring public reports	House Second Readers: Health & Human Services
HB 1192 - Treatment under Medicaid to persons with HIV; Rep. Cooper (43rd)	This bill 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.	House Second Readers; Health & Human Services
SB 338 - Medicaid; Postpartum coverage; Sen. Burke (11th)	Postpartum care for mothers would be extended for a period of six months to one year following the date the woman gives birth pregnancy end.	Senate Adopted By Substitute

Public Safety and the Courts

Bill Caption/Author	Bill Description	Status
HB 1134 - Prosecute offenses involving criminal gang activity; provide for concurrent authority; Rep. Efstration (104th)	This bill amends Code Section 16-15-4 of the Official Code of Georgia Annotated, relating to participation in criminal gang activity prohibited, so as to provide for the concurrent authority of prosecuting attorneys and the Attorney General to prosecute offenses involving criminal gang activity.	House Adopted
SB 277 - Firearms Carry laws for court; Sen. Mullis (53rd)	This bill authorizes Solicitors to carry handguns in any courthouse.	Senate Adopted
SB 319 – "Georgia Constitutional Carry Act of 2021"; Sen. Anavitarte (31st)	Bill would eliminate gun permit requirement in order to carry a gun in public if the individual is a lawful weapons carrier.	Senate Read Second Time; Judiciary Committee

TSPLOST

Bill Caption/Author	Bill Description	Status
HB 907 - Special Elections; related to sales & use taxes for transportation; Rep. Smith (18th)	This legislation changes current law so that the 3rd Tuesday in March of even-numbered years is an authorized date to present a question to voters for Regional TSPLOST, Single County TSPLOST, and Transit SPLOST.	House Adopted By Substitute; Senate Adopted
HB 934 Sales and use tax; special district mass transportation; local government; Rep. Leverett (33rd)	This bill is an ACCG legislative priority that amends the GA Code to allow a Single County Transportation Special Purpose Local Option Sales Tax (TSPLOST) to be collected for the full amount of time (five years), as opposed to terminating once the estimated amount is collected. In order to collect for the maximum amount of time, an intergovernmental agreement (IGA) would have to be in place between the county and cities, and all proceeds would be spent according to the IGA - on transportation purposes. NOTE: This bill is not retroactive but will apply to TSPLOST referendums once enacted.	House Second Readers: Ways & Means

Public Works

Bill Caption/Author	Bill Description	Status
<u>SB 438</u> - Contracts; certain provisions relating to retainage of progress payments; Sen. Tippins (37 th)	Senate Bill 438 alters the maximum percentage local governments can retain for progress payments in relation to public works construction projects.	Favorably report out of Senate Regulated Industries & Utilities Committee

Homestead Exemptions

Bill Caption/Author	Bill Description	Status
HB 1029 - Milton, senior homestead exemption; modify maximum income; Rep. Jones (47th), Rep. Cantrell (22nd)	Bill calls for a referendum for a local homestead exemption: "Shall the Act be approved which modifies the maximum income for a homestead exemption for individuals age 70 or older to be the greater of \$100,000.00 or the maximum amount which may be received by an individual and an individual's spouse under the federal Social Security Act for the immediately preceding year?"	House Recommitted: Intragovernmental Coordination Effective tax year January 1, 2023.
HB 1030 – Milton; repeal homestead exemption; Rep. Jan Jones (47th), Rep. Cantrell (22nd)	Bill calls for a referendum: "Shall the Act be approved which repeals the homestead exemption for citizens of the City of Milton age 65 years or older meeting certain income requirements as found in Section 6.34 of the city charter?" Effective tax year January 1, 2023.	House Recommitted: Intragovernmental Coordination
HB 1031 - Milton; increase amount of a senior homestead exemption; Rep. Jan Jones (47th), Rep. Cantrell (22nd)	Shall the Act be approved which increases the general homestead exemption for individuals age 65 or older from City of Milton ad valorem taxes for municipal purposes from \$15,000.00 to \$25,000.00?" Effective tax year January 1, 2023.	House Recommitted: Intragovernmental Coordination

Homestead Exemptions

Bill Caption/Author	Bill Description	Status
HB 843 - Property Tax: Deferral of Taxes for Taxpayers in Certain Cities; Rep. Holland (54th)	This bill would authorize any city that levies a Municipal Option Sales Tax (MOST) - currently only the City of Atlanta – to create a tax deferral program that may be (but is not required to be) based upon household income. Such homeowners would be able to defer paying that portion of property taxes that are more than 15% higher than the taxes in the previous year. Those deferred taxes could accrue to an amount that is up to 85% of the fair market value of the property. Such deferred taxes with interest would be payable at such time as the property's ownership changes.	Second Reader in Ways and Means
HB 887 - Authorize Homestead Assessment of 20 Percent of Fair Market Value for Individuals 65 Years of Age or Older; Rep. Stephens, (164th)	This bill allows for a referendum to be called by a Local Board of Education to authorize a homestead assessment of 20% of fair market value on residential homesteads owned by those 65 years of age and over. These referenda will only apply to local school district taxes for educational purposes and will only be applicable if a state-wide referendum to allow authorization of such assessments is passed.	Second Reader in Ways and Means; Companion bill: HR 571 Property Tax: Homestead Assessment for 65 and Over (CA)

Revenue and Taxation

HB 1094 - Revenue and taxation; notices of current assessment; revise language required; Rep. Leverett (33rd)	This bill eliminates the estimated tax amount on the annual assessment notice.	House Second Readers; Ways and Means
HB 1280 Tax Commissioners: Provide for Collection Contracting Requirements and Compensation; Rep. Lim (99th)	This bill 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.	House Second Readers; Ways and Means

Business, Consumers & Taxation

Bill Caption/Author	Bill Description	Status
SB 331 - "Protecting Georgia Businesses and Workers Act"; Sen. Albers (56th)	Bill prohibits local governments from regulating the hours or scheduling that an employer is required to provide employees or otherwise regulate employee output during work hours, with the exception of regulating business operating hours.	Second Readers: Insurance and Labor
SB 332 - "Inform Consumers Act"; Sen. Albers (56th)	Bill regulates third-party, high-volume sellers operating on online platforms requiring certain business or tax identification, financial and related registration information within 10 days of beginning operations. Failure to comply will cause suspension on online marketplace platform. Marketplace must provide for electronic or telephonic consumer reporting of suspected suspicious activity. Effective: January 2023.	Senate Judiciary Favorably reported; Read Second Time

Study Committee: Consolidate Governments

Bill Caption/Author	Bill Description	Status
HR 630 - Joint Study Committee for Consolidation of County Governments and School Systems; Rep. Taylor, (173rd)	This resolution establishes a joint House/Senate study committee to review county and school system consolidation, including possible incentives and economies of scale that may come with consolidation. The study committee would consist of 10 members, including three House members, three Senators, one member appointed by GMA, one member appointed by ACCG, and three members appointed by the Constitutional Officers Association of Georgia. The committee would be abolished on December 1, 2022. All findings and recommendations must be filed by that date.	Governmental Affairs; House Committee Favorably Reported By Substitute

Upcoming Events

- February 23: Heritage Dinner – The Georgia Legislative Black Caucus (GLBC)
- February 28: Dyslexia Day at the Capitol – International Dyslexia Association Georgia
- March 9: ACCG Legislative Breakfast

