



**FULTON
COUNTY**

**Fulton County Board of Commissioners
February 7, 2024**

**2024 Legislative
Session Update**

Operational Funding for Behavioral Health Crisis Center

Replacement Jail Funding

Equitable Property Tax Appeals Process

Equal Access to Judicial Personnel Benefits

Elections

Effective & Efficient Justice System

Evictions Process Improvements

Expansion of Healthcare & Hospital Access

Definition of Anti-Semitism/Anti-Islamic Hatred

Homeowners Associations Protections & Transparency

Senior Homestead Exemption Simplification

MARTA Board Appointment Parity

National Use of Force Data Collection Participation

Limit Clerk of Superior Court Passport Fees

CROWN Act



**FULTON
COUNTY**

**2024
State Legislative
Agenda**

Legislative Session Overview

- February 5: Funeral for House Rules Chair Rep. Richard Smith (139th)
- February 6: The Amended Fiscal Year 2024 budget ([House Bill 915](#)) was passed by the House.
 - Senate Appropriations subcommittees are scheduled to meet February 7-February 8 on the bill.
- February 7: State of the Judiciary Address
- House Appropriations Subcommittees will begin reviewing the Fiscal Year 2025 budget ([House Bill 916](#)) next week.
- The [Adjournment Resolution](#) was updated with no changes to Crossover Day on Thursday, February 29 or Sine Die on Thursday, March 28.

Fulton Legislative Delegation Overview

- Fulton County presented the 2024 Legislative Agenda to the Joint Fulton County Delegation on Thursday, February 1.
- The adopted meeting schedule will be shared with BOC and staff. Several departments have been invited to present including Elections, Courts and the Board of Assessors.

2024 Delegation Officers	
<i>House of Representatives</i>	<i>Senate</i>
Chair: Rep. Park Cannon (58 th)	Chair: Sen. Sonya Halpern (39 th)
Vice-Chair: Rep. Debra Bazemore (69 th)	Vice-Chair: Sen. Josh McLaurin (14 th)
Secretary: Rep. Esther Panitch (51 st)	Secretary: Sen. Horacena Tate (38 th)

Primary Policy Priority: BHCC Operational Funding

- Fulton County is working with the leadership of the House and Senate to assist the County in securing full operational funding for the BHCC under the FY 2025 budget.

Primary Policy Priority: Replacement Jail Funding

- Discussions regarding financial modeling for the replacement jail are still underway between the County and State leadership.

Primary Policy Priority:

Equitable Property Tax Appeals Process

Revisions to Ad Valorem Taxation of Property – [Senate Bill 349](#); *ACCG Position*: SUPPORT

- Implements a statewide floating homestead exemption for counties, cities, and schools. It places a cap on increases in value for homesteaded property at no more than 3% per year. For jurisdictions with existing floating homestead exemptions, the taxpayer will receive whichever exemption is the largest: the floating homestead exemption under this bill or the local floating homestead exemption. Existing state and local (non-floating) homestead exemptions will still apply after the floating homestead exemption has been calculated.
- Adjusts the millage setting process so that as long as the millage rate is not increased, there is only one required advertisement and public hearing in order to adopt the millage rate. It also cleans up the existing form.
- Removes the tax estimate from the notice of current assessment and requires exemptions to be shown. This will reduce taxpayer confusion and provide more accurate value information to the taxpayers.
- Adjusts the three-year lock statute so that it only applies when the taxpayer receives a reduction in value on appeal. This will reduce frivolous appeals and save taxpayer dollars.
- Closes a loophole for settlement conferences by requiring the taxpayer to participate and advance their appeal in good faith.

Property Tax Relief Act of 2024 – [Senate Bill 364](#); *ACCG Position*: OPPOSE

- Expands the 3-year lock to a 5-year lock if a certified appraisal has been submitted, determined by the Board of Equalization to be more accurate than the fair market value set by the tax assessors, and the appraised value is more than 5% below the assessor value.
- Adds language to the notice of current assessment to show the taxes assessed on the property by each local government for the past 3 taxable years.

Other Fulton County Priorities

- Equal Access to Judicial Personnel Benefits: The House Retirement Committee considered passage of [House Bill 643](#) on Tuesday, January 30, but the bill was held to allow legislative counsel to provide substitute language. The bill will be on the agenda for passage at the next Retirement Committee meeting. This bill supports the repeal of legislation that prohibits the equitable participation of Judges in the Fulton County and Georgia Judicial Retirement System programs simultaneously.
- Fulton County is meeting with legislators to finalize sponsorship for expedited local legislation to authorize Fulton County Superior Court judicial officers to handle felony criminal matters for the Fulton County Superior Court, by designation.

BOC Policy Position: **SUPPORT**

Bill #/Author	Description	Status
HB 30 Definition of antisemitism Rep. John Carson (46 th)	This bill includes the definition of antisemitism in the Georgia Hate Crimes law adopted by the International Holocaust Remembrance Alliance (IHRA). IHRA defines antisemitism as a certain perception of Jews, which may be expressed as hatred toward Jews, and includes rhetorical and physical manifestations of antisemitism directed toward Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions, and religious facilities. Nothing in the bill will be construed to infringe upon First Amendment rights or an individual's right to engage in legally protected conduct or activity pertaining to U.S. foreign policy or international affairs.	Act 356; Signed by Governor Brian P. Kemp on January 31, 2024

Taxation

Bill #/Author	Description	Status
<p>HB 1115 Sales and use tax; revise provisions for maximum allowable tax rate; remove prohibition of simultaneously levying a LOST and a HOST Rep. Noel Williams (148th)</p>	<p>This bill replaces the two percent local sales tax cap with a three percent cap that applies to most local sales taxes. Education special purpose local option sales tax (ESPLOST) and transportation taxes (TSPLOST and MARTA) do not count toward the three percent cap, but the county may only have one transportation sales tax. Counties can have a total of five percent with their local sales taxes; the combined state and local sales tax rate cannot exceed nine percent. This bill also creates a new flexible penny local option sales tax (FLOST) which is subject to the three percent cap. FLOST is restricted to be used only for capital expenditures, property tax relief or both. The tax may be levied in fractional increments of 0.05% up to a full one percent and cannot be levied for more than five years at a time. The details regarding how the tax will be used and shared between the county and cities must be included in local legislation.</p>	<p>House Hopper</p>
<p>HB 862 HOST; repeal prohibition Rep. Mitchell Horner (3rd)</p>	<p>This bill repeals the prohibition against calling for a Homestead Option Sales Tax (HOST) referendum if a county is currently levying a Local Option Sales Tax (LOST).</p>	<p>Referred to House Ways & Means Committee</p>

Taxation

Bill #/Author	Description	Status
<u>HB 1031</u> Mandatory reappraisal of parcels Rep. Shaw Blackmon (146th)	This bill requires a mandatory reappraisal in 2025 and again every three years thereafter. HB 1031 also adds a definition for estimated roll-back rate using the estimated millage rate minus the millage equivalent of the net assessed value added by reassessments.	Referred to House Ways & Means Committee
<u>HB 1120</u> Limits 3-Year Lock Rep. Darlene Taylor (173rd)	This bill restricts the three-year lock statute, so it no longer applies to residential property unless it is homestead property.	House Hopper
<u>SB 403</u> Ad Valorem Taxation of Property; language required to be included in the notices of current assessment; revise Sen. Frank Ginn (47th)	This bill removes the tax estimate from the assessment notice.	Referred to Senate Finance Committee

State and Local Government

Bill #/Author	Description	Status
<p>HB 451 PTSD Insurance for certain first responders Rep. Devan Seabaugh (34th)</p>	<p>This bill mandates cities and counties to provide supplemental, illness-specific insurance to certain first responders diagnosed with occupational post-traumatic stress disorder (PTSD).</p>	<p>House Public Safety and Homeland Security Committee Favorably Reported</p>
<p>HB 1044 Public Works: Increase Threshold Rep. Victor Anderson (10th)</p>	<p>This bill increases the dollar amount from \$100,000 to \$250,000 by which counties and cities must bid out public works projects.</p>	<p>House Governmental Affairs Committee Favorably Reported</p>
<p>SB 361 Open Meetings: More Teleconferences for County Commissioners Sen. Greg Dolezal (27th)</p>	<p>This bill authorizes county commissioners and other local government officials to participate in a meeting via teleconference up to six times per year (currently twice) without having a health excuse or having a declared state of emergency. To do so, a quorum of board members must be present in person.</p>	<p>Referred to the Government Oversight Committee</p>
<p>SB 390 Prohibit government funding for ALA-affiliated libraries Sen. Larry Walker III (20th)</p>	<p>This bill prohibits taxpayer funding to American Library Association (ALA) affiliated libraries from Georgia’s cities, counties, public schools, the state University System and other public bodies created under the state Constitution or laws. SB 390 also eliminates the requirement for a certified librarian as library director. <u>Effective Date</u>: July 1, 2025.</p>	<p>Senate Government Oversight Committee Hearing on 2/7/2024 at 5 p.m.</p>

Sports Betting

Bill #/Author	Description	Status
SB 386 State Government; regulation and taxation of sports betting in this state; authorize and provide Sen. Clint Dixon (45th)	This bill authorizes and provides for the legalization, regulation, and taxation of online sports betting in Georgia. Sports betting will be administered by the Georgia Lottery Corporation and its proceeds will be allocated to student financial aid programs, including the HOPE college scholarship and Georgia Pre-K programs. State and local sales taxes do not apply to the operation or on the proceeds of sports betting; however, they do apply to the goods and services purchased by licensees in the course of doing business. If the ratification of an amendment to the Georgia Constitution is passed by voters, the Act shall become effective on January 1, 2025.	Senate Passed by Substitute
SR 583 Sports Betting; authorize and require CA Sen. Carden Summers (13th)	This proposed constitutional amendment will provide by law for sports betting and casino gambling in this state no later than July 2, 2025.	Referred to Senate Economic Development and Tourism Committee

Elections

Bill #/Author	Description	Status
HB 974 Secretary of State; establish and maintain a state-wide system for the posting of scanned paper ballots; require Rep. John LaHood (175 th)	This bill requires the secretary of state to maintain a statewide program for the posting of digital images of election ballots. The bill requires a minimum scan resolution of 200 dots per inch (DPI) for scanned paper ballots and 600 DPI, or the highest resolution possible within the certified voting system for scanned absentee ballots.	House Governmental Affairs Committee Favorably Reported By Substitute
HB 976 Elections; ballots shall use paper with a visible watermark security feature Rep. John LaHood (175 th)	This bill requires ballots to be printed on security paper that includes a visible watermark. Ballots cannot be identifiable to a particular elector.	House Passed; Referred to Senate Ethics Committee
SB 189 Prohibit Bar Codes or QR Codes on Ballots Sen. Max Burns (23 rd)	This bill provides that the text portion of the paper ballot will be the official vote for purposes of vote tabulation. Currently, paper ballots marked and printed by electronic ballot markers are official ballots, but QR codes are used for vote tabulation.	Senate Ethics Committee Favorably Reported By Substitute
SB 355 Elections; use of ranked-choice voting; prohibit Sen. Randy Robertson (29 th)	This bill prohibits ranked-choice voting from being used in determining the election or nomination of any candidate to any local, state, or federal elective office.	Senate Passed; Referred to House Governmental Affairs Committee

Elections

Bill #/Author	Description	Status
SB 358 State Election Board; remove SOS; authorize board to investigate Sen. Max Burns (23rd)	This bill removes the Secretary of State from the State Election Board and authorizes the Board to investigate the Secretary of State and local election officials.	Senate Passed; Referred to House Governmental Affairs Committee
SB 413 Restricts Elections on Local Sales Taxes to Occur Once Every Two Years Sen. Randy Robertson (29th)	This bill restricts special elections on local sales taxes to occur only on the Tuesday after the first Monday in November in even-numbered years.	Referred to Senate Ethics Committee
SB 446 Shorten Early Voting Sen. Rick Williams (25th)	This bill changes the start of early voting to the third Thursday before each election instead of the fourth Monday before an election.	Senate Hopper

Courts and Public Safety

Bill #/Author	Description	Status
HB 424 Revise Sheriff qualification requirements Rep. Ken Vance (133rd)	<p>This bill requires peace officers who want to qualify as candidates for the office of sheriff to be in good standing with the Georgia Peace Officers Standards and Training (POST) Council. The bill allows for any person desiring to run for sheriff to attend the basic law enforcement training course for peace officers as a pre-service candidate and to be reimbursed for tuition expenses upon being elected. These expenses are paid by the office of sheriff to which the candidate is elected.</p>	<p>Recommitted to House Public Safety and Homeland Security Committee</p>
HB 881 PAQC Rules Rep. Joseph Gullett (19th)	<p>This bill removes the requirement that the Supreme Court review and adopt the standards and rules for the Prosecuting Attorneys Qualifications Commission (PAQC) for those standards and rules to be effective. The bill clarifies that decisions by the hearing panel of the PAQC are appealable to the superior court of the county or counties in which the DA or SG practices or practiced in, with the appeal using an arbitrary, capricious, or abuse of discretion standard. That decision can be immediately appealed to the Georgia Supreme Court.</p>	<p>House Passed; Referred to Senate Judiciary Committee</p>
HB 909 GBI; restriction and seal of FOA Rep. Leesa Hagan (156th)	<p>This bill requires the Restriction and Sealing of First Offender Act (FOA) court records at sentencing.</p>	<p>House Judiciary Non-Civil Hearing on 2/5/2024</p>

Courts and Public Safety

Bill #/Author	Description	Status
<p>SB 63 Bonds and Recognizances; setting of bonds and schedules of bails; provide Sen. Randy Robertson (29th)</p>	<p>This bill expands the list of crimes for which a judge cannot grant “unsecured release” to the accused person prior to trial. Instead, persons accused of such crimes would be required to post a cash bond, property bond or bond from a bail bondsman to avoid being held in jail until trial.</p>	<p>Senate Conference Committee Report Adopted</p>
<p>HR 872 Atlanta Judicial Circuit DA Impeachment Rep. Charlice Byrd (20th)</p>	<p>This resolution contains violation of oath by public officer impeachment charges against Atlanta Judicial Circuit District Attorney Fani T. Willis by the House of Representatives.</p>	<p>Referred to House Rules Committee</p>
<p>SR 465 Senate Special Committee on Investigations Sen. Greg Dolezal (27th)</p>	<p>This resolution creates the Senate Special Committee on Investigations with a focus on the Fulton County District Attorney's Office. The Committee will have nine members, with three representatives from the Minority Party. The Committee will be assigned to conduct a legislative investigation and will have the power to administer subpoenas, call any party to testify under oath at such investigations and provide state budget and policy recommendations based on findings.</p>	<p>Senate Passed As Amended</p>

Public Health

Bill #/Author	Description	Status
HB 1035 Pharmacies; board regulates sale and supply of opioid antagonists through vending machines; authorize Rep. Sharon Cooper (45th)	This bill allows universities and organizations to distribute opioid antagonists like Naloxone and Narcan through vending machines and other methods; provides immunity from legal action to anyone using an opioid antagonist on someone to try and save them from an overdose; and allows Georgia’s public health commissioner to approve the distribution and use of “any opioid antagonist”.	House Public Health Committee Favorably Reported

Legislative Calendar ([HR 978](#)) & Events at the State Capitol

- Thursday, February 8: Legislative Day 17
- Friday, February 9: Legislative Day 18
- Monday, February 12: Legislative Day 19
- Tuesday, February 13: Legislative Day 20
- Thursday, February 15: Legislative Day 21
- Thursday, February 29: Legislative Day 28 (Crossover Day)
- Thursday, March 28: Legislative Day 40 (Sine Die)

- Mental Health Parity Day on **Thursday, February 8**
- ACCG Legislative Breakfast on **Thursday, March 7**
- Film Day on **Tuesday, March 19**

