



Fulton County Board of Commissioners

March 1, 2023



**FULTON
COUNTY**

**2023 State
Legislative Update**

Funding for a Behavioral Health Crisis Center

Equitable Property Tax Appeals Process

Senior Homestead Exemption Simplification

Effective & Efficient Justice System

Equal Access to Judicial Personnel Benefits

MARTA Board Appointment Parity



**2023
State Legislative
Agenda**

Legislative Session Overview

- Legislative Day 28, also known as Crossover Day, is scheduled for Monday, March 6. Crossover Day is the deadline for a bill to pass out of either of the legislative chambers. If it fails to do so, the bill can no longer be considered in the current session.

Fulton Legislative Delegation Overview

- Delegation members and County representatives participated in Fulton County Day at the Capitol on Thursday, February 16.
- The next Joint meeting will be on Thursday, March 2 at 4 p.m.
Location TBD

Primary Policy Priority: BHCC Funding

- Governor Kemp's Fiscal Year 2024 Budget includes \$5,688,919 to operate a Behavioral Health Crisis Center (BHCC) with a 15-bed crisis stabilization unit and 18 observation chairs for adults within Fulton County. *This does not reflect full funding for this project.*
- Fulton County respectfully asks support for DBHDD's full request for a Behavioral Health Crisis Center that includes a 24 bed Crisis Stabilization Unit with 16 observation chairs with enhanced entry ("the Living Room Model"), with annual funding of \$13.3 million per year. At minimum, we request \$6,651,470 for Fiscal Year 2024, representing half-year funding for the DBHDD model, reflecting the facility's opening date of January 2024.

Other Fulton County Priorities

- Rep. Roger Bruce (61st) is sponsoring a bill related to the Equal Access to Judicial Retirement Benefits priority, which will repeal a restriction that disallows Fulton County State Court Judges from accruing benefits on the County only portion of their salary. Because this bill is a retirement measure, it is being reviewed by the Office of the State Auditor as is required of all retirement bills.
- Rep. Bruce is also sponsoring a secondary priority to allow the Fulton County Probate Court to collect a \$5 technology fee. The required public notice for this local bill has been published.
- Sen. Sonya Halpern (39th) is sponsoring a bill related to the Senior Homestead Exemption Simplification priority which will eliminate the need for lowest income seniors over the age of 65 to renew their homestead exemption every two years.
- House Juvenile Justice Chairwoman Rep. Mandi Ballinger (23rd) has agreed to advance the Georgia Code amendments requested by the Fulton County Child Attorney's Office to codify legal representation for minors in legitimation, dependency and termination cases.
- We have communicated the Board of Commissioners' position regarding [HB 30](#) and [SB 19](#).
- The Fulton County legislative team continues to finalize sponsorship and broad support for bills related to the remaining priorities: Equitable Property Tax Appeals Process

BOC Policy Position: **SUPPORT**

Bill #/Author	Description	Status
HB 30 State government; definition of antisemitism; provide Rep. John Carson (46th)	This bill provides a definition of antisemitism for purposes of state law. The bill uses the definition adopted on May 26, 2016 by the International Holocaust Remembrance Alliance (IHRA), which defines antisemitism as the harassment of a person of actual or perceived Jewish origin, ancestry, ethnicity, or faith. The bill includes the examples of antisemitism set forth by the IHRA. State departments and agencies shall consider antisemitism as evidence of discriminatory intent for any law that prohibits discrimination or under any hate crimes provision. The bill does not diminish any rights protected under the First Amendment.	

State and Local Government

Bill #/Author	Description	Status
<u>HB 281</u> Require local government report audits of discretionary funds to General Assembly Rep. Mesha Mainor (56th)	This bill requires county constitutional officers to annually disclose audits of their discretionary funds to the Georgia General Assembly.	
<u>SB 19</u> Prohibit Collection of passport application and processing fees by clerks of superior courts and probate court judges Sen. Kay Kirkpatrick (32nd)	This bill prohibits clerks of superior court and probate judges from keeping U.S. passport application processing fees as personal compensation. Officials must disclose all passport processing fees collected on a quarterly basis to the county governing authority. Half of these fees will go into the county's general fund, and the other half will be retained by the clerk for office operations and maintenance. The General Assembly may pass local legislation to change the percentage amounts retained and deposited into the county's general fund. Fees cannot be used to compensate the clerk, their employees, or purchase non-work-related items.	
<u>SB 28</u> Repeal an Act fixing the compensation of counties with a population in excess of 500,000 Sen. Clint Dixon (45th)	This bill repeals an act that prohibits counties with populations in excess of 500,000 from fixing county commissioners' salaries through local legislation. If passed, these counties must have local legislation passed to adjust commissioners' salaries.	

Sports Betting in Georgia

Bill #/Author	Description	Status
<u>HB 380</u> Georgia Lottery Game of Sports Betting Act; enact Rep. Marcus Wiedower (121st)	This bill legalizes sports betting and allows the Georgia Lottery Corporation to grant 16 sports betting licenses.	
<u>SB 57</u> Georgia Sports Betting Integrity Act Sen. Billy Hickman (4th)	This bill legalizes sports betting in Georgia which will be regulated by the newly created Georgia Sports Betting Commission. Up to nine online sports betting service providers, determined through a procurement process, would be authorized to provide betting. Individuals 21 years old and older can place bets, but no bets are allowed on injuries, penalties, or the outcome of player discipline rulings or replay reviews. Betting services will pay an annual privilege tax of 20 percent of their adjusted gross income, proceeds will be distributed in the same manner as they are for the state lottery.	
<u>SB 172</u> State Government; regulation and taxation of sports betting in this state; authorize and provide Sen. Bill Cowsert (46th)	This bill authorizes online sports betting in Georgia, creating the Georgia Gaming Corporation, to be governed by the Georgia Sports Betting Commission, under the Georgia Lottery Corporation to oversee the process. Wages on sports betting are exempt from state and local sales taxes.	
<u>SR 140</u> Georgia General Assembly; general law for sports betting in this state; provide- CA Sen. Bill Cowsert (46th)	This proposed constitutional amendment provides by law for sports betting in this state and provides for such proceeds to be used for need based educational funding, services in less developed and high poverty areas, services for gambling addiction, promotion of major sporting events, and innovational educational programs and services.	

Elections

Bill #/Author	Description	Status
<u>HB 17</u> Elections; sealing of ballots in secure containers Rep. Alan Powell (33 rd)	This bill provides chain of custody requirements and prohibits the handling of voted ballots without a poll official being present. The bill allows for public notice of logic and accuracy testing for ballot marking devices to be posted on a website or in a newspaper. Regarding mail-in absentee ballot requests, the bill requires the issuance and mailing of absentee ballots within three days of request receipt.	
<u>HB 426</u> Elections; retention and preservation of ballots and other election documents; revise provisions Rep. Shaw Blackmon (146 th)	This bill unseals certified ballots for members of the public to inspect. County staff are required to retain and preserve the ballots in order to prevent them from being altered, amended, damaged, modified or mutilated. There are no limits on public inquiries.	
<u>SB 122</u> Primaries and Elections; Security Requirements Sen. Kay Kirkpatrick (32 nd)	This bill authorizes members of county boards of elections to serve on performance review boards for review of election superintendents' conduct; limits access to secure areas where ballots are printed and stored; requires blank ballots to be transported in sealed containers, accompanied by signed ballot transfer forms; unseals primary and general election ballot returns kept by the clerk of court so that the public may have access to them; and requires counties to, upon election certification, make documents from an election subject to electronic inspection in high resolution images.	

Taxation

Bill #/Author	Description	Status
<u>HB 36</u> Revise language required to be included in notices of current assessment Rep. Charles Martin (49th)	This bill adds hearing officer review for tax assessment of certain business personal property in excess of \$200,000.	
<u>HB 264</u> Revenue and taxation; handling of appeals of property tax assessments; revise certain deadlines and procedures Rep. Vance Smith (138th)	This bill shortens the time county board of tax assessors must respond to a property tax appeal from 180 days to 90 days. If the county board of tax assessors does not respond within 90 days, the appeal is forwarded to the county board of equalization. If no hearing is scheduled by the appeal administrator within 180 days from the date of appeal, the valuation asserted by the taxpayer shall become the assessed fair market value. If the taxpayer receives his or her indicated value because no hearing was scheduled, this new value shall not be used for comparison in other tax appeals.	
<u>SB 153</u> Authorize Public Safety Stadium Surcharge for Counties and Cities Sen. Brandon Beach (21st)	This bill authorizes county and city governments to levy a public safety stadium surcharge on original ticket sales at stadiums or arenas within their boundaries with a seating capacity of 9,500 or more people. The city portion of the tax is two percent of the sales price, and the county portion of the tax is one percent of the sales price county wide but may be up to three percent of the sales price in areas where a city is not levying the tax. This tax may be implemented with a local ordinance and revenue from the tax may be used for capital outlay projects or maintenance and operation expenses.	
<u>SR 147</u> Senate Local Option Sales Tax Study Committee Sen. Derek Mallow (2nd)	This resolution creates the seven member Senate Local Option Sales Tax Study Committee to examine governing the determination of local option sales tax agreements.	

Public Health and Public Safety

Bill #/Author	Description	Status
<u>HB 266</u> Medical Freedom Act Rep. Charlice Byrd (20th)	This bill expands Medicaid to uninsured Georgians living with HIV who make less than 138% of the federal poverty level.	
<u>SB 12</u> Protecting Victims and Dismantling Georgia Street Gangs Act Sen. John Albers (56th)	This bill establishes a mandatory minimum for persons convicted of possession of firearms by convicted felons and first offender probationers when the offense for which such person is on probation or has been previously convicted is a forcible felony or a domestic violence felony or an act of family violence. SB 12 also enhances the gang statute by expanding the venue for gang act prosecutions and allowing gang members to be tried in civil court.	
<u>SB 42</u> Human Trafficking Hotline Information; model notice requirements; increase the fine for failure to comply Sen. Mike Hodges (3rd)	This bill increases the fine for failure to comply with model notice requirements with human trafficking hotline information in businesses and on the internet.	
<u>SB 44</u> Street Gang Terrorism and Prevention Act Sen. Bo Hatchett (50th)	This bill strengthens the sentencing for all gang-related offenses by imposing mandatory minimum sentences but specifically targets the recruitment of minors by instating even stricter mandatory minimums for those whose gang-related offenses involve a minor or otherwise vulnerable individual.	

Public Works and Transportation

Bill #/Author	Description	Status
HB 193 Local government; increase dollar values of certain public works construction contracts exempt from bidding requirements Rep. Victor Anderson (10th)	<p>This bill raises the dollar amount threshold required to bid out public works projects from \$100,000 to \$250,000.</p> <p>ACCG supports this measure as does the Georgia Municipal Association and the Associated General Contractors of Georgia.</p>	House Passed
HB 189 Highways, bridges, and ferries; allowable variance for weight limitations upon a vehicle or load Rep. Steven Meeks (178th)	<p>This bill increases the allowable weight variance from 5% to 12.5% for all five-axle commercial trucks. The rise in weight limits from 80,000 pounds to 90,000 pounds will allow vehicles hauling forest products, live poultry, concrete, solid waste and others to haul a heavier load. Additionally, this legislation removes any mile radius restrictions in place now.</p> <p>Companion bill: SB 165</p> <p>ACCG opposes this measure as does the Georgia Municipal Association and the Georgia Department of Transportation.</p>	

Legislative Calendar ([SR 6](#)), Events, & Special Days at the State Capitol

- Thursday, March 2: Legislative Day 27
 - Friday, March 3: Committee Work Day
 - Monday, March 6: Legislative Day 28 (Crossover Day)
 - Tuesday, March 7: Legislative Day 29
 - Wednesday, March 8: Legislative Day 30
 - Thursday, March 9: Legislative Day 31
 - Wednesday, March 29: Legislative Day 40 (Sine Die)
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- Thursday, March 9: [ACCG Legislative Breakfast](#)

