



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

- The Senate passed the Amended 2023 Fiscal Year Budget ([HB 18](#)) on Thursday, February 23. A Conference Committee between both Chambers will be appointed this week to begin negotiations on the bill.
- [HB 520](#) is a mental health reform bill that will expand the state's loan forgiveness program for mental health care providers. This bill also creates new authorities for sharing and collecting data, as well as establishes rules for transferring data in compliance with federal and state law. HB 520 includes a funding mechanism that allows the Georgia General Assembly to appropriate funds in the Fiscal Year 2024 budget for crisis services in Fulton, Laurens and Muscogee counties.
- 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.
- On Wednesday, March 8 there will be a Joint Session of the House of Representatives and the Senate to hear the annual State of the Judiciary by the Chief Justice of the Georgia Supreme Court ([HR 280](#)).

Fulton Legislative Delegation Overview

- Delegation members and County representatives participated in Fulton County Day at the Capitol on Thursday, February 16.
- Delegation members along with the Joint City of Atlanta Delegation met on Thursday, February 23 to discuss local legislation:
 - Testimony from the Fulton County Tax Assessor's Office was provided in support of the Senior Homestead Exemption Simplification legislative priority.
 - District Attorney Fani Willis provided operational updates.
 - Draft legislation regarding the Clerk of the Magistrate Court is expected to be introduced this week.
 - Creation of the City of Buckhead City ([SB 113](#) and [SB 114](#)).
- The Department of Registration and Elections participated in the Friday, February 24 meeting of the South Fulton Delegation.
- The next Joint meeting will be on Thursday, March 2 at 4 p.m. in CLOB 328.

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.*
- State leadership advocacy and negotiations continue on behalf of the County's request for full operational funding 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

- Equal Access to Judicial Personnel Benefits: Awaiting certification letter from the State Auditor's Office.
- Senior Homestead Exemption Simplification: Public ad has run; bill is being introduced this week by Senator Halpern.
- Effective & Efficient Justice System (Child Attorney's Office): [HB 460](#) provides a right to counsel for minor children in legitimation, dependency and guardianship cases was approved by the House Juvenile Justice Committee.
- Equitable Property Tax Appeals Process: Working with multijurisdictional teams for broad bill support.
- We have communicated the Board of Commissioners' position regarding [HB 30](#) and [SB 19](#).

BOC Policy Position: **SUPPORT**

Bill #/Author	Description	Status
HB 30 State government; definition of antisemitism; provide Rep. John Carson (46th)	<p>This bill provides a definition of antisemitism adopted on May 26, 2016 by the International Holocaust Remembrance Alliance (IHRA) so that it is included under Georgia's hate crimes law passed in 2020 (HB 426). IHRA defines antisemitism as the harassment of a person of actual or perceived Jewish origin, ancestry, ethnicity, or faith.</p> <p>The bill amends the terroristic threats statute in O.C.G.A. 16-11-37 by including in the offense of a terroristic act using in an unlawful manner antisemitic imagery such as a swastika with the intent to terrorize another person, their household, their property, or their public property. The bill does not diminish any rights protected under the First Amendment.</p>	House Judiciary Committee Favorably Reported by Substitute

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.	Referred to House Governmental Affairs Committee
<u>HB 467</u> Modify compensation received by certain local government officials Rep. Steve Tarvin (2nd)	Currently, when state employees receive a COLA, the same COLA is received by county commissioners, some coroners, magistrates, probate judges, tax commissioners, sheriffs, and clerks of court. This bill decouples all these county officials from state employee COLAs, meaning they will not receive future state employee COLAs.	Referred to House Governmental Affairs Committee
<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 requires clerks of superior court and probate judges to disclose all passport processing fees collected on a monthly basis to the county governing authority. Clerks will be given a \$7,500 passport fee salary supplement with the first disclosed funds. The remaining funds will be split with fifty percent for the County general fund and fifty percent for use in the Clerk's office. This percentage can be changed by local Act of the General Assembly or by written agreement of the county governing authority and the clerk of the superior court.	Senate Government Oversight Committee Favorably Reported by Substitute
<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.	Referred to Senate State and Local Governmental Operations Committee

Sports Betting in Georgia

Bill #/Author	Description	Status
<u>HB 353</u> Georgia Lottery for Education Act Rep. Alan Powell (33rd)	This bill awards non-cash redemption gift cards to Coin-Operated Amusement Machines (COAM) winners that could be redeemed anywhere in the state for any legal product. Under current law, COAM winners can redeem their prizes only for merchandise sold in the store where the machine they played is located. Companion Bill: <u>SB 174</u>	Withdrawn from House Higher Education; Recommitted to House Regulated Industries Committee
<u>HB 380</u> Georgia Lottery Game of Sports Betting Act Rep. Marcus Wiedower (121st)	This bill legalizes sports betting and allows the Georgia Lottery Corporation to grant 16 sports betting licenses. Under HB 380, revenue would be generated through application fees, annual licensing fees and a 15 percent tax rate on the adjusted gross income.	Referred to House Higher Education Committee
<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. 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.	Senate Economic Development and Tourism Committee Favorably Reported by Substitute
<u>SB 172</u> Authorize regulation and taxation of sports betting 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.	Referred to Senate Regulated Industries and Utilities Committee
<u>SR 140</u> General law for sports betting - 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.	Referred to Senate Regulated Industries and Utilities Committee

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.	House Governmental Affairs Committee Favorably Reported By Substitute
<u>HB 426</u> Elections; retention and preservation of ballots and other election documents; revise 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.	Referred to House Governmental Affairs Committee
<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.	Referred to Senate Ethics Committee
<u>SB 222</u> Elections; Only Public Funds Can be Used Sen. Max Burns (23 rd)	This bill prohibits county governing authorities from accepting grants from non-public sources to use the grant funds for election activities. Violators of these provisions can be charged with a felony. Current law prohibits election offices from receiving grants to fund election activities.	Referred to Senate Ethics Committee

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.	House Passed
<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.	Referred to House Ways & Means Committee
<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.	Referred to Senate Finance Committee
<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.	Referred to Senate Rules Committee

Public Health

Bill #/Author	Description	Status
HB 226 Treatment services under Medicaid to persons with HIV Rep. Sharon Cooper (45th)	This bill expands Medicaid to uninsured Georgians living with HIV who make less than 138% of the federal poverty level.	Withdrawn from Rules Calendar and recommitted to House Rules Committee
SB 162 Certificate of Need Requirements Sen. Ben Watson (1st)	This bill does not completely eliminate the certificate of need for all health care facilities and renames the process for a special health care license. SB 162 ensures Georgia hospitals with the highest concentration of Medicaid patients and patients without health insurance, such as Grady, will not deal with the financial burden of uncompensated care due to establishment of the direct payment plan.	Senate Regulated Industries and Utilities Committee Favorably Reported By Substitute

Public Safety

Bill #/Author	Description	Status
<u>HB 450</u> Courts; reestablishment of Criminal Case Data Exchange Board Rep. Stan Gunter (8 th)	This bill reestablishes the Criminal Case Data Exchange Board as a 19-member advisory board to the Administrative Office of the Courts. By July 1, 2023, the Board will conduct a comprehensive review of automated victim notification systems and publish uniform standards for the creation and transmission of electronic criminal history data by and between local and state criminal justice agencies. Law enforcement agency requirements for data transmission compliance, reports, and Georgia Technology Authority funding are also included in the bill.	Referred to House Judiciary Non-Civil Committee
<u>SB 12</u> Protecting Victims and Dismantling Georgia Street Gangs Act Sen. John Albers (56 th)	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.	Senate Passed By Substitute; Referred to House Judiciary Non-Civil Committee
<u>SB 42</u> Human Trafficking Hotline Information notice requirements; increase fine for failure to comply Sen. Mike Hodges (3 rd)	This bill increases the fine for failure to comply with model notice requirements with human trafficking hotline information in businesses and on the internet.	Senate Passed; Referred to House Judiciary Non-Civil Committee
<u>SB 44</u> Street Gang Terrorism and Prevention Act Sen. Bo Hatchett (50 th)	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.	Senate Passed By Substitute; Referred to House Judiciary Non-Civil Committee

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 provides for a 12.5 percent variance to the 80,000-pound gross vehicle weight limit for trucks hauling current allowed materials and any other agricultural or farm product from a farm to the first point of marketing or processing within a 250-mile radius. The bill provides penalties for violations.</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>	House Transportation Committee Favorably Reported By Substitute

Legislative Calendar ([SR 6](#)) & Events 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](#)

