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Weekly Legislative Report #3

Week Ending January 29, 2021

Amended FY21 Budget Passes the House

As we have mentioned previously, legislative leadership is pushing hard to usher the [Amended FY21](#) budget through the process so that state agencies will have parameters for the final few months of the fiscal year should the pandemic force a sustained legislative recess. What do we mean by “pushing”? After the amended budget passed the full House on Thursday, the first Senate Appropriations Subcommittee hearing was held at 6:30 a.m. the next morning! The Senate is expected to pass the bill early next week.

Casino Resorts and Horse Racing Introduced

A Constitutional Amendment, [HR 30](#), by Rep. Ron Stephens (R-Savannah) was introduced last week and assigned to a committee that Stephens chairs, Economic Development and Tourism. The Resolution would give the voters of Georgia an opportunity to vote yes or no on the question: *Shall the Constitution of Georgia be amended so as to preserve the long-term financial stability of the HOPE scholarship program and to support other scholarship programs through net tax and licensing revenues generated by permitting the establishment of licensed destination resort facilities where casino gaming is permitted?* A Constitutional Amendment must garner a two-thirds majority in both houses, but is then placed directly on a general election ballot without going through the Governor.

On the Senate side, Brandon Beach (R-Alpharetta) introduced [SB 30](#), a 51-page bill to permit up to three mixed-use developments featuring a horse racetrack, hotels and restaurants, one of which must be within 50 miles of the Atlanta Airport and require an investment of \$250 million. The other two racetracks would be outside the Atlanta area and require half as much investment. However, to make horse racing successful as an industry, a Constitutional Amendment allowing

parimutuel betting would have to be passed as well. Such a resolution has not yet been placed in the hopper, but could be forthcoming later.

A bill to permit sports betting was introduced two weeks ago by Rep. Stephens, but has not yet been considered in committee. [HB 86](#) would regulate sports betting as a lottery game under auspices of the current Georgia Lottery system. Thus, it would not require a Constitutional Amendment, but must pass both houses by a simple majority and be signed by the Governor. Atlanta's professional sports teams are pushing for this legislation.

Kemp Rolls Out Foster Care Package

Georgia has 11,200 children in foster care, down from 15,000 in 2018, but Gov. Brian Kemp has presented a multi-part package aimed at reducing that number further. [HB 114](#) would increase the tax credit from \$2,000 to \$6,000 for parents who adopt a child from foster care. Another bill, [HB 154](#), would reduce the minimum age for a qualifying adoptive parent from 25 to 21. A third bill, [SB 28](#), requires more training for juvenile court officers and would result in more mandatory reporting on various types of child-abuse.

“By making it more affordable to adopt, reducing bureaucratic red tape that stands in the way of loved ones adopting kids, and championing the safety of children across our state, we can ensure Georgia's children are placed in those homes and secure a safer, brighter future for generations to come,” Kemp said.

The Same Time Year-Round?

The idea of observing either standard or daylight saving time throughout the year has been the topic of frequent discussion, occasional legislation, but never actual action at the General Assembly. This year's first bill on the issue is [HB 44](#) by Wes Cantrell (R-Woodstock), who introduced three bills concerning the time change last session.

HB 44 seeks to have Georgia observe Daylight Saving Time all year long, but that move is tied eventual passage of a Congressional bill. Given the status of bills in several surrounding states, Cantrell thinks, “The entire Southeast would have it if Congress approves.” Cantrell favors the permanent shift to daylight time because it would improve the quality of life in the early evening hours, he says, and “saves on energy, reduces traffic accidents and leads to less crime.” His bill got off to a good start by passing out of a House Committee on Thursday.

Sen. Ben Watson (R-Savannah) pre-filed two bills this year on the topic. One would take Georgia to Standard Time on a permanent basis. The other would require a referendum to allow voters to pick either Standard or Daylight Time on a permanent basis. Neither has yet been formally introduced.

Member Temporarily Booted from House Chamber

Rep. David Clark (R-Buford) was escorted off the House floor by a Georgia State Patrolman last Tuesday and was evicted from his assigned office space across the street. Clark's offense was to repeatedly refuse to abide by House rules to take a COVID-19 test twice per week. He then refused to leave his seat on the floor on his own at the Speaker's request. COVID tests are made available to legislators in the Capitol building, but Clark declined to take one for the first two weeks of session. Clark did not attend Wednesday's session but had taken the test and returned to his seat by Thursday. However, over concern for other legislators, Ralston is taking a wait-and-see approach before allowing Clark back into his office space that has a shared common area in the Legislative Office Building.

Clark's actions stood in sharp contrast with that of Rep. Dexter Sharper (D-Valdosta), who now carries a portable oxygen tank with him at the Capitol following 11 days' hospitalization with COVID before Christmas. Sharper, 49, will not know whether his lung damage is permanent for another few months. The number of positive test results is not released by the General Assembly.

Next Week

The General Assembly is expected to be on a routine legislative schedule next week, meeting in the mornings Monday through Thursday with mostly afternoon committee hearings on bills introduced to date.

Tracking List

Here are the bills we are tracking. **New activity is noted in green.** Click on the [Bill Number](#) to access the current version of the bill.

The 2021 Legislative Session is the first session of the 2021-2022 Term of the Georgia General Assembly. Therefore, bills not passed or defeated during this session will be carried over to the 2022 session. Bills pending in the House or Senate Rules Committees at adjournment sine die of the 2021 session will be recommitted to the committee from whence they came.

Sections:

[Aging](#)

[Business – Tort Reform](#)

[Business](#)

[City & County Governments & Regional Commissions](#)

[Economic Development](#)

[Environmental & Natural Resources](#)

[Government – General](#)

[Health – General](#)

[Hospitals – CON \(Certificate of Need\)](#)

[Hospitals](#)

[Insurance](#)

[Mental Health & Developmental Disabilities](#)

[Military Base Support](#)

[Pharmaceuticals](#)

[Public Health](#)

[Study Committee](#)

[Taxes](#)

[Transportation](#)

[Workers' Comp](#)

Aging

[SB 31](#), Care and protection of indigent and elderly (Sen. Chuck Hufstetler-R)

To provide for the establishment of a pilot program to conduct a simulated exchange for health care facilities to purchase and sell charity care credits to meet their charity care requirements. **Status:** Referred to Finance Cmte

Business – Tort Reform

[HB 112](#), To provide for certain immunities from liability claims (Rep. Trey Kelley-R)

To provide for certain immunities from liability claims regarding COVID-19; extend for one year. **Status:** Referred to Special Cmte on Access to the Civil Justice System

Business

City & County Governments and Regional Commissions

[HB 98](#), Conditions for meetings to be held by teleconference (Rep. Eddie Lumsden-R)

To provide conditions for meetings and public hearings to be held by teleconference in emergency conditions. **Status:** Referred to Governmental Affairs Cmte

Economic Development

[HB 86](#), Sports Wagering (Rep. Ron Stephens-R)

To provide for the lottery game of sports wagering; to provide oversight of such lottery game by the Georgia Lottery Corporation. **Status:** Referred to Economic Development & Tourism Cmte

[HR 30](#), Authorizing Licensed Destination Resort Casinos (Rep. Ron Stephens-R)

A Resolution proposing an amendment to the Constitution so as to authorize the General Assembly to provide by law for the local authorization of a limited number of licensed destination resort facilities casino resorts within the state; to authorize the operation and regulation of limited casino gaming within the state; to provide for the submission of this amendment for ratification or rejection. **Status:** Referred to Economic Development and Tourism Cmte

[SB 30](#), To provide for pari-mutuel horse racing (Sen. Brandon Beach-R)

To provide for pari-mutuel horse racing in this state at a limited number of licensed equestrian centers and create the Georgia Horse Racing Commission. **Status:** Referred to Regulated Industries & Utilities Cmte

Environmental & Natural Resources

Government -- General

Health – General

Hospitals -- CON (Certificate of Need)

Hospitals

[SB 19](#), Surgical Smoke Evacuation Systems (Sen. Gloria Butler-D)

To require hospitals and ambulatory surgical centers to utilize surgical smoke evacuation systems during surgical procedures to protect patients and health care works. **Status:** Referred to Health & Human Services Cmte

Insurance

[SB 1](#), Georgia All-Payer Claims Database (Sen. Dean Burke-R)

Relating to the Georgia All-Payer Claims Database, so as to provide that entities that receive certain tax credits and that provide self-funded, employer sponsored health insurance plans are submitting entities and provide for related matter. **Status:** Referred to Finance Cmte

Mental Health & Developmental Disabilities

Military Base Support

Pharmaceuticals

Public Health

Study Committee

Taxes

[SB 6](#), State Tax Exemptions (Sen. John Albers-R)

Relating to fiscal bills to provide for independent economic analyses to be procured by the Office of Planning and Budget for certain tax benefits upon request by the chairpersons of the House Committee on Ways and Means and the Senate Finance Committee. **Status:** Referred to Finance Cmte

[HB 104](#), Equipment Rental Tax (Rep. Ron Stephens-R)

So as to levy and impose a tax on persons who enter certain rental agreements with certain equipment rental companies within a certain period of time. **Status:** Referred to Ways and Means Cmte

[HB 122](#), To Extend Sales Tax Exemption for manufacturers of concrete (Rep. John Corbett-R)

To extend the sunset for a manufacturers' sales tax exemption for concrete mixers to 2026. **Status:** Referred to Ways and Means Cmte

Transportation
Workers' Comp

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