



## 2020 Legislative Accomplishments

On Friday, June 26, the 2020 session of the Georgia General Assembly came to a close after a three-month suspension due to the COVID-19 pandemic.

MAC's public policy team achieved a number of legislative successes while preventing harmful legislation from reaching final passage. One highlight is the historic passage of hate crimes legislation, House Bill 426, carried by Rep. Chuck Efration (R-Dacula) and Sen. Bill Cowser (R-Athens). Georgia has been one of five states in the nation without hate crimes legislation, but as a result of the collaborative efforts of many, Governor Kemp signed the bill on June 26. The law will go into effect on July 1.

[Read our joint statement in response to the passage of hate crimes legislation.](#)

Importantly, Senate Bill 359, carried by Sen. Chuck Hufstetler (R-Rome) and Rep. Trey Kelley (R-Cedartown), received final approval from both chambers. This bill provides safe harbor for businesses operating amid COVID-19. The bill strikes a careful balance between the business community and trial bar to ensure businesses can operate without fear of lawsuits as long as they are behaving properly.

Another highlight of the session is the passage of Senate Bill 288, carried by Sen. Tonya Anderson (D-Lithonia) and Rep. Houston Gaines (R-Athens). This bill will enable people with a criminal history to have certain misdemeanor charges restricted through a simple judicial process, which will help them gain employment. It also ensures that employers have appropriate liability protection.

Governor Brian Kemp now has 40 consecutive days to sign or veto all legislation. For a more detailed look at the bills our team followed this session, including their final status, please refer to the list below.

We are grateful to Gov. Kemp, Lt. Gov. Geoff Duncan, Speaker David Ralston, certain members of the General Assembly, legislative staff and our many partners at the Capitol for helping make this session successful and historic.

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## **BUSINESS CLIMATE**

**SB 110 (Sen. Jesse Stone)** - revisions to procedures relating to business courts in Georgia. **DID NOT PASS**

**SB 221 (Sen. Marty Harbin)** - adopts the federal Religious Freedom Restoration Act. **DID NOT PASS**

**SB 302 (Sen. John Albers)** - provides for an independent economic analysis of tax credits and incentives. **DID NOT PASS**

**SB 313 (Sen. Dean Burke)/HB 946 (Rep. David Knight)** - regulates pharmacy benefit managers and includes language impacting self-insured health plans which may be triggered by a pending U.S. Supreme Court case. **AWAITING GOVERNOR'S SIGNATURE**

**SB 368 (Sen. Marty Harbin)** - allows faith-based adoption agencies to refuse to place children with couples on religious grounds. **DID NOT PASS**

**SB 373 (Sen. John Kennedy)** - establishes gross negligence as the standard of care for Georgia non-profits, foundations, and cooperatives. **AWAITING GOVERNOR'S SIGNATURE**

**SR 841 (Sen. John Kennedy)** - if approved by voter referendum, this constitutional amendment would allow casinos to operate in Georgia. The revenue generated would be split between the state emergency fund and a means-tested scholarship program. **DID NOT PASS**

**SB 415 (Sen. Steve Gooch)** - aims to reduce tort litigation and reduce damages awarded. **DID NOT PASS**

**HB 132 (Rep. Bruce Williamson)** - allows film and post-production tax credits to be assigned to an affiliate and applied against payroll withholding tax or income tax. **DID NOT PASS**

**HB 230 (Rep. Scott Holcomb)** - creates benefit corporations and allows corporations to add a public benefit provision to their articles of incorporation. **AWAITING GOVERNOR'S SIGNATURE**

**HB 276 (Rep. Brett Harrell)** - requires a business or organization that contracts with a third party to sell goods and services, often referred to as a marketplace facilitator, to collect sales and use taxes resulting from retail purchases made on its platform. **SIGNED INTO LAW**

**HB 426 (Rep. Chuck Efration)** - empowers law enforcement and prosecutors to seek enhanced sentencing in cases where the victim is targeted out of hate or bias. **SIGNED INTO LAW, WILL BE EFFECTIVE JULY 1**

**HB 474 (Rep. Tom Kirby)** - changes the rule making authority of the State Board of Workers' Compensation. **DID NOT PASS**

**HB 488 (Rep. Martin Momtahan)** - creates the offense of "organized retail theft" to address acute challenges with stolen goods, fraudulent returns, and gift card scams. **DID NOT PASS**

**HB 538 (Rep. Todd Jones)/SB 289 (Sen. Jeff Mullis)** - levels the playing field for taxpayers and establishes fairness in cases before the Georgia Tax Tribunal. **DID NOT PASS**

**HB 580 (Rep. Matthew Wilson)** - bans conversion therapy for minors. **DID NOT PASS**

**HB 891 (Rep. Matthew Gambill)** - extends the sunset on sales tax exemption for tickets to fine arts events and performances. **DID NOT PASS**

**HB 903 (Sen. Burt Jones)** - legalizes sports betting through mobile apps within Georgia. **DID NOT PASS**

**HB 949 (Rep. John Carson)** - reduces the state personal income tax rate to 5.375% and flattens tax brackets. **DID NOT PASS**

**HB 1035 (Sen. John Albers)** - would increase taxes by reducing every Georgia tax credit and exemption by 10%. **DID NOT PASS**

**HB 1037 (Rep. Matt Dollar)** - requires mandatory audits for every production that receives the film tax credit, allows for the use of third-party auditors, and reduces the carry-forward for tax credits from five years to three. This bill does not contain any type of cap on the film tax credit, nor does it impact the transferability of the credit. **AWAITING GOVERNOR'S SIGNATURE**

**HB 1060 (Rep. Ginny Ehrhart)** - would make it a felony for doctors to administer treatment to a minor undergoing transgender transition therapy. **DID NOT PASS**

**HB 1090 (Rep. Deborah Silcox)** - requires employers to provide reasonable work breaks for expressing breastmilk. **AWAITING GOVERNOR'S SIGNATURE**

**HB 1101 (Rep. Martin Momtahan)** - revises disclosure requirements for insurers, which would create an unfavorable business climate. **DID NOT PASS**

**HB 1108 (Rep. James Burchett)** - revises requirements and adds burdensome regulations for insurance settlements involving minors. **DID NOT PASS**

**HB 1094 (Rep. Houston Gaines)** - provides all state employees with three weeks of paid parental leave. **DID NOT PASS**

**HB 1114 (Rep. Sharon Cooper)** - extends postpartum Medicaid coverage for indigent mothers from two to six months. **AWAITING THE GOVERNOR'S SIGNATURE**

**HB 1116 (Rep. Joseph Gullett)** - revises regulations for uninsured motorist coverage resulting in higher insurance rates. **DID NOT PASS**

**HB 1121 (Rep. Chuck Efstration)** - creates a new cause of action against supervisors or co-workers relating to workplace sexual harassment. **DID NOT PASS**

**HR 164 (Rep. Jay Powell)** - if approved by voters, this constitutional amendment would statutorily dedicate revenue to the fund for which it is intended. **PASSED: WILL APPEAR ON THE NOVEMBER 2020 BALLOT**

## **EDUCATED WORKFORCE**

**SB 181/HB 123 (Sen. Burt Jones/Rep. Bill Werkheiser)** - transfers the Workforce Development Board and the accompanying federal funds from the Technical College System of Georgia to the Dept. of Labor. **DID NOT PASS**

**SB 288 (Sen. Tonya Anderson)** - restricts access to certain criminal records when employment background checks are performed while ensuring employer liability protection, thus providing second chances to Georgians. **AWAITING GOVERNOR'S SIGNATURE**

**SB 294 (Sen. Ellis Black)** - expands alternative investment options for the Teachers Retirement System of Georgia. **AWAITING GOVERNOR'S SIGNATURE**

**SB 367 (Sen. P.K. Martin)** - reduces the number of standardized tests required for K-12 students. **AWAITING GOVERNOR'S SIGNATURE**

**SB 386 (Sen. Renee Unterman)** - expands Georgia's special needs voucher to include K-12 students with certain 504 plans. **DID NOT PASS**

**SB 447 (Sen. P.K. Martin)** - defines various terms surrounding work-based learning within Georgia law for future clarity. **DID NOT PASS**

**SR 833 (Sen. P.K. Martin)** - creates a joint study committee to make recommendations for improving work-based learning opportunities. **DID NOT PASS**

**HB 444 (Rep. Bert Reeves)** - makes modest changes to the dual enrollment program to help ensure sustainable growth. **SIGNED INTO LAW**

**HB 528 (Rep. Mandi Ballinger)** - restricts access to certain criminal records when employment background checks are performed while ensuring employer liability protection, thus providing second chances to Georgians. **DID NOT PASS**

**HB 1084 (Rep. Mike Cheokas)** - creates the Georgia Endowment for Teaching Professionals for high demand courses. **DID NOT PASS**

## **TRANSPORTATION and INFRASTRUCTURE**

**SB 131 (Sen. Burt Jones)** - transfers control of Hartsfield-Jackson Atlanta International Airport to a new state authority. **DID NOT PASS**

**SB 200 (Sen. Steve Gooch)** - contains miscellaneous transportation provisions. **DID NOT PASS**

**HB 105 (Rep. Sam Watson)** - sets the sales tax rate for taxis, limos and rideshares at 50 cents per ride, 25 cents for pooled rideshare rides. **AWAITING GOVERNOR'S SIGNATURE**

**HB 244 (Rep. Ron Stephens)** - authorizes the Public Service Commission to set pole attachment fees charged by electric membership corporations for communications equipment, including broadband. **AWAITING GOVERNOR'S SIGNATURE**

**HB 511 (Rep. Kevin Tanner)** - makes administrative changes to GRTA and ATL authorities and extends indexing of motor fuel tax to 2025. **AWAITING GOVERNOR'S SIGNATURE**

**HB 852 (Rep. Mike Glanton)** - requires the City of Atlanta to pay property taxes on Hartsfield-Jackson Atlanta International Airport to Clayton County. **DID NOT PASS**

**HB 820 (Rep. Kevin Tanner)** - Creates a Freight Rail program at GDOT. **AWAITING GOVERNOR'S SIGNATURE**

**HR 935 (Rep. Kevin Tanner)** Re-authorizes the Georgia Commission on Freight and Logistics through December 31, 2021. **PASSED**

## **NATURAL RESOURCES:**

**SB 123 (Sen. William Ligon)** - eliminates a surcharge on coal combustion residuals imposed by municipal solid waste disposal facilities operated by private enterprise and sets the fee for the Hazardous Waste Trust Fund and Solid Waste Trust Fund at 75 cents per ton, and extends the sunset to 2025. **AWAITING GOVERNOR'S SIGNATURE**

**SB 426 (Sen. Brian Strickland)** - requires reporting of the release of ethylene oxide to the Georgia Environmental Protection Division. **AWAITING GOVERNOR'S SIGNATURE**

**SB 364 (Sen. Steve Gooch)** - eliminates the percentage of ownership EMCs may hold in a gas marketer. **DID NOT PASS**

**HB 465 (Rep. Don Parsons)** - creates a water customer bill of rights. **DID NOT PASS**

**HB 761 (Rep. John Carson)** - eliminates the percentage of ownership EMCs may hold in a gas marketer. **DID NOT PASS**

**HB 793 (Speaker David Ralston)** - the fiscal year 2021 budget includes funding for the Metropolitan North Georgia Water Planning District including funding for the district's five-year water plan update. **AWAITING GOVERNOR'S SIGNATURE**

**HB 929 (Rep. Vance Smith)** - requires post-closure monitoring for coal ash ponds for 30 years after closure. **DID NOT PASS**

**HB 959 (Rep. Steven Meeks)** - increases the surcharge on coal combustion residuals imposed by municipal solid waste disposal facilities operated by private enterprise from \$1.00 to \$2.50. **DID NOT PASS**

## **RECOMMENDATIONS FROM RESTORE INITIATIVE**

*\*In April, the Metro Atlanta Chamber, aided by the support of the Boston Consulting Group, launched our RESTORE initiative to revitalize Georgia's economy, comprised of 50+ business leaders across the state. The following RESTORE recommendations were eligible for enactment by the Georgia General Assembly as it completed its 2020 legislative session.*

**SB 377 (Sen. Burt Jones)** - makes permanent Gov. Kemp's emergency order permitting third-party construction inspections of high-rises and healthcare facilities. **AWAITING GOVERNOR'S SIGNATURE**

**SB 359 (Sen. Chuck Hufstetler)** - provides for a gross negligence standard as it relates to COVID-19 for any business that opens its doors. The bill allows for greater protections for businesses that post a sign at the entrance of the establishment which provides notice that those entering assume entry at their own risk. This does not provide

blanket immunity, but it does provide heightened protections for businesses who aren't acting recklessly. **AWAITING GOVERNOR'S SIGNATURE**

**HB 244 (Rep. Ron Stephens)** - authorizes the Public Service Commission to set pole attachment fees charged by electric membership corporations for communications equipment, including broadband. **AWAITING GOVERNOR'S SIGNATURE**

**HB 846 (Rep. John Corbett)** - updates Georgia's Internal Revenue Code to align with federal tax law changes. This bill includes a new job tax credit for companies that manufacture personal protective equipment (PPE) and does not allow PPP loans that are forgiven to be subject to state income tax. It would also permit businesses utilizing the Quality Jobs Tax Credit program to use their 2019 or 2020 job creation numbers to continue in the program in 2020 or 2021. **AWAITING GOVERNOR'S SIGNATURE**

**HB 879 (Rep. Brett Harrell)** - allows for the delivery of beer and wine in unbroken packages from restaurants, and beer, wine and liquor from package stores. **AWAITING GOVERNOR'S SIGNATURE**

**HB 882 (Rep. Penny Houston)** - increases the tax on a pack of 20 cigarettes from 37 cents to \$1.35. **DID NOT PASS**

**HB 903 (Sen. Burt Jones)** - legalizes sports betting through mobile apps within Georgia. **DID NOT PASS**