



Georgia

HOUSE OF REPRESENTATIVES

Tuesday
January 28,
2020

DAILY REPORT

6th
Legislative
Day

House Budget & Research Office
(404) 656-5050

- The House will reconvene for its 7th Legislative Day on Wednesday, January 29 at 10:00 a.m.
- The Rules Committee will meet at 9:00 a.m.

Committee Actions

Bills passing committees are reported to the Clerk's Office and are placed on the General Calendar.

Banks & Banking Committee

HB 781 Financial institutions; clarify and remove superfluous language; provisions

Bill Summary: HB 781 updates, modernizes, and further amends Title 7 of the Code. The bill clarifies the acquiring parties subject to the Department of Banking and Finance's grounds for disapproval of acquisition proposals by trust companies.

The department's authority is expanded to approve the payment of dividends by a bank or trust company, prior to cumulative profitability, if the bank or trust company is profitable on an annual basis and the payment of such dividend is consistent with standards of safety and soundness. The department's authority is expanded to waive or modify residency requirements for the board of directors of any bank or trust company.

The bill provides that Georgia chartered banks may conduct any activities at any representative office outside of Georgia as authorized or not prohibited by law. If the activity requires approval from the department, the commissioner can waive the requirement if he or she finds the bank's involvement in particular activities will not threaten safety or soundness of the bank.

Registration process requirements are removed for banks or bank holding companies when registering a representative office in Georgia. A bank or bank holding company must post notice of the closing of a representative office as required by Code Section 7-1-110.1.

The period in which the department must approve or disapprove completed applications for branch offices is reduced from 90 days to 30 days. The department may no longer waive publication requirements when a bank files a written notification, instead of an official application, when applying for a branch office.

Out-of-state banks with branches already established in Georgia are no longer required to notify the department of an acquisition alongside with their application for an acquisition made to the federal regulator.

Individual loan officers may only approve or disapprove loans less than or equal to five percent of the credit union's net worth. Loans greater than five percent require approval by the board of directors or credit committee as recorded in the formal minutes and subject to certain limitations on securities.

Code Section 7-1-658 revises the authority of credit unions to issue certain loans. Delegated authority to loan officers to approve or disapprove loans to a borrower shall be limited to loans not exceeding,

in the aggregate, five percent of the net worth of the credit union. Furthermore, no credit union shall be authorized to make loans to any one person or corporation where the aggregated of such loans and obligations exceeds five percent of the net worth of the credit union, unless approved in advance by the board of directors or credit committee, the approval is recorded in formal minutes, and it is subject to certain limiting requirements and exceptions.

The department may regulate and prescribe definitions and requirements for the transactions identified in Code Section 7-1-658. The department may also specify that the liabilities of a group of one or more persons or corporations or both shall be considered as owed by one person or corporation based on the common control of the borrowers within the group, or other criteria established by the department for the combination of indebtedness for legal lending limitation purposes.

Code Section 7-1-658 removes the requirement that a credit committee act upon any loan in excess of 50 percent of the union's maximum loan limitation, or such lower limit as established by the committee, and specifies the terms "person" and "corporation."

"Night depository" is added as an extension of a banking location and defined as a drop box where customers can make deposits or payments outside of normal banking hours. Night depositories may be located anywhere in the state.

Code Section 7-1-664 is amended to provide for credit union extensions and related restrictions; specifically for automated teller machines, cash dispensing machines, night depositories, and point-of-sale terminals.

Code Section 7-1-665 is amended to provide for the department's authority and procedure when considering branch applications submitted by credit unions. Certain criteria are identified for the department to consider when reviewing an application and specifies that the decision of the department is final, except that it may be subject to judicial review as provided in Code Section 7-1-90. In the event of a merger or consolidation of two or more credit unions, the resulting credit union or purchasing credit union may continue to operate all branches approved by the department prior to the merger.

The requirement that a licensee or corporate surety notify the department regarding the cancellation of a bond by registered or certified mail, statutory overnight delivery with return receipt requested, is eliminated. The same requirement is also eliminated for mortgage loan originators, mortgage brokers, mortgage lenders, or the corporate surety notifying the department regarding the cancellation of a bond. Notice must be sent electronically.

The number of days required for a cease and desist order to become final is reduced from 30 days to 20 days after being issued to a person licensed under Article 4 of Title 7 for the receipt of notice of a bond cancellation under Code Section 7-1-687. If a cease and desist order is issued to a person who has been sent a notice of bond cancellation and the bond is reinstated or replaced, the person must provide documentation evidencing the reinstatement or replacement within 20 days of the issuance of the order.

The bill replaces "license number" of a licensee with "unique identifier" and provides that a unique identifier of certain licensees or registrants is not confidential.

Code Section 7-1-1003.1, relating to the physical place of business of an applicant for a mortgage broker license or renewal and requirement that such person have a registered agent and office in Georgia, is repealed and reserved. The requirement that licensed mortgage brokers and lenders notify the department of an ultimate equitable owner of 10 percent or more of any corporation or other entity licensed under Article 13 of Title 7 is eliminated.

Lastly, requirements for mortgage loan advertisements are revised, and the 'Georgia Fair Lending Act' is amended to provide updated citations to federal regulations.

Authored By: Rep. Bruce Williamson (115th)
House Banks & Banking
Committee:

Committee 01-28-2020 Do Pass by Committee
Action: Substitute

Energy, Utilities & Telecommunications Committee

SB 43 Revenue Bonds; definition of the term "undertaking" as it relates to electric systems; revise

Bill Summary: Senate Bill 43 revises the definition of "undertaking" in O.C.G.A. 36-82-61, relating to revenue bonds, by adding electric transmission to the list of undertakings available for the issuance of revenue bonds. Any revenue certificates issued by a government body with electric utility assets that have a net book value of less than \$300 million shall be authorized by a majority vote in the political subdivision affected.

Authored By:	Sen. Chuck Payne (54th)	Committee Action:	01-28-2020 Do Pass
House Committee:	Energy, Utilities & Telecommunications		

Governmental Affairs Committee

HB 757 Elections; determination of qualifying periods for special elections; provide

Bill Summary: House Bill 757 specifies the time period in which candidates for general and special elections must submit a notice of candidacy. The bill provides a deadline for voter registration before a primary runoff, and specifies the time period for candidate qualification in special elections. Additionally, the bill requires a special primary and special election to be held in specified circumstances.

Authored By:	Rep. Barry Fleming (121st)	Committee Action:	01-28-2020 Do Pass by Committee Substitute
House Committee:	Governmental Affairs		

HB 784 Open and public meetings; discussions of school safety plans by members of a local board of education may be conducted in executive session; provide

Bill Summary: House Bill 784 allows local boards of education to discuss school safety plans in executive sessions, which are not open to the public.

Authored By:	Rep. Eddie Lumsden (12th)	Committee Action:	01-28-2020 Do Pass
House Committee:	Governmental Affairs		

Judiciary Committee

HB 765 Courts; increase in the minimum compensation for chief magistrates; provide

Bill Summary: HB 765 raises the minimum salary and compensation of magistrates and clerks. For magistrate judges, the new minimum salary is equal to the previous minimum salary, plus previously-enacted cost-of-living adjustments, plus an additional five-percent raise. Monthly minimums for magistrate clerk courts are increased by the same percentage.

Authored By:	Rep. Mitchell Scoggins (14th)	Committee Action:	01-28-2020 Do Pass
House Committee:	Judiciary		

Retirement Committee

HB 67 Georgia Legislative Retirement System; employee contributions; change certain provisions

Bill Summary: HB 67 increases the contribution rate for members of the Legislative Retirement System (LRS) to 9.5 percent. The legislation increases the benefit multiplier to \$50 per year of creditable service. The method for calculating retirement benefits allows the member to receive a retirement allowance equal to the greater of 38 percent of the member's average monthly salary, or

the monthly retirement allowance provided by Code. This bill is certified by the Georgia Department of Audits and Accounts as a fiscal retirement bill. The actuarial investigation estimates the annual employer contribution increase from zero to \$2,393.72 per active member for a total state cost of \$531,406.

Authored By: Rep. Tommy Benton (31st)
House Committee: Retirement
Committee Action: 01-28-2020 Do Pass

HB 195 Georgia Firefighters' Pension Fund; increase benefit amount payable to beneficiaries after the member's death

Bill Summary: HB 195 increases the death benefit for members of the Georgia Firefighters' Pension Fund from \$5,000 to \$10,000. This bill is certified by the Georgia Department of Audits and Accounts as a fiscal retirement bill. The actuarial investigation estimates the first-year cost is \$24,441. The current revenue generated from the one percent tax on premiums from fire insurance companies is sufficient to cover the cost of this legislation.

Authored By: Rep. Tommy Benton (31st)
House Committee: Retirement
Committee Action: 01-28-2020 Do Pass

HB 292 Regents Retirement Plan; certain remittances required to be made by the University System of Georgia to the Teachers Retirement System of Georgia; eliminate

Bill Summary: HB 292 repeals the requirement for an accrued liability to be paid to the Teachers Retirement System of Georgia on behalf of participating Regent's Optional Retirement Plan (ORP) members and the normal contribution rate resulting from employees who cease to be members of TRS. This bill is certified by the Georgia Department of Audits and Accounts as a fiscal retirement bill. The actuarial investigation determines there is no cost to this legislation.

Authored By: Rep. Tommy Benton (31st)
House Committee: Retirement
Committee Action: 01-28-2020 Do Pass

Committee Meeting Schedule

This meeting schedule is up to date at the time of this report, but meeting dates and times are subject to change. To keep up with the latest schedule, please visit www.house.ga.gov and click on [Meetings Calendar](#).

Wednesday, January 29, 2020

9:00 AM	RULES	341 CAP
1:00 PM	APPROPRIATIONS PUBLIC SAFETY SUBCOMMITTEE	341 CAP
1:00 PM	APPROPRIATIONS HUMAN RESOURCES SUBCOMMITTEE	406 CLOB
1:00 PM	HIGHER EDUCATION	606 CLOB
2:00 PM	Ad Valorem Tax Subcommittee of Ways & Means	133 CAP
2:30 PM	Energy Subcommittee of Energy, Utilities and Telecommunications	415 CLOB
3:00 PM	APPROPRIATIONS HIGHER ED SUBCOMMITTEE	515 CLOB
3:00 PM	INDUSTRY AND LABOR - CANCELLED	506 CLOB
3:00 PM	APPROPRIATIONS EDUCATION SUBCOMMITTEE	606 CLOB