



# Georgia HOUSE OF REPRESENTATIVES

Thursday  
February 20,  
2020

## DAILY REPORT

15th  
Legislative  
Day

House Budget & Research Office  
(404) 656-5050

- The House will reconvene for its 16th Legislative Day on Friday, February 21 at 9:00 a.m.
- The Rules Committee will meet at 9:30 a.m.
- Two bills / resolutions are expected to be debated on the floor.

### Today on the Floor

#### Rules Calendar

**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  
**Floor Vote:** Yeas: 159 Nays: 1

**Rule Applied:** Modified-Structured  
**Committee Action:** 01-28-2020 Do Pass  
**Amendments:**

**HB 716 Insurance; carriers issuing a health benefit plan in this state through an agent shall file proposed commission rates with the department; provide**

Bill Summary: House Bill 716 requires any carrier that issues a health benefit plan through an agent to pay a commission to that agent and file with the Department of Insurance the proposed commission rates relevant to all such agents. The commission paid to the agents must be consistent with the amount proposed in the rates filed and required by the Department of Insurance.

**Authored By:** Rep. Shaw Blackmon (146th)  
**House Committee:** Insurance  
**Floor Vote:** Yeas: 155 Nays: 6

**Rule Applied:** Modified-Structured  
**Committee Action:** 02-05-2020 Do Pass  
**Amendments:**

**HB 777 Community Affairs, Department of; consider amending the state minimum standard codes to allow tall mass timber construction types; direct**

Bill Summary: HB 777 requires the Department of Community Affairs to review the tall mass timber provisions contained in the 2021 International Building Code for construction types IV-A, IV-B, and IV-C and consider whether the department should amend the state's minimum standard codes to include the provisions. The review shall be on conducted on or after July 1, 2020 and be completed by July 1, 2021.

**Authored By:** Rep. John Corbett (174th)  
**House Committee:** Agriculture & Consumer Affairs  
**Floor Vote:** Yeas: 162 Nays: 0

**Rule Applied:** Modified-Open  
**Committee Action:** 02-05-2020 Do Pass  
**Amendments:**

**HB 786 Superior courts; additional judge of the Flint Judicial Circuit; provide**

Bill Summary: House Bill 786 increases the number of judges for superior courts in the Flint Judicial Circuit from three to four. The additional judge is appointed by the governor for a term beginning January 1, 2021, until December 31, 2022. A successor shall be elected at the nonpartisan judicial election held in 2022 and the elected successor shall take office January 1, 2023.

**Authored By:** Rep. Andrew Welch (110th)  
**House** Judiciary  
**Committee:**  
**Floor Vote:** Yeas: 160 Nays: 0

**Rule Applied:** Modified-Structured  
**Committee** 02-04-2020 Do Pass by Committee  
**Action:** Substitute  
**Amendments:**

**HR 1023 Judiciary; people may petition for declaratory relief from certain acts of this state or certain local governments or officers or employees; provide - CA**

Bill Summary: House Resolution 1023 proposes an amendment to the Georgia Constitution to allow Georgia citizens and corporations domiciled in Georgia to petition for declaratory relief from the judiciary for acts done by the state, or any county, municipality, or consolidated government of Georgia. Petitions must be brought exclusively against the state, county, municipality or consolidated government, and may not be brought against an individual or officer. The General Assembly may authorize injunctive relief for such petitions and impose certain requirements upon petitions. Incarcerated or detained individuals are precluded from filing petitions. Damages, attorney's fees, or costs of litigation shall not be awarded in actions commenced pursuant to this amendment, unless specifically authorized by the General Assembly.

**Authored By:** Rep. Andrew Welch (110th)  
**House** Judiciary  
**Committee:**  
**Floor Vote:** Yeas: 163 Nays: 0  
**Floor Action:** Adopted (Resolution)

**Rule Applied:** Modified-Open  
**Committee** 02-04-2020 Do Pass by Committee  
**Action:** Substitute  
**Amendments:**

## **Next on the Floor from the Committee on Rules**

*The Committee on Rules has fixed the calendar for the 16th Legislative Day, Friday, February 21, and bills may be called at the pleasure of the Speaker. The Rules Committee will next meet on Friday, February 21, at 9:30 a.m., to set the Rules Calendar for the 17th Legislative Day.*

### **HB 487 Disaster Volunteer Relief Act; certain employees of state agencies to be granted leave from work with pay in order to participate in specialized disaster relief services; authorize**

**Bill Summary:** House Bill 487 allows state employees, under the 'Disaster Relief Volunteer Act,' who are certified volunteers of the Civil Air Patrol United States Air Force Auxiliary to be granted paid leave for no more than 15 workdays in a 12-month period. Upon the employee's agency approval, this leave will be specifically used for participation in specialized emergency services operations for the Civil Air Patrol upon the request of the patrol after activation by a county emergency management agency, the Georgia Emergency Management and Homeland Security Agency, or a comparable federal agency for that employee's services.

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| <b>Authored By:</b> | Rep. Josh Bonner (72nd)           | <b>Rule Applied:</b> | Modified-Structured             |
| <b>House</b>        | Public Safety & Homeland Security | <b>Committee</b>     | 02-18-2020 Do Pass by Committee |
| <b>Committee:</b>   |                                   | <b>Action:</b>       | Substitute                      |

### **HB 780 State Properties Commission; use an opinion of value in the valuation of state property where a conveyance of the property by the state is for the sole and direct benefit to the state; allow**

**Bill Summary:** House Bill 780 allows the State Properties Commission to use an opinion of value or a written appraisal of value for the conveyance of property that solely and directly benefits the state.

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| <b>Authored By:</b> | Rep. Clay Pirkle (155th) | <b>Rule Applied:</b> | Modified-Open      |
| <b>House</b>        | State Properties         | <b>Committee</b>     | 02-05-2020 Do Pass |
| <b>Committee:</b>   |                          | <b>Action:</b>       |                    |

## Committee Actions

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

### Education Committee

#### HB 1 Senator Eric Johnson Scholarship Act; enact

Bill Summary: House Bill 1 amends O.C.G.A. 20-2-2110 by renaming the 'Georgia Special Needs Scholarship Act' as the 'Senator Eric Johnson Scholarship Act' after the senator who created the scholarship during the 2007 Legislative Session.

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| <b>Authored By:</b> | Rep. Jesse Petrea (166th) | <b>Committee</b> | 02-20-2020 Do Pass |
| <b>House</b>        | Education                 | <b>Action:</b>   |                    |
| <b>Committee:</b>   |                           |                  |                    |

### Health & Human Services Committee

#### HB 521 Professions and businesses; temporary licenses for dentists licensed in other states to provide dental care to indigent populations in this state; authorize

Bill Summary: House Bill 521 authorizes temporary licenses for dentists and dental hygienists who are licensed in other states to provide dental care to indigent populations in Georgia.

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| <b>Authored By:</b> | Rep. Houston Gaines (117th) | <b>Committee</b> | 02-20-2020 Do Pass by Committee |
| <b>House</b>        | Health & Human Services     | <b>Action:</b>   | Substitute                      |
| <b>Committee:</b>   |                             |                  |                                 |

### Intragovernmental Coordination - Local Committee

#### HB 826 Meigs, City of; elections and terms of office; provide

Bill Summary: House Bill 826 provides for the elections and terms of office of the city of Meigs.

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| <b>Authored By:</b> | Rep. Sam Watson (172nd)          | <b>Committee</b> | 02-20-2020 Do Pass |
| <b>House</b>        | Intragovernmental Coordination - | <b>Action:</b>   |                    |
| <b>Committee:</b>   | Local                            |                  |                    |

#### HB 921 South Fulton, City of; revise provisions regarding the city attorney

Bill Summary: House Bill 921 revises provisions relating to the city attorney for the city of South Fulton.

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| <b>Authored By:</b> | Rep. Roger Bruce (61st)          | <b>Committee</b> | 02-20-2020 Do Pass |
| <b>House</b>        | Intragovernmental Coordination - | <b>Action:</b>   |                    |
| <b>Committee:</b>   | Local                            |                  |                    |

#### HB 923 Clinch County; Board of Education; modify the compensation of the members

Bill Summary: House Bill 923 modifies the compensation of the Clinch County Board of Education members. The chairperson of the board of education shall receive a per diem of \$500 for each day of attendance at regular meetings and \$100 for each day of attendance at called meetings, including training sessions, provided the compensation shall not exceed \$700 per month. The other members of the board shall receive a per diem of \$400 for each day of attendance at regular meetings and \$100 for each day of attendance at called meetings, including training session, provided the compensation shall not exceed \$600 per month.

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| <b>Authored By:</b> | Rep. John Corbett (174th)        | <b>Committee</b> | 02-20-2020 Do Pass |
| <b>House</b>        | Intragovernmental Coordination - | <b>Action:</b>   |                    |
| <b>Committee:</b>   | Local                            |                  |                    |

**HB 924 Habersham County; Board of Commissioners of Roads and Revenue; update the procedures for filling vacancies**

Bill Summary: House Bill 924 updates the procedures for filling vacancies on the Habersham County Board of Commissioners.

**Authored By:** Rep. Terry Rogers (10th)  
**House Committee:** Intragovernmental Coordination - Local  
**Committee Action:** 02-20-2020 Do Pass

**HB 933 Troup County; school district ad valorem tax; provide homestead exemption**

Bill Summary: House Bill 933 increases the homestead exemption from \$10,000 to \$40,000 for residents of the Troup County School District for residents who are 65 and older with incomes not exceeding \$40,000.

**Authored By:** Rep. Randy Nix (69th)  
**House Committee:** Intragovernmental Coordination - Local  
**Committee Action:** 02-20-2020 Do Pass

**HB 935 Gwinnett County; Recorder's Court; provide for senior judges**

Bill Summary: House Bill 935 provides for senior judges of the Gwinnett County Recorder's Court.

**Authored By:** Rep. Chuck Efration (104th)  
**House Committee:** Intragovernmental Coordination - Local  
**Committee Action:** 02-20-2020 Do Pass

**HB 944 Miller County; Board of Education; provide for the election of members by qualified electors within their respective districts**

Bill Summary: House Bill 944 provides for the election of the Miller County Board of Education members by district.

**Authored By:** Rep. Winfred Dukes (154th)  
**House Committee:** Intragovernmental Coordination - Local  
**Committee Action:** 02-20-2020 Do Pass

**HB 945 Miller County; Board of Commissioners; provide for the election of members by qualified electors within their respective districts**

Bill Summary: House Bill 945 provides for the election of the Miller County Board of Commissioners by district.

**Authored By:** Rep. Winfred Dukes (154th)  
**House Committee:** Intragovernmental Coordination - Local  
**Committee Action:** 02-20-2020 Do Pass

**Natural Resources & Environment Committee****HB 93 Water pollution and surface-water use; notice to local governing authorities prior to the dewatering of coal combustion residual surface impoundments; provide**

Bill Summary: HB 879 requires the owner or operator of a coal combustion residual (CCR) surface impoundment to provide written notice to the director of the Environmental Protection Division (EPD) and the local governing authority within three days of the commencement of a dewatering operation. The director of EPD must post a public notice on the division's website within seven days of receiving the notice. The owner or operator of the CCR surface impoundment must also post CCR rule compliance data in a public notice on their website, as well as publish such notice in the legal organ of the affected county within 14 days.

**Authoring By:** Rep. Ricky Williams (145th)  
**House Committee:** Natural Resources & Environment  
**Committee Action:** 02-20-2020 Do Pass by Committee Substitute

## Transportation Committee

### HB 808 Alternative ad valorem tax; motor vehicles; revise a definition

**Bill Summary:** House Bill 808 amends the definition of "loaner vehicle" by allowing vehicles owned by a dealer to remain exempt from the Title Ad Valorem Tax for up to 45 days when the vehicle is used as a loaner vehicle.

**Authoring By:** Rep. Martin Momtahan (17th)  
**House Committee:** Transportation  
**Committee Action:** 02-20-2020 Do Pass by Committee Substitute

## Ways & Means Committee

### HB 378 Revenue and taxation; collection and remittance of excise taxes on rental motor vehicles by marketplace facilitators that are dealers that facilitate the rental or lease of five or more rental motor vehicles; require

**Bill Summary:** House Bill 378 amends O.C.G.A. 48-13-91 and 48-13-93, relating to excise taxes on rental motor vehicles. The definition of "rental motor vehicle concern" is expanded to include rental motor vehicle facilitators. Rental motor vehicles facilitators are dealers that are required to collect and remit sales tax as a marketplace facilitator for facilitating the rental of five or more motor vehicles. The definition expansion requires the motor vehicle facilitators to collect and remit the local excise taxes due on the rental of motor vehicles.

**Authoring By:** Rep. Bruce Williamson (115th)  
**House Committee:** Ways & Means  
**Committee Action:** 02-20-2020 Do Pass by Committee Substitute

### HB 448 Excise tax; rooms, lodgings, and accommodations; revise definition of innkeeper to include lodging facilitators

**Bill Summary:** House Bill 448 amends Article 3 of Chapter 13 of Title 48, relating to excise tax on rooms, lodgings, and accommodations, by expanding the definition of "innkeeper" to include any dealer that is required to collect and remit sales tax as a marketplace facilitator for facilitating the sale of rooms, lodgings, or accommodations. The definition expansion requires the innkeepers acting as marketplace facilitators to collect and remit the local excise taxes due on rooms, lodgings, or accommodations. The bill also modifies the five-dollar hotel/motel excise tax found in O.C.G.A. 48-13-50.3 to apply to all rooms, lodgings, or accommodations with the exception of extended stay rentals or lodgings or accommodations that do not provide shelter.

**Authoring By:** Rep. Matt Dollar (45th)  
**House Committee:** Ways & Means  
**Committee Action:** 02-20-2020 Do Pass by Committee Substitute

### HB 715 Revenue and taxation; gross receipts as a criterion for classifying businesses and practitioners for purposes of calculating the occupation tax levied by local governments; eliminate

**Bill Summary:** House Bill 715 amends Chapter 13 of Title 48, relating to business and occupation taxes, by eliminating the gross receipts method of calculating occupation taxes, eliminating the option specific professions and occupations have of selecting a \$400 annual fee rather than having their occupation tax calculating by an otherwise accepted method, and requiring that the proceeds from regulatory fees be used to fund such regulatory activity. The bill becomes effective July 1, 2025.

**Authoring By:** Rep. Shaw Blackmon (146th)  
**House Committee:** Ways & Means  
**Committee Action:** 02-20-2020 Do Pass

**HB 779 Alternative ad valorem tax; motor vehicles; revise distribution of the proceeds of such taxes among local governments**

Bill Summary: House Bill 779 amends O.C.G.A. 48-5C-1, relating to alternative ad valorem taxes on motor vehicles, by modifying the distribution of proceeds to the counties, municipalities, and school districts. For motor vehicles registered in the incorporated areas of the county, the percent of proceeds going to the county governing authority is decreased from 28 to 23 percent, the percent of proceeds going to the municipal governing authority is increased from 23 to 28 percent, and the remaining 49 percent of proceeds continue to go to the county school district. However, if there is an independent school district in the municipality then 23 percent of the proceeds shall go to the county governing authority, 34 percent of such proceeds shall go to the municipal governing authority, and the remaining 43 percent of such proceeds shall go to the independent school district.

**Authored By:** Rep. Shaw Blackmon (146th)

**House** Ways & Means

**Committee:**

**Committee**

**Action:**

02-20-2020 Do Pass by Committee  
Substitute

**HB 807 Revenue and taxation; allow businesses to provide affidavits of certified public accountants in lieu of tax returns**

Bill Summary: House Bill 807 amends 48-13-14, relating to levy on business or practitioner with location or office in more than one jurisdiction, methods of allocation gross receipts, information provided by business or practitioner, and limits on levies by local governments using criteria for taxation, by allowing a business to submit affidavits of certified public accountants in place of tax returns for the means of determining the gross receipts of the company. The bill also requires that the proceeds from regulatory fees be used to fund such regulatory activity.

**Authored By:** Rep. Martin Momtahan (17th)

**House** Ways & Means

**Committee:**

**Committee**

**Action:**

02-20-2020 Do Pass by Committee  
Substitute

**HB 846 Revenue and taxation; interest paid on refunds of overpayments of taxes and past due taxes shall be equal to the bank prime loan rate; provide**

Bill Summary: House Bill 846 adds a new Code Section at 48-8-49.1, which establishes and defines the direct pay reporting program. The program allows a taxpayer to accrue and pay directly to the department the sales and use taxes owed. To qualify, a taxpayer must purchase more than \$2 million of tangible personal property per year, average purchases of tangible personal property of over \$2 million per year for the past three years, or meet a lower spending threshold prescribed by the department and be classified in one of nine industry codes.

The interest on overpayments of sales taxes by a taxpayer with a direct payment permit shall begin to accrue on the date an amended return or a refund claim is filed. The bill also sets the interest earned on overpayment and due on underpayment of taxes at the Federal Reserve System's bank prime loan rate and allows the affected political subdivision to choose to make payments over a period of time equal to or less than the amount of time subject to the claim.

**Authored By:** Rep. John Corbett (174th)

**House** Ways & Means

**Committee:**

**Committee**

**Action:**

02-20-2020 Do Pass by Committee  
Substitute

**HB 949 Revenue and taxation; define "Internal Revenue Code" and "Internal Revenue Code of 1986" and thereby incorporate certain provisions of the federal law into Georgia law; define the terms**

Bill Summary: HB 949 provides the annual Internal Revenue Code update to O.C.G.A. 48-8-2, which includes retroactive changes regarding disaster relief and medical expense deductions among other changes.

**Authored By:** Rep. David Knight (130th)

**House** Ways & Means

**Committee:**

**Committee**

**Action:**

02-20-2020 Do Pass

**SB 144 Taxes on Tobacco Products; issuance of special event tobacco permits; authorizing off-premise sales of certain tobacco products; provide**

**Bill Summary:** SB 144 allows for a licensed dealer engaged in the tobacco business to apply for a special event tobacco permit for the off-premise sale of cigars, cigarettes, or smokeless tobacco at a temporary location offsite from the licensed location for a period of no more than 10 days. All such permits will be issued by the commissioner of the Department of Revenue, who will also make rules and regulations regarding the application and issuance of the permits. SB 144 does not affect local ordinances regarding tobacco.

**Authored By:** Sen. Lee Anderson (24th)  
**House Committee:** Ways & Means

**Committee Action:** 02-20-2020 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](http://www.house.ga.gov) and click on [Meetings Calendar](#).*

### Friday, February 21, 2020

|         |                                       |               |
|---------|---------------------------------------|---------------|
| 8:00 AM | <a href="#">JUDICIARY NON-CIVIL</a>   | 132 CAP       |
| 8:00 AM | <a href="#">MOTOR VEHICLES</a>        | 515 CLOB      |
| 9:00 AM | <a href="#">RULES</a>                 | 341 CAP       |
| 9:30 AM | <a href="#">FLOOR SESSION (LD 16)</a> | House Chamber |