



Home Builders Association of Georgia

2017 HBAG Legislative Review

Austin Hackney, Government Affairs Director

The 2017 Legislative Session adjourned “sine die” late in the night on March 30, continuing an hour past the traditional midnight deadline as legislative negotiations ran long. The Georgia General Assembly met for 40 days and approved a comprehensive budget for the state (at \$25 BILLION it’s our largest ever) – the only actions they’re constitutionally required to take.

Some of the biggest issues to come up this year were: casinos – or “destination gaming resorts”, Governor Deal’s second attempt at an education initiative to turn around failing schools, adoption reform, tax reform, fantasy sports, cannabis oil expansion, campus carry, craft breweries, and new protections against domestic terrorism. Any bill the Governor signs (or chooses not to) becomes effective on the date of his signature or on July 1, 2017.

GAC took an official position on 40 bills and resolutions this year. These bills were added to our Tracking Sheet and actively worked on by the Government Affairs Director and the rest of the lobbying team. These bills were determined to have an effect – positive or negative – on the residential construction industry and covered issues ranging from property taxes to professional licensing and from stream buffers to “shoreline protection standards.

The following legislation was entered but ultimately ***DID NOT PASS***. These specific bills are not eligible to become law this year, but the issue may be revisited in future legislative sessions.

- **HB 4** – Rep. Jason Spencer (*R-Woodbine*) – This bill would require all property owners seeking to enter their property into a CUVA covenant to be up to date on all property taxes for all property owned within the local jurisdiction. The bill would also consider a lack or late payment of property taxes to be a breach of an existing CUVA covenant. **OPPOSE**
- **HB 56** – Rep. Ron Stephens (*R-Savannah*) – This bill would allow construction equipment rental companies to add a new line item charge on invoices for a “property tax recovery fee” of 1.5% to cover the cost of the property tax on their inventory. **OPPOSE**
- **HB 66** – Rep. Jeff Jones (*R-Brunswick*) – This bill would place a fee on all monetary wire transmissions to be paid into the state’s general treasury. It would also create a tax credit for all taxpayers to be able to recoup the fees paid against their state taxes owed. **OPPOSE**
- **HB 194** – Rep. Todd Jones (*R-Cumming*) – This bill would require local zoning boards to consider “the effects of the proposed zoning action on local school systems and the potential for overcrowding of schools.” The bill would also require local school boards to consider the effect of siting a new school on the existing infrastructure. **OPPOSE**

- **HB 204** – Rep. Brett Harrell (*R-Snellville*) – This bill would require local governments to bill property owners separately for property taxes and fees for services. **SUPPORT**
- **HB 267** – Rep. Kimberly Alexander (*D-Hiram*) – The “Paid Sick Leave Act” would provide new definitions and requirements for employers to provide paid sick time off for all employees. **OPPOSE**
- **HB 271** – Rep. Jesse Petrea (*R-Savannah*) – This bill would amend current definitions of “sand dune” and how the law measures the shoreline buffer in order to better define EPD’s shoreline protection measures for both regulators and developers. The bill provides for a “minor disturbance” permit for the construction of patios, decks and landscaping. **MONITOR**
- **HB 285** – Rep. David Knight (*R-Griffin*) – This bill would require property tax assessors to consider the value of low income housing tax credits and the rental income limitations associated with them when assessing the fair market value of a property. **MONITOR**
- **HB 410** – Rep. Sam Teasley (*R-Marietta*) – This bill would prohibit condo owners and property owners associations from charging an assessment of new owners in an amount exceeding one-twelfth of the annual assessment. The bill also places new restrictions on property management associations that provide a letter at a real estate closing certifying that the seller is up to date on his or her association assessments. **OPPOSE**
- **HB 459** – Rep. Sam Teasley (*R-Marietta*) – This bill would prohibit builder contracts from including a clause that dictates who may accompany a buyer onto an active construction job-site. **OPPOSE**
- **SB 2** – Sen. Mike Dugan (*R-Carrollton*) – This bill would stream-line and expedite the licensing and permitting process at the state and local levels, provide accountability and transparency within the agencies that provide such service, require better public notice of bureaucratic rule changes, and allow for a reduction in the fees required when a local permitting agency cannot complete the review or inspection in a timely manner and a third-party is engaged by the applicant. **SUPPORT**
- **SB 28** – Sen. Vincent Fort (*D-Atlanta*) – This bill would provide for a state-wide increase in the minimum wage to \$15.00 per hour and would require a cost-of-living increase in each subsequent year. **OPPOSE**
- **SB 116** – Sen. Frank Ginn (*R-Danielsville*) – This bill would prohibit local governments from charging a storm-water fee to owners of property which has been built to a “water-neutral” standard. **MONITOR**
- **SB 162** – Sen. Frank Ginn (*R-Danielsville*) – This bill would set restrictions on the government condemnors in eminent domain cases which would prevent the condemnor from offering a low-ball amount to a property owner. **SUPPORT**

The following bills on our Tracking Sheet **PASSED** both chambers and are eligible to be signed by Governor Nathan Deal to become a law.

- **HB 39** – Rep. Alan Powell (*R-Hartwell*) – This bill will provide leeway for the Georgia Real Estate Commission to consider options other than immediate revocation of a license if the licensee failed to disclose an infraction that is a misdemeanor in another state but more serious in Georgia. **SUPPORT**
- **HB 41** – Rep. Brett Harrell (*R-Snellville*) – This bill will allow architecture students to begin working towards their professional certification while still in college. **SUPPORT**

- **HB 76** – Rep. Rick Jasperse (*R-Jasper*) – This is a clean-up bill required by the land surveyors and the clerks of court after some negative unintended consequences resulting from HB 1004 last year. **SUPPORT**
- **HB 87** – Rep. Brad Raffensperger (*R-Johns Creek*) – This bill will allow corporations to renew their registrations with the Georgia Secretary of State for up to three years at a time. **SUPPORT**
- **HB 183** – Rep. Robert Dickey (*R-Musella*) – This bill re-establishes the Georgia Geospatial Advisory Council, which advises state agencies regarding GIS mapping and other land development technology. **SUPPORT**
- **HB 192** – Rep. Beth Beskin (*R-Atlanta*) – This bill provides protections to corporate boards of directors after the Georgia Supreme Court ruled in *FDIC vs. Loudermilk* that decisions made by those boards are held to an ordinary standard of negligence but the process by which those decisions are made may be held to a lesser standard. This bill places parity in those standards of care. HB 192 was a scorecard issue for both the Georgia Bankers Association and the Georgia Chamber of Commerce. **SUPPORT**
- **SR 152** – Sen. Frank Ginn (*R-Danielsville*) – This resolution creates the Joint Study Committee on Stream Buffers in Georgia. **MONITOR**
- **SR 224** – Sen. Frank Ginn (*R-Danielsville*) – This resolution creates the Joint Study Committee on Storm-Water Management Fees. **MONITOR**

Several of GAC's initiatives this year – such as prohibitions on local government aesthetic controls and battling the over-reaches of local tree ordinances – were unsuccessful in crossing the legislative finish line. GAC will be working hard in the off-season to continue these efforts and we still need your help. Thank you for your continued participation in HBAG's Government Affairs Committee.

As you can see from the information above – it matters who we as citizens send to the state legislature to represent us. It has been a pleasure for me to represent the Home Builders Association of Georgia for another year and I'd like to thank each of you for the opportunity – especially HBAG President Lamar Smith and GAC Chairman Bobby Cleveland. My work on your behalf is made immensely more efficient and effective by HBAG EVP Kelly Lass and my HBAG colleagues and by Sam Hill and the rest of her team at Troutman Sanders Strategies.

