

HBAG Government Affairs Committee

Legislative Wrap-Up 2015



The 2015 Georgia General Assembly has finally come to a finish after beginning Monday, January 12, 2015 and ending 40 Legislative Days later on Thursday, April 2, 2015. The session included highlights such as a \$900 Million Transportation Funding bill, the Governor's Education Reform bill, the failure of a Religious Freedom Bill, and the legalization of cannabinoid oil—a specific type of medical marijuana used to treat seizures.

The Home Builders Association of Georgia was represented by Government Affairs Director Austin Hackney and our partners at Troutman Sanders Strategies, specifically Pete Robinson, Sam Hill, and Lawrence Bell. The Association also hosted a successful Legislative Rally and Spring Board meeting at the Capitol on February 3, where we were greeted by the Speaker of the House of Representatives David Ralston and builder-member of the Greater Atlanta HBA, Rep. Geoff Duncan (*R-Cumming*). HBAG members were able to interact with their local legislators in the Capitol building and provided a BBQ lunch for elected officials and staff.

The following **15** bills and **1** resolution from our Tracking Sheet were passed by the General Assembly in the 2015 Session and are now being reviewed by the Governor for his signature or veto. If the Governor doesn't take one of these two actions by May 12, 2015—or 40 days after Sine Die—the measure will become law automatically.

- **HB 57** – Dudgeon, Mike 25th (*R-Johns Creek*)
 - This bill allows for the financing of solar panels for both residential and commercial customers.
- **HB 117** – Hamilton, Mark 24th (*R-Cumming*)
 - The bill seeks to modify the definition of the term “most recent employer” by ending the experience rating account, extending the statute of limitations on refunds of excess payments, modernizing the unemployment application process by electronically using a valid driver’s license in lieu of physically signing an affidavit, and opening unemployment to those who are victims of family abuse. This was a Georgia Chamber of Commerce scorecard bill that we tracked because of our participation on their GAC committee.
- **HB 153** – Weldon, Tom 3rd (*R-Ringgold*)
 - This bill began as an overly-broad catchall providing damages to persons harmed by the unauthorized practice of law. The bill was amended by HBAG staff to include specific provisions outlining exactly what a seller or the employee of a seller of real property is allowed to do during a real estate transaction. These provisions allowed actions under the law to include providing information and advice to clients, preparing special stipulations to sales forms, and providing and completing legal forms prepared by an attorney.

The bill also limits the litigation that could be brought in cases of the unauthorized practice of law to individual action – class action suits are disallowed under this bill.

- **HB 174** – Jones, LaDawn 62nd (*D-Atlanta*)
 - This bill, known as the "Urban Redevelopment Law," defines and adds blighted areas and modernizes terminology. This bill will allow local governments and private enterprise to rehab and improve transportation projects in urban redevelopment areas.
- **HB 184** – Williamson, Bruce 115th (*R-Monroe*)
 - This is the Georgia Department of Banking and Finance's clean-up bill, which revises and modernizes the banking code in several areas. One of the more important changes broadens the authority of the Commissioner to rule on parity requests to ensure state-chartered banks have competitive equity with nationally-chartered institutions.
- **HB 202** – Battles, Paul 15th (*R-Cartersville*)
 - This legislation is a comprehensive revision of processes and procedures regarding ad valorem taxation, assessment, and appeal. Major highlights include a revamping of appraisal staff procedures to allow for joint staffs and contracting for advice and assistance and a total overhaul of the appeal process and county boards of equalization. It allows taxpayers to opt-in to receive tax bills and notices via email and clarifies that interest does not accrue during an appeal but begins only 60 days after the appealed value is finalized.
- **HB 245** – Dollar, Matt 45th (*R-Marietta*)
 - This bill provides that, for condominium instruments recorded after July 1, 2015, allowable special assessment fees will no longer be capped at \$200 per month but calculated on a percentage basis equal to 1/6 of the annual common expense assessment. This is the first change to this formula in 25 years.
- **HB 253** – Ballinger, Mandi 23rd (*R-Canton*)
 - This bill clarifies the relationship between an appraisal management company and a real estate appraiser and ensures that both parties are following federal guidelines.
- **HB 322** – Strickland, Brian 111th (*R-McDonough*)
 - This bill puts a \$500 penalty on holders of foreclosure deeds who fail to file the deed within the 90 day (plus a 30 day grace period) time period. The bill was amended to include language from HB 267, which requires an "officer" (read: notary) to witness mortgages, deeds, and bills of sale to secure debt with one additional witness.
- **HB 341** – Maxwell, Howard 17th (*R-Dallas*)
 - This bill adds a certification from the Building Officials Association of Georgia to the qualification requirements for a "certified inspector". This would be optional and in lieu of an ICC certification. The BOAG certification has 5 levels—only levels 2 through 5 would be eligible to be a "qualified inspector". All four of these levels require in-the-field experience and a certification test. As the levels go up, experience requirements go up also. For levels 2 and 3 the test is administered by BOAG and for levels 4 and 5 the test is administered by ICC.
- **HB 368** – Strickland, Brian 111th (*R-McDonough*)
 - This bill removes from statute any responsibility for the regulation of manufacturing and installing of safety glass glazing by the Georgia Department of Labor. This industry is already heavily regulated by the federal government and the state's involvement was redundant.
- **HB 397** – Knight, David 130th (*R-Griffin*) – Governor signed 4/8/2015
 - This bill makes some changes to the Georgia Soil & Water Commission. The Commission is now administratively assigned to the Department of Agriculture. Members of the Commission are no longer the district supervisors but will now be chosen by the Governor from each of the district regions. The Green Book will now be approved annually by the Erosion and Sediment Control Overview Council.

- **HB 461** – Shaw, Jason 176th (*R-Lakeland*)
 - This bill cleans up the Metals Theft Bill from a few years ago. It cleans up language regarding aluminum coils and burial objects. It adds catalytic converters to the list of items regulated. The bill also revises some of the language regarding the database by clarifying who may access the database and setting penalties for abuse.
- **HB 477** – Jones, Jan 47th (*R-Milton*)
 - HBAG staff worked with the author of this bill to narrow down its reach to the specific application for which it was intended—allowing the Crooked Creek neighborhood in Milton to purchase its interior roads back from the governing municipality and operate them privately.
- **SB 101** – Watson, Ben 1st (*R-Savannah*)
 - This bill establishes a 25 foot buffer along coastal marshlands and provides variances for activities associated with existing infrastructure, proposed new activities within the buffer zone, and the activities of utilities. The bill also authorizes the DNR Board to promulgate rules and regulations that provide for variances by rule for certain categories of activities within the buffer, and also provides the Board with the option to establish rules and regulations that provide for an expedited process for certain categories of activities within the buffer.
- **SR 26** – Ligon, Jr., William 3rd (*R-Brunswick*)
 - This resolution creates a Joint House and Senate Coastal Greenway Study Committee to look at the economic development benefits of constructing an Atlanta Beltline-like corridor connecting Savannah to St. Marys.

All of the 25 bills and resolutions left on the Tracking Sheet will be alive for further consideration next year.



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