

## Week 4 Legislative Update 2024



Legislators, lobbyists, and staffers all mourned the death of House Rules Committee Chairman Richard Smith of Columbus this week. Chairman Smith, who was first elected to the House in 2004, passed away in his sleep after a battle with the flu. Chairman Smith was highly regarded and respected under the Gold Dome by Democrats and Republicans, legislators and lobbyists alike. Speaker Jon Burns told his House colleagues on Tuesday morning that Chairman Smith “loved everyone in this building, and never met a stranger.” Governor Kemp said Chairman Smith “was making our state better. He did that for a long time, and his legacy will continue to do that in the future.”

Chairman Smith will be laid to rest this Monday, February 5 in Columbus. Legislators have altered their legislative calendar to be able to pay their respects—Monday will no longer be a legislative day on the calendar, and the General Assembly will convene for the next legislative day on Tuesday. Friday, February 16 has been added to the adjournment resolution as a legislative day.

Dozens of new pieces of legislation were introduced each day again this week, and committee and floor action both picked up considerably. The legislature is getting closer to checking off its one constitutionally required action item of passing a budget. Senate Appropriations Chairman Blake Tillery (R-Vidalia) told his Senate colleagues this week that he anticipates that the House will wrap up its Amended Fiscal Year 2024 budget next week. The House will then move on to the Fiscal Year 2025 budget, while the Senate will work to craft its AFY24 priorities.

This week also saw the first bill signing of the session. On Wednesday afternoon, flanked by dozens of legislators and supporters of the legislation, Governor Kemp signed [House Bill 30](#) into law. The law, which was sponsored by Representative John Carson (R-Marietta) and championed by the legislature’s only Jewish member Representative Esther Panitch (D-Sandy Springs), defines antisemitism in Georgia code for hate crime prosecution and cases of discrimination.

Lawmakers will be back under the Gold Dome next week Tuesday through Friday for Legislative Days 15 through 18. Members now have less than a month remaining to shepherd their bills

through the committee process and get them passed out of their chamber of origin for them to have a chance of passing this year— Crossover Day is set for Thursday, February 29.

### **Senate Majority Caucus Priorities**

On Monday members of the Senate majority caucus held a press conference to announce their priorities for the 2024 Legislative Session. Majority Leader Steve Gooch, President Pro Tempore John Kennedy, and other members of the majority caucus were joined by Lieutenant Governor Burt Jones to announce five major legislative priority areas:

- **Tax Relief:** Accelerating the reduction of the state income tax and prioritizing [Senate Bill 349](#) by Senator Chuck Hufstetler (R-Rome), a statewide floating homestead exemption.
- **Tort Reform:** ‘At a minimum,’ passing legislation to limit direct-action lawsuits carried by Senator Blake Tillery (R-Vidalia).
- **Education:** Prioritizing Senator Greg Dolezal’s (R-Cumming) [Senate Bill 233](#), which provides school choice for students trapped in underperforming schools.
- **Workforce:** Improving career and credentialing pathways for veterans and military spouses seeking employment in Georgia’s healthcare system under the leadership of Senator Larry Walker (R-Perry).
- **Public Safety:** Eliminating no-cash bail for violent offenders under the leadership of Senator Randy Robertson (R-Cataula).

### **Tort Reform**

This week the first tort reform bill of the 2024 Legislative Session was introduced: [Senate Bill 426](#) by Senator Blake Tillery (R-Vidalia). The measure, which is a legislative priority for Lieutenant Governor Burt Jones, limits how individuals injured in accidents with big trucks can sue insurance companies. Lawsuits could still be brought against an insurance company in some instances, for example if the driver or the business is insolvent or bankrupt, or if the driver or company cannot be located to be served with the lawsuit. The measure was scheduled for a vote in the Senate Judiciary Committee on Thursday afternoon, but the committee hearing was rescheduled.

### **Sports Betting**

After it was passed by the Senate Economic Development Committee earlier in the week, the Senate considered a measure on Thursday that would legalize sports betting in Georgia. Some argue that an amendment to the state constitution would be required to authorize sports betting, which would require approval from two-third of the House and Senate as well as a majority of Georgia voters, while others argue that sports betting can be legalized under the purview of the Georgia Lottery.

[Senate Bill 386](#), a bipartisan measure sponsored by Senator Clint Dixon (R-Buford), would authorize sports betting in Georgia under the Georgia Lottery and would allow the state to issue up to 16 licenses for sports betting— seven that would be issued via an open procurement

process, one to the Georgia Lottery, and the remaining licenses could be awarded to professional sports teams in Georgia, Augusta National, the PGA Tour, and NASCAR. Individuals involved with professional sports teams, like athletes, players, and coaches, would be prohibited from betting under the law.

Senator Bill Cowsert (R-Athens) proposed an amendment to the bill that would make the legislation effective only upon the passage of a constitutional amendment. Senator Cowsert's amendment prevailed by a 34 to 7 margin.

After a lengthy floor debate, the measure, which now includes Senator Cowsert's amendment, passed 35 to 15 and now heads to the House for consideration.

### **“Tax Expenditures Transparency Act of 2024”**

This week the Senate unanimously passed [Senate Bill 366](#), by Senate Finance Committee Chairman Chuck Hufstetler (R-Rome). The bill would require tax expenditures, including tax credits, to be listed as part of the budget each year, including a brief description of each, as well as the amount of tax revenue project that would be forgone in the fiscal year as a result of each. The measure also creates a joint House-Senate committee that would meet every other year to examine expenditures, tax exemptions, tax credits, and revenue.

The Joint Committee on Taxation and Economic Development would be made up of ten members of the legislature including the Senate Finance Committee Chairman, House Ways and Means Chairman, the House and Senate Appropriations Committee chairmen, and the House and Senate Economic Development and Tourism Committee chairmen, along with other members. The committee would have the authority to investigate and review the fiscal and economic impact of tax credits and exemptions that were the subject of DOAA audit in the previous year.

After passing the Senate this week, the measure has gone over to the House, where it has been assigned to the Ways and Means Committee for consideration.

### **Tax Relief**

Last week Speaker Jon Burns (R-Newington) held a press conference to announce a package of proposed legislation to bring tax relief to Georgians. This week several of those measures were passed by the Ways and Means Committee and are now eligible for consideration on the House floor:

- [House Bill 1021](#), by Representative Lauren Daniel (R-Locust Grove), which would raise the child tax deduction from \$3,000 to \$4,000;
- [House Bill 1019](#), by Representative Matt Reeves (R-Duluth), which would double the homestead exemption from \$2,000 to \$4,000; and
- [House Bill 1015](#), sponsored by Governor's Floor Leader Lauren McDonald (R-Cumming), which would accelerate the cut to the state income tax from 5.75 percent to 5.39 percent, returning approximately \$1 billion to taxpayers.

## **Peace Officer Loan Repayment**

One of Governor Kemp's legislative priorities outstanding from the 2023 Legislative Session is [House Bill 130](#), sponsored by Governor's Floor Leaders Matthew Gambill (R-Cartersville) in the House and Bo Hatchett (R-Cornelia) in the Senate. The measure, which passed the House last session unanimously, would create a program to repay up to \$20,000 in educational loans for up to 800 peace officers in exchange for five years of service to help recruit and retain law enforcement officers. This week the Senate unanimously approved the measure by substitute. Because of the changes made to the bill in the Senate Higher Education Committee, the legislation must now go back over to the House for a final 'agree' measure before it can head to Governor Kemp's desk.

## **Prosecuting Attorneys Qualifications Commission**

Last session the legislature passed [Senate Bill 92](#), creating the Prosecuting Attorneys Qualifications Commission. Under the law, prosecutors who display willful misconduct in office, persistently fail to perform the duties of their office, are personally convicted of a crime of moral turpitude, or who display conduct that brings the office in disrepute would be subject to review by the commission, including possible removal from office. The legislation included the requirement that the state Supreme Court approve the rules that would govern the commission, but since the bill's passage, the Supreme Court expressed concerns about its constitutional authority to do so.

To fix the constitutional problem that has prevented the Prosecuting Attorneys Qualifications Commission from getting up and running, Representative Joseph Gullett (R-Dallas) introduced [House Bill 881](#) this session to remove the requirement that the Supreme Court review and approve the rules and regulations for the commission. After a lengthy debate on the House floor this week, the measure was passed 95 to 75, almost completely along party lines. The measure now heads to the Senate for consideration. Following the vote on the House floor, Speaker Burns released a statement in support of the bill: "Georgians deserve District Attorneys who are focused on upholding their oath of office, prosecuting criminals, and doing their job to keep our communities safe—and I am confident that the Prosecuting Attorneys Qualifications Commission will ensure that happens. I look forward to the Senate acting quickly on this important legislation and delivering it to Governor Kemp to sign into law."