

April 2, 2010

With crossover day behind them, the legislature has now completed 33 of a possible 40 legislative days. They will break for the entirety of next week and return Monday April 12, for legislative day 34. The next weekly update will be distributed following legislative activity occurring during the week of the 12<sup>th</sup>. We expect that they will complete the session near April 23<sup>rd</sup>.

HB 1015 relating to street gang terrorism, prevention and criminal activity passed out of the Senate Judiciary Committee by substitute this week.

SB 362, related to liens, was first read assigned to the House Judiciary Committee this week.

Representative Jerguson's HB 231, which carried over from the 2009 session, passed the Senate this week. HB 231 would clarify the scope of practice of registered interior designers change certain provisions relating to documents requiring the seal of a registered architect or a registered interior designer.

**Legislative Tracking**

*Bills highlighted in green advanced this week.*

Type	Number	Title	Sponsor	Details	Status	Committee
HB	169	<a href="#">Proposed new or revised flood elevations</a>	Carter, Earl of Pooler	This bill would require the Department of Natural Resources to notify affected property owners and local governments whenever the Federal Emergency Management Agency provides legal notice under the federal National Flood Insurance Program of any new flood elevations in this state.	Senate Conference Committee Report Adopted 4/3/09	Senate Natural Resources Committee
HB	231	<a href="#">Practice of Architecture</a>	Jerguson, Sean of Canton	Would clarify the types of construction projects for which documents are prepared, certified, and submitted for building permits by a Georgia registered interior designer.	Senate Passed/Adopted	Senate Regulated Industries
HB	545	<a href="#">Commencement and Service of Civil Actions</a>	Willard, Wendell of Atlanta	Establishes a statewide appointment system for private process servers. The bill also mandates that property owners grant process servers access to a gated community for a reasonable time to serve process. Property owners often hire private process servicers during dispossessory cases, finding the option to have many benefits.	Senate Committee Favorably Reported	Senate Public Safety
HB	579	<a href="#">Contractors; eligibility for licensure</a>	Maxwell, Howard of Dallas	This bill relates to eligibility for licensure without examination and burden upon the applicant relative to residential and general contractors.	Senate Committee Favorably Reported	Senate Regulated Industries and Utilities

HB	1015	<a href="#">Street gang terrorism and prevention</a>	Golick, Rich of Smyrna	Would amend Georgia code as it applies to street gang activity	House Passed/Adopted. Senate Committee Favorably Reported. Senate Read Second Time.	Senate Judiciary Committee
HB	1023	<a href="#">Jobs, Opportunity and Business Success Act of 2010</a>	Graves, Tom of Ranger	Would provide, for a period of time, a waiver of certain filing fees otherwise charged in connection with such entities; for a period of time, employers who hire those receiving employment security benefits will be entitled to a credit against employer contributions; a portion of net long-term capital gains shall be excluded from state taxable income of corporations and individuals.	Senate Passed/Adopted	Senate Finance Committee
HB	1041	<a href="#">Tax digests; not approved by commissioner under certain conditions; eliminate</a>	Epps, James "Bubber" of Dry Branch	Relates to the approval of tax digests when property is in arbitration or on appeal. Would eliminate certain conditions under which digests are not approved by the state revenue commissioner.	House Passed/Adopted Senate Read and Referred	Senate Finance Committee
HB	1050	<a href="#">Real estate appraisers; appraisal management companies, add regulations</a>	Benton, Tommy of Jefferson	Would add regulations for establishment and maintenance of real estate appraisal management companies.	House Passed/Adopted Senate Read and Referred	Senate Regulated Industries and Utilities Committee
HB	1055	<a href="#">Drivers' licenses; fees for temporary licenses or identification cards; change</a>	Levitas, Kevin of Atlanta	Increases almost all state fees - includes a new \$100 fee to be assessed on all civil filings in State and Superior Court.	House Passed/Adopted Senate Read and Referred	Senate Finance Committee
HB	1069	<a href="#">Income tax; credits for equipment that reduces energy or water usage</a>	Wilkinson, Joe of Atlanta	Would provide tax credits for certain qualified equipment that reduces business or domestic energy or water usage.	House Passed/Adopted Senate Read and Referred	Senate Finance Committee

SB	77	<a href="#">Police Officers and Taxes</a>	Reed, Kasim of Atlanta	Seeks to impose and levy a special district tax (1 mil) to provide all or a portion of the salaries for police officers and firefighters by a referendum or vote by the people.	Failed to be voted on last session.	House Ways and means
SB	184	<a href="#">Contractor; service of notice of commencement</a>	Weber, Dan of Dunwoody	Would provide for certain requirements regarding service of a notice of commencement to a contractor relating to payment bonds, so as to provide for certain requirements regarding service to a contractor; to provide for a procedure for the application of certain forms.	Failed to be voted on last session.	House Judiciary
SB	188	<a href="#">Code Officials; provide for protection and training</a>	Unterman, Renee of Buford	Would provide for the protection and training of code officials; to provide for the offense of obstructing or hindering code officials whose duty it is to assure code complianc and to provide for criminal penalties; to provide for the training of code officials through the creation of the Georgia Code Enforcement Training Board.	Failed to be voted on last session.	House Judiciary Non Civil
SB	308	<a href="#">Firearms; carrying and possession</a>	Seabaugh, Mitch of Sharpsburg	Change provisions regarding the carrying and possession of firearms, so as to permit persons with a weapons license to carry certain weapons in parks, historic sites, or recreational areas and while hunting during archery or primitive hunting season.	Senate Passed/Adopted House Second Readers	House Judiciary Non Civil
SB	346	<a href="#">Ad Valorem Taxes; comprehensive revisions</a>	Rogers, Chip of Woodstock	Establish sales price of an "arms-length" transaction as the maximum assessed value for a period of 1-year following the transaction. This shall include all sales made on or after January 1, 2010 . Revenue generation shall be considered when determining assessed value of commercially zoned property. Any county whose digest includes a large assessed commercial value shall make available to the taxpayer a licensed appraiser who will act in place of the BOE to determine value of any parcel which is zoned commercial	Senate Passed/ Adopted Y-54 N-0 House Second Readers	House Ways and Means Committee
SB	362	<a href="#">Property; liens of mechanics/materialmen; waiver and release upon payment</a>	Weber, Dan of Dunwoody	Relating to liens of mechanics and materialmen,would eliminate provisions stating that a mechanic or materialman who has executed a waiver and release upon payment shall be presumed to have received payment if the mechanic or materialman does not file an affidavit of nonpayment within a certain period of time.	Senate Passed/Adopted. House Second Readers	House Judiciary Committee

SB	370	<a href="#">Water; examine practices, programs, policies; develop programs for voluntary water conservation; reports of measurable progress</a>	Tolleson, Ross of Perry	The Water Stewardship Act will require low flow toilets, faucets and other equipment to be installed in new construction after July, 2012. The bill also calls for the installation and USE of sub-metering in new multitenant industrial, retail and residential buildings.	House Passed/Adopted	House Rules Committee
SR	1	<a href="#">Cap valuation of real property</a>	Rogers, Chip of Woodstock	Has been amended to include language from HR 1, which did not make the crossover deadline 2009 and 2010 <a href="http://www.legis.ga.gov/legis/2009_10/fulltext/hr1.htm">http://www.legis.ga.gov/legis/2009_10/fulltext/hr1.htm</a>	Failed to be voted on last session.	House Ways and Means

**Failed to make the crossover deadline**

Type	Number	Title	Sponsor	Details	Status	Committee
HB	247	<a href="#">New Home Access Act</a>	Thomas, Brian of Lilburn	"New Home Access Act". General provisions and standards for construction of single family construction.	Failed to make crossover deadline	House Ways and Means
HB	263	<a href="#">In-home services; employees; criminal background investigation</a>	Peake, Allen of Macon	Any person that is offering in-home services shall conduct a criminal background investigation of each employee, and that any person who fails these background checks shall not be employed.	Failed to make crossover deadline	Agriculture and Consumer Affairs
HB	405	<a href="#">Tax Credits, efficient water Fixtures</a>	Wilkinson, Joe of Atlanta	Would provide tax credits for residential properties that retrofit water efficient fixtures in existing homes.	Failed to make crossover deadline	House Ways and Means
HB	517	<a href="#">Revenue and taxation; method of assessing real property; comprehensive revision</a>	Lindsey, Edward of Atlanta	Would provide for the comprehensive revision of the method of assessing real property.	Failed to make crossover deadline	House Ways and Means
HB	885	<a href="#">Magistrate Courts</a>	Levitas, Kevin of Atlanta	Relating to civil proceedings in magistrate courts, so as to provide for applicability of the "Georgia Civil Practice Act" under certain circumstances; to change provisions relating to service of process.	Failed to make crossover deadline	House Judiciary

HB	951	<a href="#">Sales and use tax exemption; certain school supplies; energy efficient products; provide</a>	Smith, Lynn of Newnan	Exemptions from state sales and use tax for certain school supplies, clothing, footwear, computers, and computer related accessories July 29-Aug 1, 2010. And would provide an exemption from sales and use tax for certain energy efficient products or water efficient products Oct 7-10, 2010.	Failed to make crossover deadline	House Ways and Means
HB	953	<a href="#">Sales and use tax exemption; certain energy or water efficient products; provide</a>	Smith, Lynn of Newnan	Would provide an exemption from sales and use tax for purchase of energy efficient products or water efficient products with a sales price of \$1,500.00 or less per product purchased for noncommercial home or personal use October 7-10, 2010.	Failed to make crossover deadline	House Ways and Means
HB	973	<a href="#">Magistrate courts; jurisdictional limit in civil claims</a>	Jacobs, Mike of Atlanta	Would increase magistrate courts jurisdictional limit in civil claims to cases of \$25,000 , currently \$15,000	Failed to make crossover deadline	House Judiciary
HB	1024	<a href="#">Jobs, Opportunity and Business Success Act of 2010</a>	Graves, Tom of Ranger	Would provide tax relief and encourage employment opportunities and business stimulation; eliminate the requirement for dealers to make returns and remittances with respect to estimated sales and use tax liability.	Failed to make crossover deadline	House Ways and Means
HB	1048	<a href="#">Conveyances; structures require certified termite and wood-destroying organism inspection</a>	McCall, Tom of Elberton	As introduced, would require that a termite inspection be conducted prior to the sale of any residential or commercial property. The bill was amended to apply only to single family dwellings.	Failed to make crossover deadline	House Agriculture and Consumer Affairs
HB	1115	<a href="#">Standard Code; Provide water cooler or bottled water</a>	Rogers, Carl of Gainesville	Small businesses shall be authorized to provide drinking water by means of a water cooler or provision of bottled water as an alternative to any otherwise required drinking fountain.	Failed to make crossover deadline	House Human Relations Committee
HB	1218	<a href="#">Transportation Investment Act of 2010</a>	Cole, Jim of Forsyth	Proposes a penny sales tax that would have to be approved by referendum in 2012 to fund highway and transit projects.	Failed to make crossover deadline	House Transportation Committee
HB	1328	<a href="#">Courts; adjust certain fees for inflation; provisions</a>	Lane, Roger of Darien	Fees related to the courts. The bill applies the CPI (consumer price index) to all court fees and adjusts for inflation from the last time those fees were increased	Failed to make crossover deadline	House Regulated Industries

HR	1	<a href="#">Cap valuation of real property</a>	Lindsey, Edward of Atlanta	Would place a cap on the growth of assessed value at 3 percent a year (or total of 9 percent over three years). If a property is sold, the new assessed value could not exceed the sales price. Would phase in the fair market value over a seven year period and require reassessment of all non homesteaded property every ten years. Authorizes the general assembly to define the methods of determining fair market value as applied to nonresidential real property and may include but not be limited to a formula based on current use, annual revenue and real property sales data.	Failed to make crossover deadline	House Ways and Means
SB	311	<a href="#">Water Savings and Conservation Act</a>	Shafer, David of Duluth	Would require the Department of Natural Resources to inspect certain infrastructure relating to removing surface water; to provide certain alternatives to governmental entities required to repair or replace certain inadequate infrastructure.	Failed to make crossover deadline	Senate Natural Resources
SB	429	<a href="#">Courts; increase number of judges; Supreme Court/Court of Appeals; funding of a judicial operations fund</a>	Smith, Preston of Rome	Will create extra seats on the Appeals Court and Supreme Court, and will raise fees for civil filings by \$100.	Failed to make crossover deadline	Senate Judiciary
SB	433	<a href="#">Requesting credit reports of employees</a>	James, Donzella of College Park	Would prohibit employers from requesting credit reports on employees or prospective employees with certain exceptions.	Failed to make crossover deadline	Insurance and Labor
SB	417	<a href="#">Property; certification inspected for termites/wood destroying organisms</a>	Bulloch, John of Ochlocknee	Would provide that each conveyance of real property on which a residential or commercial structure is located requires a certification that such structure has been inspected for termites and other wood-destroying organisms.	Failed to make crossover deadline	Senate Agriculture and Consumer Affairs