



# Presbyterians for a Better Georgia 2019 Georgia General Assembly Final Wrap Up Report

May 22, 2019

DEAR FAITHFUL FRIENDS,

## Final Wrap Up

The 2019 Georgia General Assembly session completed its 2019 session at midnight on April 2, 2019. This was an important session for Presbyterians for a Better Georgia with significant wins, losses and near misses.

The Governor has now completed the 40 days from the end of the session to sign or veto legislation and the legislative website has been updated to reflect final outcomes for 2019. [Follow this link](#) to see the list with links to what was signed or vetoed. (Remember that a failure to sign or veto means the bill becomes law without his signature, a strategy the Governor used this year with the Dekalb Ethics Board Bill, [SB 7](#), so it became effective May 13, 2019, and is subject to county-wide referendum regarding the composition of the Dekalb Ethics Board.) This link will take you to the [Governor's veto messages](#), including his veto of the school recess bill [HB 83](#), a pilot program to include obesity treatment drugs in the State Health Benefit Plan [HB 187](#), the bill waiving sovereign immunity for claims brought against state government [HB 311](#), the school safety bill [SB 15](#), state funding for the Georgia Sports Hall of Fame for marketing purposes [SB 80](#), mandatory audits of tax abatements and exemptions [SB 120](#), and others. This link will take you to the [line item vetoes of the FY 2020 Budget items](#), some of which are discussed below. Since this was the first of the two year 2019-2020 term legislation that remains alive at the end of the session but did not achieve final passage in identical form by the House and Senate was returned to the last substantive committee where it was heard and remains alive for action in 2020.

*Please also consider meeting with your Senator and Representative back in the district during the spring, summer and fall to let them know about your legislative priorities.*

Here is where things stand on key PBG priority issues and other issues of interest as of the end of the session including the Governor's actions.

## UPDATES ON PBG PRIORITIES:

### ACCESS TO HOUSING:

**HB 346 Healthy Housing:** PBG is a part of the Healthy Housing Georgia coalition that brought this bill. HB 346 prohibits retaliatory eviction of tenants complaining to code



enforcement of unsafe and unhealthy rental housing conditions. This is already the law in 41 other states including all of Georgia's neighboring states.

- **Status:** Passed the House and Senate. Signed by the Governor. Effective July 1, 2019.
- **Action Step:** Please [contact Governor Kemp](#) and thank him for signing HB 346. Please also reach out to our chief sponsor, Rep. Sharon Cooper, at [sharon.cooper@house.ga.gov](mailto:sharon.cooper@house.ga.gov) and to our Senate sponsor, Sen. Jesse Stone, at [jesse.stone@senate.ga.gov](mailto:jesse.stone@senate.ga.gov) and thank them for their leadership in making this law a reality.

**HB 492 Dispossession and Expiration of Writ of Possession:** Applications for execution of a writ of possession shall be made within 30 days of issuance unless accompanied by an affidavit showing good cause for delay in applying for the execution of the writ. Failure to comply shall require application for a new writ.

- **Status:** Passed House and Senate. Signed by Governor. Effective July 1, 2019.

**HB 313 Tax Exemption for Habitat for Humanity:** Property tax exemption for real property owned by purely public charities where property is held exclusively for the purpose of building or repairing single family homes to be financed to individuals using no-interest loans. Requires statewide referendum. See also, **SB 197**.

- **Status:** House Ways & Means. HB 313 did not move but its provisions were amended on to **HB 344** and passed the House and Senate. Signed by Governor. Requires statewide referendum in November.

**HR 164 Dedication of State Revenue:** As introduced and passed the House this Constitutional amendment provides for a 2/3 vote of both houses to dedicate up to 1% of state revenues from fees or taxes to a specific government purpose. This measure would eliminate the need for a statewide referendum to dedicate revenue and strengthen opportunities to seek a dedication of revenue for worthy purposes, such as affordable housing. States that have effectively addressed the need for affordable housing, such as Florida, have invariably relied on dedication of revenue to create a Housing Trust Fund to meet housing needs on an ongoing basis, rather than relying on annual appropriations.

- **Status:** Passed the House. Passed Senate by Substitute limiting the reach of the Bill to only measures addressing the dedication of revenue derived from fees or taxes regarding hazardous waste and solid waste, including tire disposal fees. *Did Not Pass.*

**HB 388 Development Impact Fees:** Allows local communities to waive the development impact fee for affordable housing without replenishing the funds from another source.

- **Status:** Passed House Committee by Substitute. Recommitted to House Governmental Affairs Committee.



**HB 427 Tax Exemption for Nonprofit Multifamily Housing:** Property tax exemption for real property owned by a non-profit that is used exclusively for multi-family housing that is rented, leased or otherwise used for the purpose of securing an income. Requires statewide referendum.

- **Status:** House Ways & Means Committee.

**HB 461 Property Tax Exemption for Multi-Family Housing Owned by Non-Profit:** Exempt from property taxes all multi-family housing owned by a 501c3 non-profit organization. Statewide referendum required.

- **Status:** House Ways & Means Committee.

**HB 635 Atlanta Local Legislation for Homestead Exemption for CLTs:** Local legislation for City of Atlanta to provide a \$30,000 homestead exemption from municipal ad valorem taxes for persons owning property through a community land trust. The measure is now subject to a local referendum in November 2019 to take effect in 2020.

- **Status:** Passed House and Senate. Signed by Governor. Local Referendum required.

**HB 729 Land Installment Contracts (Contract for Deed):** Provides consumer protections to address problems created by land installment contracts that consumers believe is the purchase of real property, but provides none of the protections of ownership and all of the obligations.

- **Status:** House Hopper (Introduced April 2, 2019)

**HR 533 House Study Committee on Innovative Financial Options for Senior Living:** Study of the need for financial support for affordable housing options with supportive services for seniors when they can no longer remain in their own homes, including Medicaid funds for supportive housing and assisted living for low income older adults, including the use of LIHTC.

- **Status:** Passed. House Committee members appointed. No hearings scheduled yet. Information will be posted [here](#).

## **ACCESS TO HEALTHCARE:**

**Expand Medicaid:** Several measures were introduced to expand Medicaid under the Affordable Care Act up to 138% of the federal poverty level and insure 550,000 Georgians who are now uninsured. These measures would allow the state to accept federal financial contributions of \$9 for every \$1 spent by the state to provide health insurance coverage to hundreds of thousands of Georgians who are now uninsured, save lives and improve the health of the uninsured, while providing desperately needed funds to rural hospitals facing closure due to lack of funding for patient care.



**SB 106** is the Governor’s proposal to allow the Department of Community Health to submit an 1115 waiver request to the federal government to cover persons up to 100% of the federal poverty level, and to apply for a 1332 waiver for market insurance issues. To date no state has received the elevated 90% match approval for coverage less than 138% of the federal poverty level, so the Governor’s proposal could mean half as many Georgians would be covered at a greater cost. (The state’s ordinary Medicaid reimbursement rate is 67%, not 90%.)

- **Status:** Passed Senate and House. Signed by Governor. RFPs issued for consultants to draft waivers.
- **Action Steps:** Several opportunities for public comment will be presented as 1115 and 1332 waivers are crafted and submitted. For more information monitor the Cover Georgia site [here](#).

**HB 514 Georgia Mental Health Reform and Innovation Commission:** Creates a state Mental Health Reform Commission to perform a comprehensive review of the behavioral health system in the state, identify health issues, address the role of the educational system in the identification and treatment of behavioral health issues, look at the impact of behavioral health issues on the court system and correctional system, identify legal and systemic barriers to treatment of mental illness, determine if there are workforce shortages that impact delivery of care, find whether there is sufficient access to behavioral health services and supports, assess the impact of untreated behavioral illness on children, the need for aftercare for persons exiting the criminal justice system, and the impact of behavioral illness on the state’s homeless population. The Commission will have 17 members with relevant expertise, two judges and four members of the General Assembly, as well as ex officio members from the key Executive branch agencies. It shall meet at least twice each year and shall report annually to the General Assembly, and shall stand abolished on June 30, 2023.

- **Status:** Passed House and Senate. Signed by Governor.

**HB 324 Medical Marijuana Dispensary:** Georgia Hope Act permits growing, manufacturing, testing and distribution of low THC oil (medical marijuana) at 60 dispensaries.

- **Status:** Passed House and Senate. The Governor signed the bill. Effective July 1, 2019.

**HB 481 Abortion:** Criminalizes any abortion performed after the sixth week of gestation except in cases of rape or incest (where a police report was filed), where the life of the mother is threatened (except for suicide), or for pregnancies incompatible with life. Provides for inclusion of any fetus in the census count and any other population based determination, and allows for a fetus to be counted as a natural person eligible to receive a state income tax deduction. Provides civil and criminal penalties. See also [HB 546](#).



- **Status:** Passed House and Senate. Signed by Governor. Effective January 1, 2020. *Litigation is being prepared to seek to enjoin the legislation from becoming law based on existing Constitutional precedent.*

### **DISCRIMINATION AND HATE:**

**HB 426 Hate Crimes:** HB 426 passed the House by a fairly narrow margin of 96-64, with 20 not voting or excused. (91 votes are needed to pass a bill.) Georgia is one of only five states that does not have a hate crimes law. As amended in the House Judiciary Committee, the bill provides enhanced criminal penalties for any person who is convicted of a crime where the defendant “intentionally selected any victim or group of victims or any property as the object of the offense because of the actual or perceived race, color, religion, national origin, sexual orientation, gender, mental disability, or physical disability.”

- **Status:** Passed House. Senate Judiciary Committee.
- **Action Step:** Contact your Senator and the Lt. Governor and Governor if you want to see this Bill passed in 2020.

**SB 221: Religious Freedom Restoration Act:** Another RFRA bill establishing a new right to resist neutral laws on the grounds that they violate religious liberty. Advocates fear that such laws are used to discriminate against members of the LGBTQ community and others. Business interests are concerned that such laws have harmed commercial interests in the states where adopted based on perceived discriminatory intent.

- **Status:** Did not pass out of Senate Judiciary Committee. Withdrawn by author.

### **GUN VIOLENCE:**

**SB 150 Weapons of Domestic Abusers:** Prohibits persons convicted of crimes of family violence or subject to a family violence protective order from receiving, possessing, or transporting a firearm.

- **Status:** Passed House Public Safety Committee. Recommitted to Committee.

**HB 2 Georgia Constitutional Carry:** Eliminate requirement for licensure and background check to carry a firearm in Georgia.

- **Status:** No action taken.

**SB 50 Repeal Campus Carry:** Repeals authority to carry a weapon on a public college or technical school.

- **Status:** No action taken.



## **SEX AND MARRIAGE:**

**SR 55 and SR 66 Equal Rights Amendment:** Proposes for Georgia to become the 38<sup>th</sup> state to ratify the Equal Rights Amendment to the United States Constitution.

- **Status:** Senate Judiciary Committee.

**HB 228 Minimum Marriage Age:** Changes the minimum age to marry in Georgia from 16 to 17 and requires anyone who is 17 to have been emancipated.

- **Status:** Passed House and Senate. Signed by Governor. Effective July 1, 2019.

**SB 158 Anti Human Trafficking:** Requires police and DFCS to refer any child suspected of being a victim of sex trafficking to a victim services organization and prohibits arrest for prostitution of any person under 18 years of age. Increases responsibility and liability of owner and operators of hotels and other premises once notified that multiple sex trafficking violations have occurred within one year. Expands DFCS' power to provide emergency care for a child for up to seven days without a court order when they are a victim of sex trafficking. Redefines criminal prostitution to exclude charging a person under the age of 18.

- **Status:** Passed House and Senate. Governor Signed. Effective July 1, 2019.

**HB 424 Enhanced Penalties for Sex Trafficking, Sex Crimes and Exploitation of Seniors and People with Disabilities:** Provides and enhanced criminal penalties for sexual trafficking of any person under age 18 and for financial exploitation of a senior or person with a disability; expands the definition of criminal gang activity to include sex trafficking, pimping and pandering; and changes the law regarding admission of evidence of the prior sexual history of the victim.

- **Status:** Passed House and Senate. Signed by Governor April 18, 2019.

**HB 281 Increase Pimping and Pandering Penalties:** Provides increased penalties for crimes of pimping and pandering, and enhanced penalty when person being pimped or pandered is under 18.

- **Status:** Passed House and Senate. Signed by Governor. Effective April 18, 2019.

## **HB 31 State Budget for FY 2020**

The Governor proposed the FY 2020 Budget in January. The House acted to make changes and then the Budget went to the Senate and they made additional changes. Differences between the two were resolved in a Conference Committee in the final days of the session. The [Conference Committee Report](#) (which resolved the areas of disagreement between the House and Senate passed versions of the Budget) was then adopted by the House and Senate without change. *The Governor's line item vetoes are reflected.*



- **Status:** Passed House and Senate. Conference Committee Report Adopted. Signed by Governor with [specific line item vetoes](#).

Here are some FY 2020 Budget highlights relating to PBG priorities:

**Georgia General Assembly Joint Offices**

- Provide funds for lactation space - \$13,000

**Department of Behavioral Health and Developmental Disabilities**

- Increase funds for residential treatment of addictive diseases - \$4.9 Million
- Increase funds to expand comprehensive treatment, prevention and recovery support services to pregnant and postpartum women living with substance abuse disorder - \$50,000
- Increase provider rate by 10% for supported employment services for people with developmental disabilities. \$120,400
- Increase for permanent supported housing services for people with developmental disabilities in Forsyth County - \$50,000
- Increase funds for behavioral health crisis centers in areas with greatest need - \$8.3 Million
- Increase funds for state’s behavioral health services - \$10.55 Million
- Increase funds for behavioral health crisis bed capacity - \$7.7 Million
- Increase funds for housing vouchers for 700 persons with severe and persistent mental health issues cycling through hospitals and criminal justice system to comply with DBHDD/DOJ Settlement Agreement- \$2.5 Million
- Increase funds for HomeFirst public-private partnership for behavioral health services in permanent supported housing for homeless persons - \$500,000
- Increase funds for Mercy Care Health Systems to provide mental and primary health care to indigent persons - \$250,000
- Increase funds for supported employment and education services for 500 young adults with mental health issues (\$6,120 per person per year) - \$1.53 Million
- Utilize \$234,000 in existing funds to increase mental health telemedicine capacity in rural areas- \$0
- Support funding for operations of crisis stabilization operations units statewide as beds come open - \$0

**Department of Community Affairs**

- Homeownership programs – no added funds
- Rental Housing programs – no added funds
- Special Housing initiatives – no added
- Neighborhood grants for blight removal and code enforcement (BRACE program) as recommended by House Rural Development Council - \$300,000.
- State appropriations for Housing Trust Fund for the Homeless remains flat at \$3.2 Million, despite increased need.



- Increase funds for Overcomers House food program - \$25,000. *Vetoed by Governor.*
- Provide funds for Georgia Broadband Deployment initiative - \$2 Million
- Sustain cut of \$150,000 to Atlanta Regional Commission and maintain funding for other Commissions – 0
- Direction to Department to establish criteria in conjunction with the Georgia Food Bank Association to determine funding eligibility in disaster situations. *Vetoed by Governor.*

#### **Department of Community Health**

- Increase funds for additional positions, training, and operations for increased background checks for owners and employees of long term care facilities - \$738,000
- Increase funds for medically fragile children’s services through Champions for Children program - \$513,000
- Increase funds for federally qualified health center start up grants for primary care centers in Screven County and for behavioral health services in Chatham County - \$500,000
- Increase funds for grants for hospitals in counties with populations under 35,000 for required upgrades to ERs for behavioral health patients (5 grants with \$25,000 match requirement) - \$250,000
- Utilize existing funds for Rural Health Systems Innovation Center with DCH to provide reports to Appropriations Chairs on implementation plan and funding needs of the center for FY 20 and 21 by Dec. 2019.
- 3% increase in select dental codes under Medicaid and PeachCare - \$204,000
- Provide funds for mental health parity under the State Health Benefit Plan for state employees and teachers - \$7.94 Million

#### **Department of Community Supervision**

- Increase funds for 10 new positions to expand Georgia Prisoner Reentry Initiative to 5 new locations - \$552,000

#### **Department of Early Care and Education**

- Increase for Childcare and Parent Services (CAPS) program to provide assistance to low-income families for the cost of childcare - \$500,000

#### **Department of Education**

- Increase teacher state base salary by \$3,000. - \$548 Million.
- Increase funds for 2% salary increase for certified employees.
- Increase to charter schools for facilities grants - \$2 Million
- Transfer existing funds from GOSA (\$600,000) and increase funds (\$150,000) for grants for professional development programs for teachers providing instruction in computer science courses and content – \$750,000





- Increase funds to expand comprehensive Communities in School model of wraparound supports to new schools - \$200,000
- Fund a two year pilot program to demonstrate and evaluate effectiveness of early reading assistance programs for students with risk factors for dyslexia - \$100,000
- Transfer funds from Governor's Office of Student Achievement to DOE to provide one AP exam for low income students and one AP STEM exam for all students - \$3.45 Million
- Provide grants to schools for feminine hygiene products for low income student- \$1 Million

#### **Department of Human Services**

- Increase funds for seniors for home delivered meals to reduce waitlist in each Area Agency on Aging - \$1.4 Million
- Increase funds for 1,053 additional slots for non-Medicaid home and community based services for seniors- \$2 Million
- Increase funds for assistive technology to assist older Georgians continue to live in their homes - \$157,000
- Increase funds for 17 adult protective service caseworkers to investigate cases of abuse and/or neglect of seniors and adults with disabilities - \$1.355 Million

#### **Criminal Justice Coordinating Council**

- Increase funds to provide funds for one additional domestic violence shelter in area not served by state certified shelter (\$150,000) and six additional sexual assault centers (\$240,000) with priority given to centers providing emergency medical examinations to victims on-site - \$390,000. *Vetoed by Governor with instructions that the CJCC is authorized to develop a grant application process and criteria for awards for domestic violence and sexual assault centers not currently receiving state support.*
- Increase funds for accountability court expansion - \$2.15 Million

#### **Governor's Office**

- Increase funds for the Census for the state Complete Count Committee for targeted statewide marketing, education and messaging campaign to the hard-to-count areas of the state - \$1.5 Million
- Direction to GEMA to promote and encourage real time detection of metallic and non-metallic weapons entering or attempting to enter state facilities - \$0
- Increase funds for three school safety coordinators and for operations - \$275,000
- Increase funds for Fair Housing Assistance Program of Georgia Commission on Equal Opportunity for two investigators and one intake coordinator to allow the agency to more quickly investigate and resolve fair housing complaints - \$162,000



### **Vocational Rehabilitation Agency**

- Increase funds to expand outreach of independent living for disabled citizens in underserved areas - \$150,000

### **Department of Law**

- Increase funds for personnel for four positions to create Human Trafficking Unit in the Department with a Jan. 1, 2020 start date - \$172,000

### **Department of Public Health**

- Increase funds for maternal health to screen, refer and treat maternal depression and related behavioral disorders in rural and underserved areas of the state - \$1.05 Million
- Increase funds for Maternal Mortality Review Committee - \$200,000
- Fund a nurse peer assistance program to support nurses recovering from substance abuse - \$150,000
- Increase funds for regional cancer coalitions to enhance screening, awareness, prevention education, care coordination and navigation - \$300,000
- Increase funds for Sickle Cell Foundation for outreach efforts to improve access to care, reduce unnecessary ER costs, and expand physician training and community education in underserved areas - \$150,000
- Increase funds for feminine hygiene products for low income clients at county health departments - \$500,000
- Increase funds for newborn screening to include four additional disorders approved by the Advisory Committee - \$2.4 Million.
- Increase funds for perinatal facility designation - \$153,000

### **General Obligation Bonds**

- Georgia Department of Corrections bond (\$14.5 Million in principal for 20 years at 5.77%) to fund design, construction and equipment to renovate Metro Atlanta State Prison as a reentry and transition prison, Phase III, Atlanta, Fulton County, and renovation/expansion of the Smith Transitional Center for new inmates Claxton, Evans County- \$1.24 Million

### **HOW CAN I MAKE A DIFFERENCE?**

- Access materials highlighting our PBG Session Priorities and Backgrounders on these issues at the PBG website under Online Resources: [www.p4bg.org](http://www.p4bg.org) or by clicking on these topics:
  - [Homelessness and Affordable Housing](#)
  - [Access to Healthcare](#)
  - [Hate Crimes](#)
  - [Healthy Housing](#)
- You will also find Tips to make your advocacy effective [here](#).



- Monitor what happened on your priorities at the General Assembly at the Georgia General Assembly website: [www.legis.ga.gov](http://www.legis.ga.gov)

**ACTION STEPS:**

- Identify your State Senator and Representative by entering your home address at [https://openstates.org/find\\_your\\_legislator/](https://openstates.org/find_your_legislator/)
- Meet with and begin to build or strengthen your relationship with your state Senator and Representative and tell them where you stand on PBG priority issues.

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