

Georgia Advancing Communities Together
Sine Die Legislative Report
April 19, 2022
Submitted by Elizabeth J. Appley, Esq.

The 2022 session of the Georgia General Assembly concluded on April 4, 2022, amid a flurry of good, bad, and very bad bills being passed. It was a challenging year for housing and economic development investments and policy protections, but we had success in passing significant legislation and budget adds to help keep people safely and stably housed and stopping a raft of bills that would have done the opposite. It's not over yet, however. The Governor has 40 days from the end of the session to sign or veto bills, or they become law without his signature. And, the end of the session marks the beginning of the election season. This year the Governor, Lieutenant Governor, all statewide elected offices, and every member of the Georgia House and Senate are up for election in their newly drawn districts. Connect with the people who represent you. Get involved. Raise the issues you care about. Remember that the best way to achieve the policy goals you want is to elect people who agree with you.

Affordable, Decent, Safe Housing and Tenant's Rights

HB 408 Rep. Sharon Cooper (R-Cobb) DID NOT PASS

Requires written notice and seven day right to cure prior to eviction filing in line with 40 other states.

HB 1355 Rep. Katie Dempsey (R-Rome) PASSED

Updates and strengthens state standards for identifying childhood lead poisoning and abatement obligations for rental property, schools, and daycare centers where a child under the age of 6 years has an elevated blood lead level and a lead hazard is identified. Lead paint is the major source of lead poisoning in Georgia children.

SB 491 Sen. Gail Davenport (D-Jonesboro) DID NOT PASS

Creates authority in Department of Banking and Finance to develop a program for tax advantaged qualified down payment savings accounts similar to 529 higher education accounts.

SB 439 Sen. Lindsey Tippins (R-Marietta) DID NOT PASS

Gives property owner the right to appear in court in dispossessory proceedings through an agent, rather than only personally or through an attorney.

HB 1393 Rep. Josh Bonner (R-Peachtree City) DID NOT PASS

Exempts dispossessory proceedings from stay of judicial proceedings in judicial emergency.

HB 894 Rep. William Boddie (D- East Point) DID NOT PASS

Prospective tenant may not be refused a rental solely based on previous eviction due to covid.

HB 1458 Rep. Spencer Frye (D-Athens) DID NOT PASS

Amends the State Fair Housing Act to prohibit source of income discrimination as well as discrimination based on sexual orientation, gender identity, in addition to existing protections.

HR 1149 Rep. Dale Washburn (R-Macon) PASSED

Creates a House Study Committee as a fallback on failed legislation seeking to ban cities or counties from regulation of “build to rent” single family developments by Real Estate Investment Trusts and other corporate investor vehicles. See, **HB 1093** and **SB 494**. Purporting to address affordable housing, the composition of the committee and its purposes reveal it has nothing to do with housing affordability.

HB 1405 Rep. Shea Roberts (D-Atlanta) PASSED

Rewrites requirements for review of zoning changes and for judicial review, provides additional notice and hearing requirements for changes to zoning ordinances that revise single-family residential classifications and definitions that authorize multifamily residential property uses or grants blanket permission for property owners to deviate from existing zoning requirements for single-family residential zoning, etc.

HB 1577 Rep. Viola Davis (D-Stone Mountain) DID NOT PASS

Local legislation for DeKalb County that would have imposed a fee of up to \$150 for owners to pay the cost for removal of personal property left on the street for more than five business days after execution of an eviction.

Homelessness

HB 713 Rep. Katie Dempsey (R-Rome) DID NOT PASS

Prohibited use of federal funds to Department of Community Affairs for permanent supportive housing, redirecting all state and federal funds for homelessness into parking lots, tent encampments and small short term cabins for 1 to 3 people with required work or service, and conditioned local jurisdictions’ receipt of funds for homelessness on enforcement of criminal anti sleeping/anti-camping bans. Offered no resources to address homelessness.

SB 535 Sen. Carden Summers (R-Cordele) DID NOT PASS

Various iterations of this bill involved redirection of federal funds away from permanent supportive housing, criminalizing homelessness as a way to force unsheltered homeless people into sanctioned encampments equipped with porta potties, potable water, and security, and punishing cities and/or counties that failed to enforce criminal bans with the loss of state funding, as well as loss of funding to non-profits within their borders. Offered no resources to address homelessness.

SR 659 Sen. Carden Summers (R-Cordele) PASSED

As a fallback to the failure of SB 535 to pass, SR 659 creates a Senate Study Committee composed of five Senators, Commissioners of DCA and DBHDD or their designees, and the option to add two citizens with experience or expertise to study unsheltered homelessness in the state and City of Atlanta, assess different policies in reducing street homelessness, solicit input from groups, and “develop specific recommendations on the enforcement of bans on camping and sleeping in public spaces... and the necessity for new state laws dealing with homelessness.”

HR 1013 Rep. Katie Dempsey (R-Rome) DID NOT PASS

Proposed creation of a House Study Committee as a fallback to failure to pass HB 713 to study unsheltered homelessness and seek recommendations on enforcement of bans on street camping and new state laws to deal with homelessness.

HB 1013 Speaker David Ralston (R-Blue Ridge) PASSED and Signed by Governor

Mental Health Parity Act with bipartisan support seeks to enforce federal mental health parity requirements for insurance to cover mental health equitably with physical health, supports initiatives for police diversion teams, creates task force for diversion of people with mental illness and/or substance use disorders to receive mental health services instead of incarceration, supports increase in mental health workforce, etc. Includes responsibility for Behavioral Health Reform and Innovation Committee to study increase in unsheltered homelessness, relationship to mental illness and substance use disorders, best practices in other states and formulate recommendations to address.

Property Taxes

HR 571 Rep. Ron Stephens (R-Savannah) DID NOT PASS

Authorize local referenda at the instance of local school boards for homestead property exemptions at 20% of fair market value for persons of a certain age regarding local school district taxes for educational purposes.

Budget and Tax Issues

HB 1437 Rep. Shaw Blackmon (R-Bonaire) PASSED

Revises Georgia income tax to create a flat income tax and lowering top rate from 5.75% beginning in 2024 and reducing to 4.99% as of 2029, eliminating lower brackets, increasing personal exemption from \$2,700 to \$12,000 for individual and from \$7,400 to \$24,000 for married filing jointly, holding \$3,000 dependent exemption unchanged, provided no earned income tax credit, raising exemption for retirement income from \$4,000 to \$5,000, and providing for a review of itemized deductions prior to 2024.

HB 1302 Rep. Josh Bonner (R-Peachtree City) PASSED and Signed by Governor

Creates one-time tax credit for Georgians who filed tax returns in 2020 and 2021: \$250 for individual; \$375 for head of household; and \$500 for married filing jointly. Cannot exceed the amount of tax liability.

HR 756 Rep. Rob Leverett (R-Elberton) DID NOT PASS

Constitutional amendment to create a separate class of property taxes for purposes of valuation for qualified low income building projects (LIHTC).

HB 911 Speaker David Ralston (R-Blue Ridge) PASSED

FY 2023 Budget

- DCA: Housing Trust Fund for Homeless \$3.2 M (unchanged)
- DCA: Grant for homeless assistance \$45,000
- DBHDD: State Housing Voucher Program – Add \$3.5 Million
- DPH: Lead Inspection staff and equipment to implement HB 1355 – Add \$1.8M
- Commission on Equal Opportunity: Fair Housing Division for two investigators and one intake officer Add \$186K
- State Low Income Housing Tax Credit (SLIHTC) unchanged

Economic Development

SB 272 Sen. Donzella James (D-Atlanta) DID NOT PASS

Creates a 13-member Racial Equity and Reconciliation Commission of Georgia attached to the Department of Community Affairs to study and formulate recommendations to foster equity and reconciliation and make annual reports to the Governor and legislature. *“Racial” was deleted by the Committee as it passed the bill forward by substitute.*

SB 537 Sen. Harold Jones, II (D-Augusta) DID NOT PASS

Creates the Georgia Food Insecurity Advisory Council within the Department of Agriculture to recommend regulatory solutions to the WIC Program that eases access for grocers to secure WIC licenses, use of New Market Tax Credit to incentivize grocery stores in food insecure areas, maximize education programs on purchasing and consuming healthy foods, maximize funding to assist food banks and food pantries, expand farmers markets, encourage food co-ops and community gardens, increase collaboration between the state and groups working to end food insecurity, and submit annual reports to the Governor and General Assembly.

HB 1371 Rep. Rick Jasperse (R-Jasper) DID NOT PASS

Creates the Rural Health Advancement Commission to develop private-sector solutions to address short-term and long-term health care and long-term health care workforce shortages, with an emphasis on rural areas.

HR 581 Rep. Yasmin Neal (D-Forest Park) DID NOT PASS

Constitutional amendment to create one or more lottery games with proceeds to support economic development by providing funds to students enrolled in institutions of higher education for small businesses located in Georgia which are independently owned and operated.

HB 1487 Rep. Spencer Frye (D-Athens) DID NOT PASS

Public Service Commission shall consider the quality of the service rendered by a utility considering the cost of providing electric service, the utility’s efforts to assist residential customers with low and fixed incomes through investments in energy efficiency and demand-side management, utility’s efforts to manage arrearages to minimize disconnections, quality of service and amount billed by zip code and income level, number of customers participating in assistance programs, low income customers participating in assistance programs, customers requesting deferred payments, number of accounts past due by zip code, number of disconnection notices, deferred payment agreements, accounts written off as uncollectible, etc. A Georgians First Fund shall be created by each utility from excess utility revenues to support affordability, conservation, and access to essential electric service for low -income rate payers.

Voting and Elections

SB 441 Sen. Bo Hatchett (R-Clarkesville) PASSED

Further efforts to limit voting as a follow up to HB 202 passed in 2021, authorizing GBI to identify and investigate election violations.