



# LEGISLATIVE UPDATE



**Friday, March 13, 2020**

Welcome to GHLA @ the Capitol, your weekly update about news you need to know related to Georgia's lodging industry and the 2020 General Assembly. GHLA's legislative team will be your eyes and ears under the Gold Dome. The General Assembly took the unprecedented step of "suspending" the 2020 session last evening. The General Assembly will only reconvene for its final 10 days of this regular session when the Speaker and the Lt. Governor determine members can serve the public safely at the Capitol.

## **Short-Term Rental Legislation Passes the House!**

Throughout the session, GHLA has been advocating in support of HB448 by Rep. Matt Dollar (R-Marietta) as a key priority of this session. The bill hit some "headwinds" when more conservative members of the House characterized it as a tax increase. During discussions on whether to put the bill on the floor on Day 28 (Crossover Day), Chairman Harrell explained that this bill would simply capture the hotel-motel tax and the \$5 fee for short-term rentals in Georgia. Some of his House colleagues asked him about the Augusta carve-out related to rentals for the Masters' Tournament. Chairman Harrell indicated that there is a federal tax exemption, but all other taxes would apply.

Just after 9:00 PM on Crossover Day, HB448 was finally brought up for consideration and passed by the House 105-48. It will be reviewed by the Senate Finance Committee once the General Assembly returns and we will continue to advocate for HB 448 at that time.

## **Support Grows for Home Delivery of Alcohol**

Chairman Brett Harrell (R-Snellville) of the House Ways & Means Committee has been working diligently to update components of the alcohol law in Georgia throughout the session. Finally, Georgians may be able to have alcohol delivered like other home goods with the passage of HB879, which was approved by the House Regulated Industries Committee and subsequently voted on by the full House on Tuesday, March 10th.

Georgia has relatively strict alcohol laws relating to sales. In 2011 when Sunday sales were finally permitted, Georgia was one of three states with a total ban on Sunday sales. The Chairman has argued that he is responding to the changing needs of consumers.

Within the bill, customers can order beer or wine, but it can't be left unattended. The delivery service must check an ID to ensure the buyer is of age. Municipalities are also allowed to opt-out of the delivery if there is an issue specific to a district. This bill has gained support from most stakeholders, except for Amazon. The law oddly prevents them from delivering alcohol from Whole Foods, which has frustrated the retail giant and prevented them from supporting the bill.

## **Civil Justice Reform Effort Stalls in the Senate**

Earlier this week, Senator Steve Gooch (R-Dahlonega) presented on SB415, which is the civil justice reform measure that many allied business organizations have been working on to improve the legal climate in Georgia. The Senator commented that runaway verdicts are dangerous to businesses in Georgia and that it's driving insurance rates higher every year. He provided examples of judgments against Kroger, CVS, and Six Flags that made the news with record-breaking financial payouts to plaintiffs. The Senate engaged in a debate that lasted so long on Wednesday that they broke for lunch at one point. Many of the Senators each have their issues with the bill, and despite several amendments having been proposed, they were unable to come to a consensus that day.

In a significant blow to the reform effort here in Georgia, SB415 by Senator Steve Gooch (R-Dahlonega), failed to receive the requisite number of votes in the Senate on Tuesday and had to be tabled until further notice. On Crossover Day, the bill was tabled and was not brought up for consideration.

While GHLA is incredibly supportive of all pro-business measures, there was an amendment added onto the bill late into the debate that needed to be reviewed by the team before we could continue to offer support. Amendment three, proposed by Senator Marty Harbin (R-Tyrone) on the floor of the Senate, involves premises-liability and human trafficking. Several Senators voiced concern that this section would prevent property owners from being held liable if they knowingly allow drug trafficking or human trafficking to take place on their property. Because the bill has been tabled, the team will not be taking further action at this time.

### **Workplace Sexual Harassment Legislation Fails to Cross Over**

Representative Chuck Efration (R-Dacula) presented HB1121, his bipartisan workplace sexual harassment bill in front of the Special Committee on Access to Civil Justice. Georgia is one of three states that have no law prohibiting on-the-job harassment, leaving most to take up an EOC complaint. Amanda Farahany of Barrett & Farahany indicated that she believes this bill will make the workplace safer. At one point during her testifying, she alleged that charges are brought in 2% of federal cases.

Under the bill, employers are protected if they can illustrate that they took steps to prevent and address harassment in the workplace. In keeping with Georgia's pro-business posture, the authors worked to prevent this from being a punitive bill. That being said, it currently requires a training mandate. The proposal made it through the Special Committee on Access to Civil Justice the morning of Crossover Day as well as the Rules Committee but was not brought for a vote on the floor.

### **Speaker and Lieutenant Governor Suspend Session**

Earlier in the week, the House and Senate passed adjournment resolutions for the remaining 2020 Legislative Session. Unfortunately, the Coronavirus has since caused both chambers to reconsider non-essential travel. They have made the difficult decision to meet on Friday, March 13th, and then suspend the legislative session until further notice. They fully intend to finish the last ten session days at a later date but have not announced when they plan to do so. Legislators will not be able to start fundraising and working on their elections until they officially adjourn.

### **Legislative Tracking Update**

Please [click here to go to our Legislative tracking page](#) for the complete list of bills we are watching.

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