



## LEGISLATIVE UPDATE



### February 17, 2023

Welcome to GHLA @ the Capitol, your weekly update about news you need to know related to Georgia's lodging industry and the 2023 General Assembly.

GHLA's legislative team will be your eyes and ears under the Gold Dome.

### Legislative Schedule

This week the General Assembly was in session Monday to Thursday for legislative days 17-20. The legislature will observe the February 20 Presidents Day holiday and convene again on Tuesday, February 21 for Day 21. For the full legislative schedule, view the [adjournment resolution](#).

### GHLA Spotlight



*(Pictured from left: Bill Hardman, President Americus, Southeast Tourism Society; Chris Hardman, Georgia Hotel & Lodging Association; Jay Markwalter, CEO, Georgia Association of CVB's)*

Earlier this week, GHLA's Director of Governmental Affairs, Chris Hardman, was presented the Bill Hardman Sr Tourism Champion Award by his father and President Americus of Southeast Tourism Society, Bill Hardman Jr., for GHLA's ongoing efforts

to promote, protect, and defend the hospitality and tourism industry in Georgia having most notably championed the historic passage of HB317 which has since reshaped tourism as we know it here in Georgia and will continue to have a lasting impact on every community in the state for generations to come.

## New Developments This Week

### Religious Freedom Legislation Introduced

This week, Sen. Ed Setzler (R-Acworth) introduced [SB180](#) known as the "Religious Freedom Restoration Act" (RFRA). This legislation seeks to provide state-level protection for people of all faiths by mirroring current federal law. GHLA will continue to oppose any legislation that would allow for any discriminatory practices to flourish in the state.

Read more from the press conference [here](#).

### Fuel Choice Legislation

Following the successful passage of [HB150 in 2021](#), which pre-empts local governments from banning natural gas and propane hookups in residential and commercial buildings, there have been attempts in other states to get around the law. For example, instead of using outright bans on natural gas or propane, they are promoting the adoption of building codes which would make the installation of natural gas or propane appliances too expensive for the average family to afford.

While these efforts are to "decarbonize" their cities, they ignore natural gas' outstanding record of efficiency and the remarkable gains in lowering the power industry's carbon footprint through natural gas generation.

This week, [HB 438](#) by Rep. Victor Anderson (R-Cornelia), was introduced as an effort to clarify the intended use which is to preserve consumers' ability to choose the fuel source that best meets their needs. Other states that have adopted similar measures have recognized that maintaining a balanced energy portfolio that keep costs low, improves resilience and encourages economic development is good public policy. This legislation is a bipartisan measure to ensure that we have a state-wide energy policy that maintains that same choice for Georgia's homeowners, small businesses and industries.

### Alcohol Legislation

## 2023 Fair and Open Access to Market (FOAM) Act for Georgia's Small Breweries:

Earlier this week, [HB407](#) - by Rep. Tyler Paul Smith (R-Bremen) and [SB163](#) by Senator Chuck Hufstetler (R-Rome) were introduced in an effort to modernize some of the antiquated beer laws in the state. According to the Georgia Craft Brewers Guild "Small brewers are anchors of development and catalysts of economic growth in neighborhoods across Georgia. These small businesses provide sales and excise tax revenue, support local communities, and drive tourism. Unfortunately, small brewers are having to consider expanding outside the state due to barriers that limit opportunity and investment."

The FOAM Act (HB407 and SB163)

1. Establish self distribution
2. Remove daily volume cap on to-go beer
3. Creates flexibility around who can distribute their product
4. Allow for charitable contributions

A number of other alcohol bills related to alcohol sales and distribution have been introduced. GHLA will continue to monitor these and any related proposals.

[HB369](#) – Rep.Kasey Carpenter (R-Dalton) prohibits personal delivery devices from delivering alcohol.

[HB407](#) - by Rep. Tyler Paul Smith (R-Bremen) relating to alcoholic beverages, so as to provide for regulation of the manufacture, distribution, and sale of malt beverages.

[SB163](#) by Senator Chuck Hufstetler (R-Rome) relating to the regulation of manufacture, distribution and sale of malt beverages.

[SB194](#) – Senator Shawn Still (R-Norcross) prohibits personal delivery devices from delivering alcohol.

## Entertainment Legislation Update

The Senate Economic Development and Tourism Committee, chaired by Sen. Brandon Beach (R-Alpharetta) considered [SB 57](#), the "Georgia Sports Betting Integrity Act" by Senator Billy Hickman (R-Statesboro) this week.

This bill authorizes sports betting and defines fixed bet, not parimutuel, horse racing as a legal form of betting under the state lottery. Besides that, this bill establishes a separate gaming commission for sports betting activities and limits kiosks for sports/horse betting to two kiosks in one location. The Committee did not vote at this

time, but the bill will be voted on during the next committee meeting, likely next Tuesday morning.

Additionally, GHLA is monitoring multiple other bills have been introduced relating to sports betting [HR210](#), [HB380](#), [SR140](#), and [SB172](#).

## **C-PACE Legislation Update**

This week [HB 206](#) by Rep. Steven Sainz (R-St. Mary's) passed the House Governmental Affairs Committee. This bill authorizes commercial property-assessed clean energy (C-PACE) financing and allows hoteliers to take advantage of low-cost financing for energy efficient upgrades and other capital purchases. GHLA supports this additional financing option for property owners and will be working with the coalition to move this legislation through the process.

## **Buckhead City Update**

This week [SB 114](#) by Sen. Randy Robertson (R-Cataula) for incorporating Buckhead City out of the current city of Atlanta was heard in the Senate State and Local Government Operations Committee. Similar legislation from the previous session was introduced but failed to pass. The City of Atlanta among others oppose the legislation. No committee action was taken and GHLA will continue to monitor SB 114, along with [SB 113](#) related to transfer of assets. [Read more here.](#)

## **Legislative Tracking Update**

### **House**

[HB241](#)- Representative Dewey McClain (D-Lawrenceville) increases the minimum wage to \$15 an hour, with exceptions including employers that make less than \$50,000 a year and if the employee is in HS or college.

[HB245](#)- Rep. Stacey Evans (D- Atlanta) repeals code section 34-4-3.1, which says that no local government entity through awarding contracts seeks to control employee wages/benefits provided by the contractors or vendors and that local government entities may not regulate vendor employees' hours or work conditions.

[HB256](#)- Rep. Kim Schofield (D- Hapeville) expands the definition of age discrimination in the workplace from it being illegal to fire anyone 40-70 on the basis of age to anyone over the age of 40.

[HB261](#) by Rep. Regina Lewis-Ward (D- McDonough) any compensation from the employer to employee must provide documentation of the amount paid, rate of pay, hours work, and deductions. Documentation must be provided no more than 72 hours after payment.

[HB263](#) – Representative Mandisha Thomas (D-South Fulton) Income tax; tax credit for certain remote work expenses incurred by employers; provide.

[HB267](#) by Rep. Tyler John Smith (R-Bremen) if an employer other than a government entity fails to withhold wages for income taxes, a person may use civil action and seek injunctive relief. Courts shall award reasonable costs of litigation to the prevailing party.

[HB279](#) - Representative Matthew Gambill (R-Cartersville) Insurance; discount for property owners who build a new property that better resists tornado, hurricane, or other catastrophic windstorm events; provide.

[HB287](#) - Representative Mandesha Thomas (D-South Fulton) Microenterprise Home Kitchen Operations Act; enact.

[HB314](#) - Representative Ron Stephens (R-Savannah) Natural Resources, Department of; establish position of director of outdoor recreation.

[HB328](#) – Representative Shelly Hutchinson (D-Snellville) Crimes and offenses; persons who are noncitizens and present in the United States without official documentation; revise terminology

[HB333](#) – Representative Pedro Marin (D-Duluth) Motor vehicles; issuance of driving cards to noncitizen residents who are ineligible for a driver's license, temporary permit, or identification card; provide

[HB353](#) – Representative Alan Powell (R-Hartwell) Georgia Lottery for Education Act; administrative procedures regarding coin operated amusement machines shall be subject to

[HB355](#) – Representative Kasey Carpenter (R-Dalton) Property owners' associations; creating or enforcing covenants which infringe on a lot owners' right to use natural gas or solar energy device; prohibit

[HB369](#) – Representative Kasey Carpenter (R-Dalton) Motor vehicles; use of personal delivery devices for certain types of deliveries; prohibit

[HB372](#) – Representative Karen Bennett (D-Stone Mountain) Income tax; Georgia Veterans Work Opportunity Tax Credit; provide

[HB380](#) – Representative Marcus Wiedower (R-Watkinsville) Georgia Lottery Game of Sports Betting Act; enact

[HB381](#) – Representative Teri Anulewics (D-Smyrna) Labor and industrial relations; right of action for workplace harassment; provide

[HB393](#) – Kasey Carpenter (R-Dalton) Georgia Music Investment Credit Act; enact

[HB397](#) – Representative Kasey Carpenter (R-Dalton) Alcoholic beverages; delivery for personal use; change certain provisions

[HB407](#) - by Rep. Tyler Paul Smith (R-Bremen) relating to alcoholic beverages, so as to provide for regulation of the manufacture, distribution, and sale of malt beverages.

[HB408](#) – Representative Bruce Williamson (R-Monroe) Sales and use tax; exemption for competitive projects of regional significance; change sunset provision

[HB411](#) - by Rep. Debra Bazemore (D-South Fulton) relating to general provisions of labor and industrial relations, so as to prohibit an employer from seeking salary history information about an applicant during the hiring process. As well as to provide for applicability and exceptions and to require employers to make certain disclosures in job postings.

[HB432](#) – Representative Kim Schofield (D-Atlanta) Housing; discrimination based on hairstyles associated with race, color, or national origin; prohibit

[HB438](#) – Representative Victor Anderson (R-Cornelia) Public utilities; prohibit governmental entities from adopting any policy that prohibits the connection or reconnection of any utility service based upon the type or source of energy or fuel

[HR210](#) – Representative James Beverly (D-Macon) General Assembly; law for sports betting, pari-mutuel betting, and casino gambling; authorize - CA

## **Senate**

[SB127](#) by Senator Bill Hickman (R-Statesboro) This bill is meant to provide procedures for certain local governments to change the designated private sector nonprofit organization engaged to promote tourism, conventions, and trade shows for that area.

[SB136](#) – Senator Mike Dugan (R-Carrolton) Impact Fees; required revenue source for a development project involving workforce housing; modify

[SB146](#) – Senator Steve Gooch (R-Dahlonega) Georgia Public Service Commission; regulation and taxation of the provision of certain electricity used as a motor fuel in electric vehicles; provide

[SB150](#) – Senator Sonya Halpern (D-Atlanta) Health; functional automated external defibrillator on site; require certain public schools, health clubs, and public sports facilities

[SB153](#) by Senator Brandon Beach (R-Alpharetta) relating to specific business and occupation taxes. Authorizes local governments to levy a public safety stadium surcharge as a tax upon original ticket sales for events at eligible venues.

[SB163](#) by Senator Chuck Efstoration (R-Rome) relating to the regulation of manufacture, distribution and sale of malt beverages.

[SB166](#) by Senator Nikki Merritt (D-Grayson) related to collective bargaining and allowing public employees to self-organize or to be represented by a labor union.

[SB167](#) – Senator Randy Robertson (R-Cataula) Public Utilities and Public Transportation; electricity to propel motor vehicles through electric vehicle charging equipment; exclude the provision

[SB172](#) – Senator Bill Cowsert (R-Athens) State Government; regulation and taxation of sports betting in this state; authorize and provide

[SB174](#) – Senator Clint Dixon (R-Gwinnet) "Georgia Lottery for Education Act"; administrative procedures and actions; bona fide coin operated amusement machines shall be subject to Chapter 13 of Title 50; provide

[SB186](#) by Senator Greg Dolezal (R-Cumming) "Georgia Landowners Protection Act" relating to liability of owners and occupiers of land generally. Limits the liability regarding invitees, licensees, and trespassers on property. Provides for no landowner liability due to alleged construction notice of prior crimes or violent nature. The bill also outlines for apportionment of fault.

[SB194](#) – Senator Shawn Still (R-Norcross) Alcoholic Beverages and Motor Vehicles and Traffic; delivery of alcoholic beverages for personal use; provisions

[SR137](#) – Senator Randy Robertson (R-Cataula) Electric Membership Corporations and Municipalities; develop a tariff for the provision of electricity for purposes; urge

[SR140](#) – Senator Bill Cowsert (R-Athens) Georgia General Assembly; general law for sports betting in this state; provide- CA

[SR147](#) – Senator Derek Mallow (D-Savannah) Senate Local Option Sales Tax Study Committee; create

### **[GHLA Full Legislative Tracking Update](#)**

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