



CBA Legislative Update Georgia State Capitol News

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Issue I

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GENERAL COMMENTS

The official start of the 2018 session of the Georgia General Assembly was Monday, January 8th and we now have Days 1 through 4 of a 40-day session completed. The first week of the session was typical in many ways in that it included Governor Nathan Deal's last State of the State address, committee assignments, and other organizational activities. Committee assignments for the Senate were made and the Chairman and Vice Chairman of the Banking and Financial Institutions committee remain the same as last session. Since this is the second session of a two-year term of the General Assembly, there were already a number of bills that remained outstanding from last session that could be heard by various committees this week. The Senate Judiciary Committee held a hearing on [HB 159](#), the controversial Adoption Bill, that was debated last session, which is a top priority for the House of Representatives and Governor Deal. The Senate Judiciary Committee gave the bill a "do pass" recommendation, which is a good signal and a big step towards showing that the Senate and House members are willing to work together this session. The House Ways and Means Committee took up HB 661 that was introduced by Rep. Bruce Williamson (R), Monroe, this week that was intended to correct issues discovered in [HB 337](#) that was signed by Governor Deal on May 9, 2017.

On January 9, 2018, a special election was held for two positions:

- Sen. Rick Jeffares (R) resigned to run for Lt. Gov. Former Rep. Brian Strickland won the special election and is the Senator-elect for Senate District 17.
- Rep. Brian Strickland (R) resigned to run for District 17 Senate seat. Geoffrey Cauble (R) won the special election and is the Representative-elect for House District 111.

NEW LEGISLATION THAT WE ARE TRACKING THIS WEEK

[HB 661– Tax Liens](#), by Rep. Bruce Williamson (R), Monroe, relates to courts, property, and revenue and taxation, respectively, so as to revise provisions relating to the transmittal, filing, recording, access to, and territorial effect of tax liens issued by the Department of Revenue; to provide for electronic record keeping relating to the filing and public access to state tax liens; to provide for duties and responsibilities of the Georgia Superior Court Clerks' Cooperative Authority; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes. The purpose of this bill is to correct issues that were discovered in [HB 337](#), which was signed by Governor Deal on May 9, 2017. The issues in HB 337 would have been problematic for banks. This bill was passed by the House Ways and Means Committee on January 10th. We will continue to track its progression.

[SB 299–Recording of Deeds](#), by Sen. Frank Ginn (R), Danielsville, relates to recording of deeds and other real property transactions; to amend Article 1 of Chapter 17 of Title 45 of the O.C.G.A., relating to general provisions regarding notaries public; to provide for related matters; to repeal conflicting laws; and for other purposes. This bill may have an impact on how banks handle closing for loans that are not currently closed by an attorney (ex. HELOCs). The bill was assigned to the Judiciary Committee. We will continue to closely monitor this bill throughout the session.

[SB 301–Revised Uniform Fiduciary Access to Digital Assets Act](#), by Sen. John Kennedy (R), Macon, relates to wills, trusts, and administration of estates, so as to enact the "Revised Uniform Fiduciary Access to Digital Assets Act"; to extend a fiduciary's powers to include managing tangible property and digital assets; to provide for exceptions; to provide for definitions; to amend Title 29 of the Official Code of Georgia Annotated, relating to guardian and ward, so as to provide conforming cross-references for a conservator; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes. We will monitor this bill throughout the session.

[SB 315–Computer Crimes](#), by Sen. Bruce Thompson (R), White, relates to computers crimes, so as to create the new crime of unauthorized computer access; to provide for penalties; to change provisions relating to venue for computer crimes; to provide for forfeiture; to provide for related matters; to repeal conflicting laws; and for other purposes. With the increase in computer crimes and cyber security issues for banks, CBA is in favor of this bill. We will monitor this bill throughout the session.

OTHER LEGISLATION WE ARE TRACKING THAT HAD ACTIVITY THIS WEEK

[HB 162—Setoff Debt Collection](#), by Rep. Betty Price (R), Roswell, was recommitted by the Senate to the Judiciary committee on January 8th.

[HB 203—Condominiums](#), by Rep. Brian Strickland (R), McDonough, was recommitted by the Senate to the Judiciary committee on January 8th.

[HB 204—Ad Valorem Taxation](#), by Rep. Brett Harrell (R), Snellville, was recommitted by the Senate to the Finance committee on January 8th.

[HB 357—Georgia Uniform Certificate of Title for Vessels Act](#), by Rep. Ron Stephens (R), Savannah, was recommitted by the Senate to the Finance committee on January 8th.

FINAL COMMENTS

For a recap of key legislative issues throughout the session, please follow CBA's weekly *Legislative Updates* sponsored by **James-Bates-Brannan-Groover-LLP**, CBA's General Counsel, and provide us with any feedback or questions that you may have. If you have any questions before or during the session, please contact [Rob Braswell](#) or [Lori Godfrey](#) by email or by calling the CBA office at (770)541-4490 / (800)648-8215. We continue to welcome and appreciate comments and input from community bankers regarding specific legislation and legislative issues. We look forward to seeing you at **CBA's Day at the Capitol Reception** scheduled from 3:30-6:00PM on Wednesday, February 7, 2018

Community Bankers Association of Georgia

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