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Issue IV

Community Bankers Association of Georgia
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February 10, 2017

GENERAL COMMENTS

The Legislature was in session on Tuesday through Friday of this week completing the 16th Day of the 40-day session. Typically, Day 30 represents crossover day for the session; however, this year crossover day will be on Day 28 (March 3, 2017).

Lots of meetings and activity this week on banking-related legislation, but we especially want to draw your attention to the activity on HB 143, HB 192 and SB 134. The House Banks and Banking Committee met on Wednesday, February 8, 2017, and passed [HB143—Financial Institutions](#), which is the Department of Banking and Finance’s Annual Housekeeping Bill. It subsequently passed the House Rules Committee on Friday morning and is planned to come before the full House for a vote on Tuesday, February 14th. CBA is supportive of this bill.

[HB 192—Business Judgment Rule/Director Liability](#), by Rep. Beth Beskin (R), Atlanta, was presented to the Kelley Subcommittee of the House Judiciary (Civil) Committee on Friday, February 8, 2017 in a hearing only session. Testimony was limited today due to time constraints, but we were very appreciative of Georgia DBF’s Commissioner Kevin Hagler’s testimony and support of this bill. Due to the importance of this bill to all Georgia-based corporations and banks, the bill is tentatively scheduled for an extended hearing and vote before the full House Judiciary Committee on Monday, February 20th. We will be testifying in support of this bill. **Please click on the links to see the members of the House Judiciary Committee and a page with “Talking Points” that was compiled by many interested parties in favor of the bill. If any of the members of the Judiciary Committee are your**

representatives or you know very well, we encourage you and your bank's directors to contact them to express support for HB 192. (This bill would basically clarify and restore the Gross Negligence (as opposed to ordinary negligence) threshold before a bank or corporation director could be sued.)

[SB 134—Save, Earn, Win Act](#), by Sen. David Shafer (R), allows banks and credit unions to offer savings promotion raffle accounts in which deposits to a savings account enter a depositor in a raffle.

Note: This is what we have referred to in previous legislative updates as prize-linked savings accounts. CBA participated in the press release with Sen. Shafer on Tuesday, February 7, 2017, as he introduced the bill. CBA is supportive of this bill.

As a reminder, our [CBA's Day at the Capitol](#) is next week on Wednesday, February 15, 2017. There is still time to register! We are expecting a good crowd and would love for you to join us.

OTHER LEGISLATION WE ARE TRACKING THAT HAD ACTIVITY THIS WEEK

[HB 39—Real Estate Professionals](#), by Rep. Alan Powell (R), Hartwell, was passed by the House.

[HB 197—Fair Business Practices Act](#), by Rep. Sam Teasley (R), Marietta, was passed by the House Judiciary Committee this week. CBA will continue to monitor its progress.

[HB 221—Powers of Attorney](#), by Rep. Chuck Efstration (R), Dacula, is a placeholder bill to update and change provisions relating to powers of attorney to a uniform Act. Rep. Efstration indicated that an amended bill is being drafted by Legislative Counsel. CBA has provided feedback to Rep. Efstration on language to limit a financial institution's liability in certain situations. CBA will continue to work with Rep. Efstration on this bill.

[SB 71—Bankruptcy Exemptions](#), by Sen. Jesse Stone (R), Waynesboro, was passed by the Senate Judiciary Committee. CBA will continue to monitor its progress.

[SB 87—Bankruptcy Exemptions](#), by Sen. Jesse Stone (R), Waynesboro, was passed by the Senate Banking and Financial Institutions Committee. CBA will continue to monitor its progress.

[SB 120—Property Deeds](#), by William Ligon, Jr. (R), Brunswick, relates to property and changes provisions relating to the recording of deeds. The bill provides for constructive notice of certain

instruments to purchasers under certain circumstances; provides for correction of defects in attestations and acknowledgments to certain filings; provides for retroactivity under certain circumstances. CBA will continue to monitor its progress.

OTHER ITEMS

Potential legislation in coming weeks: abandoned mobile homes, statewide lien registry, and operation choke point—firearms discrimination.

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 you have. If you have questions about legislative issues or specific bills, please do not hesitate to 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 on Wednesday, February 15, 2017.

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