



CBA Legislative Update Georgia State Capitol News

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Issue VI

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GENERAL COMMENTS

The Legislature was in session Monday through Thursday of this week completing the 22nd day of a 40-day session. We have made it halfway through the session! As a reminder, crossover day is day 28 of the session so we only have six days left to get bills moved from one chamber to another.

There has been a lot of activity this week. On Monday, Rep. Gerald Greene (R), Cuthbert, and Rep. Darrel Bush Ealum (D), Albany, [recognized Charlie Curry](#) on the House Floor. Charlie was a long-time friend and advocate of CBA and its members and served on the Board for a number of years, including a term as Chairman. He will certainly be missed.

On Tuesday, the House Banks & Banking Committee gave a do pass motion by substitute to [HB 780](#), which is the Department of Banking and Finance's Housekeeping Bill. The only change made by the Committee was to correct a reference to a Federal Code Section on lines 81 and 89. The Rules Committee voted on Thursday to place HB 780 on the calendar for a floor vote on Day 22 of the session.

On Thursday, the House Judiciary Committee gave do pass motions to three bills that CBA is tracking: [HB 410--Estoppel Letters](#), by Rep. Alan Powell (R), Hartwell; [HB 745--Landlord and Tenant](#), by Rep. Scott Holcomb (D), Atlanta; and, [HB 897--Georgia Power of Attorney Act](#), by Rep. Chuck Efstoration (R), Dacula.

Next week, we are preparing for a Senate Judiciary Committee meeting on Tuesday, February 20th at 8AM in Room 125 of the Capitol. While there is no official agenda set on the Senate's website, we understand that Chairman Jesse Stone (R), Waynesboro, will be discussing his bill, [SB 86--Foreclosure Confirmation Waiver Prohibition](#). **CBA is opposed to this bill.** CBA and Georgia Bankers Association are working collectively to provide speakers, talking

points, etc. for testimony at the meeting on Tuesday to object to the bill. At this point in time, we are not clear as to which version of the bill may be discussed at the meeting or whether the Chairman will provide a substitute bill at the meeting. However, each draft of the bill that we have reviewed to date will have a substantial negative impact on a bank's ability to collect amounts due from guarantors and, as a result, will reduce the value of a guaranty in the underwriting process. **As we gather more information and determine if anything changes in the bill, we will provide you updates and possibly ask for your help in lobbying to your Senators if the bill makes it past the Senate Judiciary Committee.**

NEW LEGISLATION THAT WE ARE TRACKING THIS WEEK

[HB 897–Georgia Power of Attorney Act](#), by Rep. Chuck Efstoration (R), Dacula, relates to the "Uniform Power of Attorney Act," so as to revise the short title; to provide for definitions; to change provisions relating to the application of Chapter 6 of this title; to update cross-references to federal law; to provide for related matters; to repeal conflicting laws; and for other purposes. This bill includes housekeeping changes to [HB 221–Powers of Attorney](#) that became effective on July 1, 2017. The bill received a do pass motion by the Judiciary Committee on February 15th. We will continue to monitor this bill throughout the session.

[HB 902–Georgia Small Consumer Finance Loan Act](#), by Rep. Earl Ehrhart (R), Powder Springs, relates to banking and finance, so as to transfer duties, powers, responsibilities, and other authority relative to industrial loans from the Industrial Loan Commissioner to the Department of Banking and Finance; to amend the Official Code of Georgia Annotated so as to conform cross-references; to provide for related matters; to repeal conflicting laws; and for other purposes. The bill was assigned to the Banks & Banking Committee. We will continue to monitor this bill throughout the session.

[HB 938–Insurance](#), by Rep. Darlene Taylor (R), Thomasville, relates to limited licenses, so as to provide for a limited credit insurance agency license; to provide for requirements; to provide for application to the Commissioner; to provide for penalties; to provide for a decision appeal; to provide for license renewal; to provide for related matters; to repeal conflicting laws; and for other purposes. The bill was assigned to the Insurance Committee. We will continue to monitor this bill throughout the session.

[SB 432–Georgia Tax Credit Business Case Act](#), by Sen. John Albers (R), Alpharetta, relates to imposition, rate, computation, and exemptions from state income tax, so as to provide for the expiration of certain tax credits; to amend Code Section 48-8-3 of the O.C.G.A., relating to exemptions from state sales and use taxes, so as to repeal and reserve certain exemptions from state sales and use taxes; to provide for related matters; to repeal conflicting laws; and for other purposes. Section 2-8 states, in part, that income tax credits for depository financial institutions will stand repealed as of December 31, 2019. The bill was assigned to the Finance Committee. We will continue to monitor this bill throughout the session.

OTHER LEGISLATION WE ARE TRACKING THAT HAD ACTIVITY THIS WEEK

[HB 190—Marriages](#), by Rep. Meagan Hanson (R), Brookhaven, was passed by the House with a vote of 171-0 on February 14th. The Senate assigned the bill to the Judiciary Committee.

[HB 381—Abandoned Mobile Home Act](#), by Rep. John Corbett (R), Lake Park, was passed by the House with a vote of 164-0 on February 15th.

[HB 748—Community Association Transparency and Protection Act](#), by Rep. William Boddie (D), East Point, was withdrawn from the Judiciary Committee and recommitted to the Regulated Industries Committee on February 5th.

[HB 818—Insurance](#), by Rep. Lee Hawkins (R), Gainesville, was noted in last week's legislative update as a bill that causes CBA concerns in that it may unintentionally impact fees and charges related to products that banks offer. The author of the bill has worked with CBA and other interested parties to remove the language that was causing concerns. As currently drafted, the CBA has no objection to the bill.

[SB 2—The FAST Act – Fairness, Accountability, Simplification, and Transparency – Empowering Our Small Businesses to Succeed](#), by Sen. Mike Dugan (R), Carrollton, received a do pass motion by substitute by the Small Business Development Committee on February 15th.

[SB 315—Computer Crimes](#), by Sen. Bruce Thompson (R), White, was passed by the Senate with a vote of 41-11 on February 12th. The bill was assigned to the House Judiciary Non-Civil Committee.

[SB 338—Administrative Procedure](#), by Sen. William Ligon, Jr. (R), Brunswick, was assigned to the House Judiciary Committee.

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. You can also review legislation that we are tracking on our [website](#). 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.

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