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Issue V

*Community Bankers Association of Georgia
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February 9, 2018

GENERAL COMMENTS

The Legislature was in session on Monday through Thursday of this week completing the 18th day of a 40-day session.

There has been a lot of activity this week. On Tuesday, the House Banks & Banking Committee held its first meeting to hear the Department’s Housekeeping Bill, [HB 780](#), and the military foreclosure bill, [HB 676](#).

On Wednesday, February 7th, we hosted our annual Day at the Capitol event and had a very informative day with morning speakers, a luncheon, Board of Directors meeting, a legislative briefing, and then a Legislative Networking Reception with many Representatives and Senators, bankers, and endorsed and associate members present. Special thanks to our speakers who joined us throughout the day including: Sen. Jesse Stone, Sen. Butch Miller, Sen. John Kennedy, Sen. William T. Ligon, Jr., Rep. Greg Morris, Secretary of State Brian Kemp, Commissioner Gary W. Black, Deputy Commissioner for Legal Affairs Bo Fears, and Deputy Commissioner for Supervision Melissa Sneed.

NEW LEGISLATION THAT WE ARE TRACKING THIS WEEK

[HB 773—Motor Vehicles](#), by Rep. Alan Powell (R), Hartwell, relates to abandoned motor vehicles, so as to revise the times for which a motor vehicle or trailer becomes an abandoned motor vehicle; to revise requirements for the identification of removed or stored motor vehicles; to revise and provide for notice requirements; to revise requirements for the process of selling abandoned motor vehicles that have acquired a lien; to provide for a lien foreclosure process through the Department of Revenue for the sale of abandoned motor vehicles that have acquired a lien where no petition for a judicial hearing is filed; to revise requirements for the determination and disposition of

derelict motor vehicles; to provide for related matters; to repeal conflicting laws; and for other purposes. The bill was assigned to the Motor Vehicles Committee. We will monitor this bill throughout the session.

[HB 775—Professions and Businesses](#), by Rep. Alan Powell (R), Hartwell, relates to real estate appraisers, so as to change certain provisions relating to real estate management companies; to revise and provide for definitions; to provide requirements for the establishment and maintenance of a real estate appraisal management company; to authorize the Georgia Real Estate Appraisers Board to establish certain rules and regulations for appraisal management companies and to collect and remit certain fees; to authorize the board to take disciplinary action against appraisal management companies; to revise certain requirements relating to the board's authority to investigate certain violations; to provide for related matters; to repeal conflicting laws; and for other purposes. The bill was assigned to the Regulated Industries Committee. We will monitor this bill throughout the session.

[HB 818—Insurance](#), by Rep. Lee Hawkins (R), Gainesville, relates to insurance generally, so as to provide that a health care provider shall choose the method by which such provider shall be reimbursed by an insurer for health care services performed; to provide for definitions; to provide disclosure requirements for insurers; to provide enforcement powers for violations; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes. While the bill is not intended to impact banks directly, the bill as written causes concerns in that it may unintentionally impact fees and charges related to products that banks offer.

[HB 834—Landlord and Tenant](#), by Rep. Mandi Ballinger (R), Canton, relates to general provisions concerning landlord and tenant, so as to provide for the termination of a rental or lease agreement for residential real estate under circumstances involving family violence; to provide for definitions; to provide for notice and terms of termination; to provide for applicability; to provide for related matters; to repeal conflicting laws; and for other purposes. The bill was assigned to the Judiciary Committee. The content of this bill appears to mirror the language in [HB 745](#) introduced by Rep. Scott Holcomb. We will monitor this bill throughout the session.

[HB 866—Commerce and Trade](#), by Rep. Scot Turner (R), Holly Springs, relates to identity theft, so as to prohibit consumer credit reporting agencies from charging a fee for placing or removing a security freeze on a consumer's account; to repeal conflicting laws; and for other purposes. The bill was assigned to the Banks & Banking Committee. We will monitor this bill throughout the session.

[SB 374—Community Association Transparency and Protection Act](#), by Sen. Donzella James (D), Atlanta, relates to regulation of specialized land transactions, so as to provide for protections for homeowners, condominium owners, and property owners in community associations; to provide for related matters; to provide for an effective date and applicability; to repeal conflicting laws; and for other purposes. The bill was assigned to the Judiciary Committee. We will monitor this bill throughout the session.

[SB 376—Identity Theft](#), by Sen. David Shafer (R), Duluth, relates to identity theft, so as to prohibit consumer credit reporting agencies from charging a fee for placing or removing a security freeze on a consumer's account; to repeal

conflicting laws; and for other purposes. The bill was assigned to the Banking & Financial Institutions Committee. We will monitor this bill throughout the session.

OTHER LEGISLATION WE ARE TRACKING THAT HAD ACTIVITY THIS WEEK

[HB 121—Trust Powers Revision](#), by Rep. Chuck Efstrotation (R), Dacula, is a carry-over bill that we are tracking. The bill received a do pass motion by substitute by the Judiciary Committee on February 7th.

[HB 327—Alternative Ad Valorem Tax on Motor Vehicles](#), by Rep. Shaw Blackmon (R), Bonaire, is a carry-over bill that we are tracking. The bill received a do pass motion by substitute by the Ways & Means Committee on February 8th.

[HB 381—Abandoned Mobile Home Act](#), by Rep. John Corbett (R), Lake Park, is a carry-over bill that we are tracking. The bill received a do pass motion by substitute by the Judiciary Committee on February 8th.

[HB 410—Estoppel Letters](#), by Rep. Alan Powell (R), Hartwell, is a carry-over bill that we are tracking. The bill was heard in the Judiciary Committee on February 8th. Several substitutes have been circulated throughout the week by various lobbying parties. The substitute bill presented by Chairman Wendell Willard was tabled as the bill did not address condominium associations. The bill was intended to include property owners' associations as well as condominium associations.

[HB 661—Tax Liens](#), by Rep. Bruce Williamson (R), Monroe, was passed by the Senate with a vote of 55-0 on February 5th.

[HB 676—Property](#), by Rep. Paulette Rakestraw (R), Hiram, was heard by the House Banks & Banking Committee on February 6th. Concerns with the bill as written have been expressed to the author as the bill does not match up with the federal requirements on the same subject. Rep. Rakestraw is working with Legislative Counsel to provide new language for review.

[HB 780—Financial Institutions](#), by Rep. Bruce Williamson (R), Monroe, was heard by the House Banks & Banking Committee on February 6th.

[SB 301—Revised Uniform Fiduciary Access to Digital Assets Act](#), by Sen. John Kennedy (R), Macon, received a do pass recommendation by the Judiciary Committee on February 7th.

[SB 315—Computer Crimes](#), by Sen. Bruce Thompson (R), White, was put on the Senate Calendar for February 6th; however, the bill was recommitted to the Senate Rules Committee on the same date and no further action was taken by the Senate.

[SB 338–Administrative Procedure](#), by Sen. William Ligon, Jr. (R), Brunswick, was passed/adopted by substitute by the Senate with a vote of 37-18 on February 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. 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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