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Issue IX

Community Bankers Association of Georgia
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March 17, 2017

GENERAL COMMENTS

This week has been very busy with committee meetings for hearings and votes on legislation that crossed over this session. The Legislature was in session on Monday through Thursday of this week to complete the 35th Day of the 40-day session. Only five days remain in the session which means that the next five days will be hectic trying to get bills that crossed over passed by the other chamber in order for the bill to become a law. There has been some good news this week in relation to bills that are a priority to CBA with updates noted below.

Last week, I mentioned that it is a rare but possible for a bill to be attached to another piece of legislation that was in the same code section. This week, we found out that this possibility was a reality with a firearms bill. The Georgia Firearms Industry Nondiscrimination Bill is back from last session and is now in the form of HB 292 by Rep. Rick Jasperse (R), Jasper. Just as a reminder, this bill passed both the House and Senate last year, but was vetoed by the Governor. Further details on the bill are listed below.

CBA PRIORITY BILLS

[HB 192—Business Judgment Rule/Director Liability](#), by Rep. Beth Beskin (R), Atlanta, was passed by the Senate Banking and Financial Institutions Committee unanimously on March 15th. The bill was a second reader on the Senate Floor on March 16th. The bill now becomes eligible to be asked for by Rep. Beskin in the Senate Rules Committee on March 20th. The new objective is to get the bill added by the Rules Committee to the Senate Floor agenda for a vote. CBA will continue to monitor this bill.

[HB 143—Financial Institutions](#), by Rep. Bruce Williamson (R), Monroe, was added to the Senate Floor calendar for March 16th. The bill was passed by the Senate with a vote of 44-8 on March 16th with no amendments. The bill will now be presented to the Governor for signature. We thank Rep. Bruce Williamson and Sen. John Kennedy for carrying the bill in their respective chambers and for their support during this process.

[HB 221—Powers of Attorney](#), by Rep. Chuck Efstration (R), Dacula, was presented to the Senate Judiciary Committee as a substitute bill on March 16th. Several changes were made to the bill on the Senate side; however, the amended bill is not available as of press time as the Judiciary Committee did not pass the bill until 7:30PM on March 16th. Based on the information heard during the Committee meeting, it did not sound like the changes made to the bill would have a negative impact to our institutions. However, a review of the amended bill will be performed once the document is uploaded to the website. **Please note that the link to the substitute bill will likely not be available until after midnight.** Senator John F. Kennedy, who is a partner with James-Bates-Brannan-Groover-LLP, will be carrying the bill on the Senate side. CBA will continue to monitor this bill.

NEW ITEMS THIS WEEK

[HB 292—Georgia Firearms Industry Nondiscrimination Act](#), by Rep. Rick Jasperse (R), Jasper, was approved by the House on March 3rd as substantially another bill. **Please note that the link to the substitute bill will likely not be available until after midnight.** During the Senate Judiciary Committee presentation of the bill on March 15th, a substitute bill was offered which is a very similar bill to [HB 1060](#) from last session that was vetoed by the Governor with the exception of language relating to churches that was deleted in this year's bill. The bill would prohibit anyone from refusing to offer financial services to any person or company engaged in the lawful commerce of firearms or ammunition product and their trade associations. The bill was passed by the subcommittee on March 15th and by the full Senate Judiciary Committee on March 16th. **The good news is the CBA-advocated parity provision language from last year's bill was added as an amendment to the bill which will ensure state banks are affected by this bill only to the same extent as federally-chartered institutions. If federal authorities claim preemption for nationally-chartered banks, state-chartered banks will automatically receive the same preemption.** CBA will continue to monitor this bill.

[HR 626—House Study Committee on Property Owners' Associations, Homeowners' Associations and Condominium Associations](#), by Rep. Sam Teasley (R), Marietta, would create a study committee to undertake a study of the conditions, needs, issues, and problems with the impositions of what many believe

to be excessive fees for property transfers, certification letters, initiation fees, and similar actions by owners subject to such associations; and these associations also impose fines for violations of the associations' rules for which the owners have little to no due process provided and an inability to appeal such fines. CBA will monitor this Resolution.

LEGISLATION WE ARE TRACKING THAT HAD ACTIVITY THIS WEEK

[HB 39—Real Estate Professionals](#), by Rep. Alan Powell (R), Hartwell, was passed by the Senate on March 15th. The bill will now be presented to the Governor for signature.

[HB 49—Livestock Dealer and Auctions](#), by Rep. Clay Pirkle (R), Ashburn, was passed by the Senate on March 16th. The bill will now be presented to the Governor for signature.

[HB 87—Corporate Registrations](#), by Rep. Brad Raffensperger (R), Johns Creek, was passed by the Senate Economic Development and Tourism Committee on March 15th. CBA will continue to monitor this bill.

[HB 162—Setoff Debt Collection](#), by Rep. Betty Price (R), Roswell, was passed by the Senate Judiciary Committee on March 16th. CBA will continue to monitor this bill.

[HB 197—Fair Business Practices Act](#), by Rep. Sam Teasley (R), Marietta, is on the calendar for the Senate Judiciary Subcommittee for March 22nd. CBA will continue to monitor this bill.

[HB 203—Condominiums](#), by Rep. Brian Strickland (R), McDonough, is on the calendar for the Senate Judiciary Subcommittee for March 22nd. CBA will continue to monitor this bill.

[HB 337—State Tax Execution Modernization Act](#), by Rep. Bruce Williamson (R), Monroe, was passed by the Finance Committee on March 14th. CBA will continue to monitor this bill.

[HB 412—Electronic Lien and Title Commercial Vehicles](#), by Rep. Timothy Barr (R), Lawrenceville, was passed by Senate Public Safety Committee on March 15th. CBA will continue to monitor this bill.

[HB 434—Eminent Domain](#), by Rep. Wendell Willard (R), Sandy Springs, was passed by the Judiciary Committee on March 16th. CBA will continue to monitor this bill.

[SB 134—Save, Earn, Win Act](#), by Sen. David Shafer (R), Duluth, was heard by the Banks & Banking Committee on March 14th. No vote was taken. CBA will continue to monitor this bill.

[SR 318—Senate Cyber Challenge Study Committee](#), by Sen. Harold Jones, II (D), Augusta, was passed by the Science and Technology Committee on March 10th. CBA will monitor activities of this 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 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.

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