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Issue XI

Community Bankers Association of Georgia
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GENERAL COMMENTS

And that's a wrap to the 2017 Legislative Session!



The last two days of the session were very tumultuous between the two chambers and in the hallways with debates, amendments, and complete stripping of bills being the norm. As day 39 came and went, we were thankful that all CBA priority bills were already voted on and are ready for the Governor's signature. All in all, the 2017 Legislative Session was a success as we saw progress on many items that are beneficial to banks, but we also had success in lobbying against several controversial bills/ideas before they were even considered by their respective chambers. After 431 votes in the House chamber and 389 votes in the Senate chamber this session, we will now regroup and start thinking about next year's legislative session.

CBA PRIORITY BILLS

[HB 143—Financial Institutions](#), by Rep. Bruce Williamson (R), Monroe, has been sent to the Governor for signature. If signed into law by the Governor, the bill becomes effective on the first day of the month following the month in which approved by the Governor or becomes law without such approval.

[HB 192—Business Judgment Rule/Director Liability](#), by Rep. Beth Beskin (R), Atlanta, has been sent to the Governor for signature. If signed into law by the Governor, this bill shall apply to causes of action arising on or after July 1, 2017.

[HB 221—Powers of Attorney](#), by Rep. Chuck Efstration (R), Dacula, was reviewed by the House on March 28th for amendments that were made in the Senate. Changes to the bill were adopted by the House and the bill now moves on to the Governor for signature. If signed into law by the Governor, the bill becomes effective on July 1, 2017.

NEW ITEMS THIS WEEK

[HB 620—Industrial Loans](#), by Rep. Earl Ehrhart (R), Powder Springs, would amend Chapter 3 of Title 7 of the O.C.G.A. relating to industrial loans so as to provide for standards for the issuance for a license to issue industrial loans; provide standards for and require certain disclosures related to insurance premiums on industrial loans; repeal conflicting laws; and for other purposes.

[HR 798—House Study Committee on Low-Income Housing Tax Credits](#), by Rep. Dale Rutledge (R), McDonough, would create a study committee to determine the effectiveness of the current low-income housing tax credits program. The Resolution was adopted by the House on March 30th. CBA will monitor the activity of this Study Committee during the off session.

LEGISLATION WE WERE TRACKING THAT HAD ACTIVITY THIS WEEK

[HB 87—Corporate Registrations](#), by Rep. Brad Raffensperger (R), Johns Creek, was passed by the Senate with a vote of 52-0 on March 28th. The House agreed with the Senate substitute on March 30th. The bill now goes to the Governor for signature.

[HB 150—Toll Powers](#), by Rep. Alan Powell (R), Hartwell, was passed by the Senate with a vote of 44-4 on March 30th. An amendment or a substitute was made in the Senate, and the House did not get the

opportunity to agree/disagree with the amendment or substitute; therefore, the bill remains in the same posture. The bill will be ready for an agree/disagree at the next legislative session.

[HB 162—Setoff Debt Collection](#), by Rep. Betty Price (R), Roswell, was not selected by the Senate Rules to be voted on by the Senate Floor. Since the bill was not voted on during this session, the bill remains eligible for a vote as a carryover bill during the next legislative session.

[HB 197—Fair Business Practices Act](#), by Rep. Sam Teasley (R), Marietta, was passed by the Senate with a vote of 52-0 on March 28th. The bill now goes to the Governor for signature.

[HB 203—Condominiums](#), by Rep. Brian Strickland (R), McDonough, was incorporated under [SB 46](#). All of the language in the original SB 46 was stripped and replaced with the language of HB 203. SB 46 was placed on the House Floor calendar for March 28th, but then the House voted to recommit the bill to the House Rules Committee. The House Rules Committee further amended the bill and added [HB 413—Public Utilities](#) to the bill.

[HB 204—Ad Valorem Taxation](#), by Rep. Brett Harrell (R), Snellville, was incorporated into the language of [SB 2—The FAST Act](#); however, the language was stripped out of SB 2 during the House Small Business Committee meeting on March 27th.

[HB 292—Georgia Firearms Industry Non-Discrimination Act](#), by Rep. Rick Jasperse (R), Jasper, was passed as a substitute by the Senate with a vote of 37-16 on March 28th. The House voted 110-49 to accept the substitute bill on March 28th. The bill now goes to the Governor for signature. If signed into law by the Governor, the bill becomes effective upon its approval by the Governor or upon its becoming law without such approval.

[HB 357—Georgia Uniform Certificate of Title for Vessels Act](#), by Rep. Ron Stephens (R), Savannah, was not selected by the Senate Rules to be voted on by the Senate Floor. Since the bill was not voted on during this session, the bill remains eligible for a vote as a carryover bill during the next legislative session.

[HB 412—Electronic Lien and Title Commercial Vehicles](#), by Rep. Timothy Barr (R), Lawrenceville, was passed by the Senate with a vote of 52-0 on March 28th. The bill now goes to the Governor for signature.

[HB 434—Eminent Domain](#), by Rep. Wendell Willard (R), Sandy Springs, was passed by the the Senate with an amendment with a vote of 42-10 on March 28th. The House voted 145-17 to accept the Senate

amendment/substitute as amended. The Senate voted 40-7 to accept the House amendment or substitute. The bill now goes to the Governor for signature.

[SB 2—The FAST Act](#), by Sen. Mike Dugan (R), Carrollton, was amended by the House Small Business Committee during their meeting on March 27th to remove section 4 of the bill that incorporated language from [HB 204](#). The House Rules Committee voted on March 28th to amend the bill further to remove section 2 of the bill relating to counties and municipalities. Many negotiations were taking place behind the scenes on March 28th and, as a result, the bill was tabled until Sine Die. The bill was not brought before the House for a vote this session, and the Chairman of the House Rules moved that all bills remaining on the calendar at the end of Sine Die be returned to the committee from which they came.

[SB 46—Torts and Space Flights](#), by Sen. William T. Ligon, Jr. (R), Brunswick, was stripped during the House Rules Committee. The only item remaining intact from the original bill was the bill number. The meat of the bill was replaced with the language from [HB 203—Condominiums](#) and [HB 413—Public Utilities](#). The bill was passed by the House with a vote of 162-2 on March 30th. The Senate agreed with the House amendment/substitute with a vote of 50-1 on March 30th. The bill now goes to the Governor for signature.

[SB 71—Bankruptcy Exemptions](#), by Sen. Jesse Stone (R), Waynesboro, was stripped during the House Rules Committee. The only item remaining intact from the original bill was the bill number. The meat of the bill was replaced with the language from [HB 51—Campus Rape](#).

[SB 86—Foreclosure Confirmation Waiver Prohibition](#), by Sen. Jesse Stone (R), Waynesboro, was recommitted to the Senate Judiciary Committee on March 28th. This gives the Chairman the discretion to do a Study Committee on the bill over the summer. Since the bill was not voted on during this session, the bill remains eligible for a vote as a carryover bill during the next legislative session. **As a reminder, this would be a material change in the foreclosure process that would be detrimental to our institutions. CBA is opposed to the proposed change in the foreclosure process.** CBA will continue to monitor the activity of the Senate Judiciary Committee during the off session.

[SB 87—Bankruptcy Exemptions](#), by Sen. Jesse Stone (R), Waynesboro, was amended in the House Rules Committee on March 30th to add the language from [SB 71](#) that was stripped. The bill was passed by the House with a vote of 162-2 on March 30th. The Senate voted 52-0 to accept the House amendment or substitute. The bill now goes to the Governor for signature.

[SB 134—Save, Earn, Win Act](#), by Sen. David Shafer (R), Duluth, was on the House Floor calendar for March 28th. The bill was tabled until Sine Die. The bill was not brought before the House for a vote this session, and the Chairman of the House Rules moved that all bills remaining on the calendar at the end of Sine Die be returned to the committee from which they came.

[SB 191—Petroleum Pipeline](#), by Rick Jeffares (R), McDonough, was stripped during the House Rules Committee on March 30th. The only item remaining intact from the original bill was the bill number. The meat of the bill was replaced with a substitute that included language on Georgia Industrial Loan Act (GILA) and Title Pawn. The bill was selected for the House Floor calendar; however, the bill was not brought before the House for a vote this session. The Chairman of the House Rules moved that all bills remaining on the calendar at the end of Sine Die be returned to the committee from which they came.

[SR 454—Senate Cyber Security Education Study Committee](#), by Sen. Bruce Thompson (R), White, was passed by the Senate on March 28th. CBA will continue to monitor this Resolution and activity of the Study Committee during the off session.

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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