



2016 Georgia Legislative Session Report

Utilities State Government Organization Conference

During the 2015/2016 Legislative Session, members of the Georgia General Assembly introduced 1,162 House bills, 441 Senate bills, 1,891 House resolutions, and 1,257 Senate resolutions.

The Georgia General Assembly is bound by the state constitution to pass a balanced budget every year. **HB 751** passed both legislative chambers and was signed by the Governor. This \$23.7 billion budget was a 2.9% increase over the previous year, with the line share of the increase going to education, healthcare, public safety, and transportation.

Energy Legislation

SR 1038 Joint Alternative Fuels Infrastructure and vehicles Study Committee

Sen. Jeff Mullis

Creates study committee to determine how providing market incentives for installation of refueling infrastructure for alternative fuel vehicles would serve as a catalyst for the realization of cheap and clean fueling options for the public. The committee will also study whether increased market incentives for the purchase or lease of alternative fuel vehicles may drive development of infrastructure.

HB 951 **Sales Tax Holiday**

Rep. Chad Nimmer

Reauthorizes the energy efficient products sales tax holiday for 2016. The exemption applies to the purchase of Energy Star Qualified Products or WaterSense Products with a sales price of \$1,500 or less per product purchased for noncommercial home or personal use.

HB 1036 **Moratorium on Eminent Domain Powers of Pipeline Companies**

Rep. Bill Hitchins

Provides for a moratorium on the exercise of eminent domain powers of petroleum pipeline companies through June 30, 2017. The stated intention of the moratorium is to provide the General Assembly with time to study the need for any changes to land use controls or restrictions related to pipeline companies seeking to deliver petroleum to residents of Georgia or other states. The possible controls and restrictions include, but are not limited to, those related to siting of pipelines. The moratorium will allow the assessment of various proposals relating to the eminent domain powers that pipeline companies presently enjoy, the issuance of certain environmental permits to pipeline companies, and the enactment of additional laws to ensure the consistency of pipeline development and operation with the state's land use goals and standards. Additionally, the bill creates the State Commission on Petroleum Pipelines.

HB 822 **Tax Exemption for Energy Used in Agriculture**

Rep. Christian Coomer

Defines "energy used in agriculture" for tax purposes to mean fuels used for agricultural purposes, other than fuels subject to prepaid state tax. The term includes, but is not limited to, off-road diesel, propane, butane, electricity, natural gas, wood, wood products, or wood by-products; liquefied petroleum gas or other fuel used in structures in which boilers, pullets, or other poultry are raised. The term also applies to the aforementioned fuels used in structures in which swine are raised, in which dairy animals are raised or milked or where dairy products are stored on a farm, in which agricultural products are stored, and in which plants, seedlings, nursery stock, or floral products are raised primarily for the purposes of making sales of such plants, seedlings, nursery stock, or floral products for resale. The term "energy used in agriculture" also includes electricity or other fuel for the operation of irrigation system that is used on a farm exclusively for irrigation of agricultural products and electricity or other fuel used in drying, cooking, or further processing of raw agricultural products, including, but not limited to, food processing of raw agricultural products.

HB 767**Passing of Utility Service Vehicles**

Rep. Allen Powell

Provides that an operator of a motor vehicle approaching a stationary towing or recovery vehicle, or a stationary highway maintenance vehicle, or a stationary utility service vehicle that is utilizing traffic cones or displaying flashing yellow, amber, white, or red lights must approach the vehicle with due caution and must, absent any other direction by a peace officer, proceed as follows:

- a) Make a lane change into a lane not adjacent to the towing, recovery, or highway maintenance, or utility service vehicle if possible in the existing safety and traffic conditions; or
- b) If a lane change would be impossible, prohibited by law, or unsafe, reduce the speed of the motor vehicle to a reasonable and proper speed for existing road and traffic conditions, which must be less than the posted speed limit, and be prepared to stop.

Under the legislation, 'utility service vehicle' means any vehicle being used by an employee or contractor of any entity, including, but not limited to, a political subdivision of the state or a local authority or commission related thereto, an electric cooperative, or a public or private corporation, in connection with the provision of utility services. 'Utility services', means and includes electric, natural gas, water, waste-water, cable, telephone, or telecommunication service or repair.

SB 191**Utility Locating**

Sen. Lindsey Tippins

Prevents a local governing authority from enforcing any ordinance or resolution which imposes fines for a violation of a local ordinance or resolution that establishes requirements for lining, marking of utility facilities, re-marking of utility facilities, or otherwise locating utility facilities or sewer laterals for any locate request or large project.

Environmental Legislation**SR 558****Dedication of Funds from Excise Taxes on Fireworks Constitutional Amendment**

Sen. Jeff Mullis

Proposes a constitutional amendment which would allow the General Assembly to dedicate revenues from excise taxes on fireworks to trauma care, fire service, and public safety services. The proposed amendment will appear on the November 2016 General Election ballot. (SB 350 is the bill that will make this law only if the constitutional amendment passes in November)

HB 1028 **Requiring Notice of Solid or Hazardous Waste Release**

Rep. Bill Werkheiser

Requires owners and operators of solid waste landfills to notify local governments of any release of a containment which is likely to pose a danger to human health within 14 days of such release. Notice of the release must be published in the legal organ in the county of the landfill's location.

HB 1014 **Property Donated for Conservation Use**

Rep. Jay Powell

Extends the sunset on tax credits for donation of property for conservation through December 31, 2021. The Department of Natural Resources must issue a report on the activity of the donation program occurring during recent years. The report must include, but not limited to, the number of applications and the total number of acres donated; the value of the qualified donations accepted into the program and which conservation purposes were the basis for the qualification of the property; the aggregate amount of income tax credits granted; and a list of the direct and indirect benefits to the state due to the donation of land conservation purposes.

SR 1018 **Proposed Waters of the United States Rule**

Sen. John Wilkinson

Encourages the U.S. Environmental Protection Agency to withdraw the proposed Waters of the United States rule.

Other Legislation

HB 792 **Campus Carry**

Rep. Buzz Brockway

Allows for an enrolled student or employee over the age of 18 at a public postsecondary education institution can legally carry an electroshock weapon on campus.

HB 859 **Campus Carry**

Rep. Rick Jasperse

Allows any licensed holder 21 years or older to carry a concealed handgun onto college campuses. Excludes sporting events, student housing, and fraternity & sorority houses.
(Vetoed)

HB 757 **Religious Freedoms**

Rep. Kevin Tanner

This bill was introduced in the House and passed with a very narrow focus of Pastor Protection only. In the Senate the bill was expanded to include protections for a much broader religious based organizations. This hotly debated bill was sent to the Governor and vetoed.

HB 931 **Nuclear Financing**

Rep. Karla Drenner

This bill sought to limit nuclear construction financing cost recovery during construction (CWIP). The bill was assigned to a House committee, but never received a hearing.

HR 473 & SB 349 **Grid Security & Protection**

Rep. Mike Dudgeon & Sen. Judson Hill

Neither of these pieces of legislation ever received a committee hearing in either legislative chamber.

HB 779 **Drones**

Rep. Kevin Tanner

This bill created the Georgia Unmanned Vehicle Systems Commission and established guidelines for law enforcements use of drones.