

Georgia Utility Contractors Association (GUCA)

February 29, 2024

This last week saw even more legislation introduced and moving dealing with tort reform. Direct Action for trucking, premises liability legislation, the Governor's bill to address and study effective tort reform, billboard advertisements for attorneys, and more saw movement this past week.

A big overall premises liability bill, HB 1371 from the House Majority Whip, limits recovery to persons lawfully on property, gives reasonable protection to landowners who have no reason to know their guests are at a risk of harm from crime, and provides clarity as to what provides notice of criminal activity. It passed the House on Crossover Day. There was also a premises liability bill introduced in the Senate.

There continues to be a lot of movement on legislation dealing with business licensing under the Secretary of State's Office.

These past few weeks also saw legislation introduced on continuing education and on utility workers' safety.

HB 904 passed the House. It changes certain provisions relating to electrical contractors, plumbers, conditioned air contractors, low voltage contractors, and utility contractors as far as licensing and continuing education. Our team was able to get a GUCA requested amendment to the bill in Committee.

HB 1096 establishes on behalf of professional licensing boards under the jurisdiction of the office of the Secretary of State a continuing education tracking solution to monitor compliance of licensees with applicable continuing education requirements. We've asked GUCA to review this bill.

HB 1044 passed the House also. It is an answer to bidding legislation vetoed by the Governor last year. It increases the dollar value of certain public works contracts exempt from provisions relating to retention of contractual payments.

HB 880 relates to licenses for transitioning members of the armed forces, so as to allow military spouses to use an existing license in good standing from another state to obtain employment in this state. HB 1033 provides for protections for utility workers and for enhanced penalties for simple assault, aggravated assault, simple battery, and aggravated battery committed upon utility workers in certain circumstances.

There is also a lot of discussion about licensing boards in general in Georgia, and GUCA is on top of this.

GUCA's very important and well attended (record setting attendance?) Lobby Day was February 6 at the Capitol. Thanks so much to all of those who attended to represent your industry, hear from Georgia's political leadership about what is going on at the Capitol, and talk about issues important to them with their local legislators.

The 2024 Georgia General Assembly had its 26th - 28th official days of legislative session this past week on Monday, Tuesday, and Thursday. "Crossover Day" was February 29, and they went late into the night with legislation. They also worked all day on legislation on Monday and Tuesday. Wednesday was a Committee Day.

As has been mentioned, Crossover Day is the day that a bill has to pass out of its initial original chamber, and the final day of session will be March 28. Keep in mind, just because a bill doesn't pass out of its original chamber by Crossover doesn't mean it is "dead". This is because language from the "dead" bill can be attached to another bill out there that is "alive" after Crossover Day.

The House and Senate are continuing to work on the state budget (the only constitutional requirement for the State legislature every session), and big topics include election changes, revising or removing tax credits and exemptions, medicaid expansion, hospital certificate of need changes, sports betting, election bills, business licensing legislation, tort reform, and more.

There have now been thousands of bills and resolutions filed in the 2023-2024 General Assembly.

As was also mentioned in the initial report, legislation from 2023 is “alive” for passage in the 2024 legislative session due to it being a biennial session system. Thrash-Haliburton has been in constant communication with our leadership about issues and legislation coming up for our industry in the 2024 session.

Here’s to another great year for our industry in 2024 at the State Capitol!

Thrash-Haliburton is diligently watching and working to stop any detrimental legislation to our industry and push the legislation we support. Our governmental affairs team continues every day to work on, look out for and answer requests, needs and interests, as we act at the direction of the group's leadership. Please find legislation affecting our industry below:

2023-2024 Regular Session

We are monitoring the following legislation, and watchful for any bills that may impact our industry.

Bill	Summary	House Comm	Sen Comm	House Sponsor	Sen Sponsor
HB 193	Relating to public works contracting and bidding requirements, so as to increase the dollar values of certain public works construction contracts exempt from bidding requirements; to provide for related matters; to repeal conflicting laws; and for other purposes	Vetoed by the Governor	Passed	Anderson	
HB 436	Relating to surface mining, so as to revise maximum criminal penalties for violations	Passed	Natural Resources	Corbett	
HB 438	To prohibit governmental entities from adopting any policy that prohibits the connection or reconnection of any utility service or sales of certain fuels based upon the appliance to be used by a customer;	Energy, Utilities & Telecommunications		Anderson	

SB 195	Relating to licenses for transitioning members of the armed forces, and Code Section 43-1-35, relating to expedited license by endorsement for spouses of active or transitioning members of the armed forces, and to enact statutes to facilitate licensure of transitioning service members, military spouses, and other qualified individuals who have certifications from or work experience in the military or licenses from or work experience in another state under certain conditions	Regulated Industries	Passed		Walker
SB 157	To create a preclearance process in the licensing of individuals with criminal records who make an application to or are investigated by certain licensing boards and commissions	Judiciary Non-Civil	Passed		Strickland
HB 810	Change certain provisions to buildings and housing, commerce and trade, local government, professions and businesses, and public utilities and public transportation, respectively, so as change certain provisions relating to certain professions practicing in this state	Regulated Industries		Vance	
HB904	Change certain provisions relating to electrical contractors, plumbers, conditioned air contractors, low voltage contractors, and utility contractors. We got a definition change implemented upon GUCA's request.	Passed	Regulated Industries	Vance	
HB 880	Relating to licenses for transitioning members of the armed forces, so as to allow military spouses to use an existing license in good standing from another state to obtain employment in this state	Regulated Industries		Ballard	

HB 1033	Provide for protections for utility workers; to provide for a definition; to provide for enhanced penalties for simple assault, aggravated assault, simple battery, and aggravated battery committed upon utility workers in certain circumstances	Passed	Judiciary	Leverett	
HB 1096	To establish on behalf of professional licensing boards under the jurisdiction of the office of the Secretary of State a continuing education tracking solution to monitor compliance of licensees with applicable continuing education requirements; to require compliance with continuing education requirements prior to the issuance of certain licenses;	Rules		Washburn	
HB 1044	Increase dollar value of certain public works contracts exempt from provisions relating to retention of contractual payments Answer to bill vetoed last year	Passed	Government Oversight	Anderson	
HB 1190	To authorize the division director within the office of the Secretary of State to issue licenses in instances when the requirements for licensure have been met and the professional licensing board fails to act within a certain time period	REGULATED INDUSTRIES		Collins	
HB 1228	Relating to general provisions for public works bidding, so as to provide procedures for the acquisition of certain professional services by local governments; Relating to the exercise by counties of power to contract generally, so as to revise provisions related to the acquisition of certain professional services; relating to the exercise by municipalities of power to contract generally	Governmental Affairs		Smith	
SB 471	Makes licensing renew every 4 years instead of every two years, unless the Board under the Secretary of State passes rules and regulations that are below 4 years.		Rules		Williams

HB 1371	The Speaker's premises liability bill - relating to general provisions regarding liability of owners and occupiers of land, to clarify liability regarding third-party criminal activity	Passed		Burchett	
HB 1114	Governor's tort reform bill and study committee - to enact the "Data Analysis for Tort Reform Act"; to provide for data collection from certain insurers, insurance rating organizations, and state agencies	Passed	NA	Wade	
SB 426	Direct Action Tort Reform - requirements for joining of a motor carrier and motor carrier's insurer to a cause of action		Passed		Tillery