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2022 LEGISLATIVE REVIEW

**Todd Edwards, Deputy Legislative Director
ACCG – Georgia’s County Association**

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Cherokee County Board of Commissioners**

BILLS THAT PASSED



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HB 934 – Single County TSPLOST

- Allows tax to be collected for the full amount of time (5 years).
- Ends practice of stopping collections once the estimated amount is collected.
- An intergovernmental agreement on transportation purposes must be in place between the county and its cities.



HB 1009 – Authorizes Use of Delivery Robots

- Allowed on any sidewalk, crosswalk or public highway in Georgia.
- Limits set on size, weight, speed, liability coverage, etc.
- Locals may restrict hours of operation.
- Locals may restrict use on their own property and adjacent sidewalks.



HB 1150 – Freedom to Farm Act: Nuisance Claims

- Prohibits property owners from bringing nuisance claims against any agricultural facility that has been operating for 2 or more years.
- Requires someone whose property is harmed to file a claim.
- Local governments may still ask a court to stop a public nuisance.
- Can still file a nuisance claim if action results from the negligent, improper or illegal operation of a facility.



HB 1372 – Call Before You Dig Revisions

- Several technical changes to law.
- Counties and cities with underground, electric traffic control devices and traffic management systems will now have to join Georgia Utility Protection Center.
- Must locate these devices by January 1, 2024.



HB 1405 – Zoning Procedures and Multi-Family Housing

- Clarifies the process for appeals of zoning decisions and disputes following recent judicial decisions.
- Adds significant notification procedures that must be followed if a city or county initiates a zoning change from single family residential to multi-family housing.
- Notification procedures do not apply to property owners applying for a re-zoning.



HB 1461 – Annexation Dispute Resolution Process

- Revisions meant to help cities and counties negotiate a contested annexation.
- Changes definition of “notice” and “verifiable delivery”.
- City notification of annexation petition to county changes from 5 to 30 days.
- County shot clock to object changes from 30 to 45 days.
- Counties must also notify DCA of an objection.
- Increased training for arbitration panelists.
- Panelists may now serve up to 4 times per year.
- Authorizes court reporters and hearing officers.
- Panel may extend its hearing once, for up to 10 days.



HB 1461 – Annexation Dispute Resolution Process

- City and county may extend hearing by up to 180 days.
- Authorizes panels to meet virtually or by teleconference.
- Panels must deliver findings to DCA, rather than just the county and city.
- DCA must now maintain a record and database of past panel decisions and post this on its Web site.
- Splits cost of arbitration 50/50, unless county has made a non-valid objection.
- Panel may now put conditions on a rezoning for 2 years.



SB 116 – Maternity Supportive Housing

- Establishes a state registry for maternity supportive housing.
- Applies to homes with up to 6 pregnant women, age 18 or older, and their children for up to 18 months after childbirth.
- Prohibits counties and cities from regulating or placing occupancy requirements on these residences.
- Likely applies preemption to all classes of individuals covered by Federal Fair Housing Act.



BILLS THAT DIDN'T PASS



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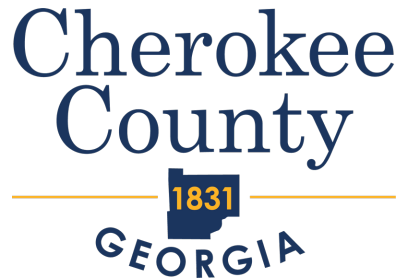


HB 1093 and SB 494 – Build-to-Rent (BTR) Subdivisions

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- Unilateral preemption of locals governments from regulating the rental of residential dwellings for more than 30 days in duration;
- Sovereign immunity waived, with up to \$1M in damages for violations per occurrence
- Failure to comply restricts access to grants from DCA
- Effectively allows BTR by right in any zone
- Restricts local governments from regulating BTR use



BTR: The New Concept in Georgia



- BTR: The New Use Emerges in the Community
- BTR and the Local Single-Family Residential Market
- Transparency and the Public Hearing Process



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- Approaches to a Regulatory Framework
- The BTR Use: Identified and Classified
- Zoning and BTR: A Tale of Three Ordinances:
 - Cherokee County, Woodstock, & Holly Springs
- What Other Regulatory Tools Are Available?
- What is and isn't Included in Regulations?
- Lessons Learned So Far and What's Next?



HR 1149 – House Study Committee on Regulation, Affordability and Access to Housing

- Sponsored and Chaired by Rep. Dale Washburn
- Other members:
 - Rep. Debra Bazemore
 - Rep. Chuck Efstration
 - Rep. Martin Momtahan
 - Rep. Jason Ridley
 - Commissioner Hubert Parker, Gilmer County
 - Teresa Bidez – Realtor from Blue Ridge
- Focus likely to include local build-to-rent, short-term-rental and design standard regulations.



Other Bills that Didn't Pass

- HB 302 – Local Permit Fees: Restrict Means of Calculation/Imposition
- HB 1439 – Deannexation: Make Procedures the Same as for Annexation
- HR 630 – Joint Study Committee on County Consolidation
- HR 845 – County Commissioner Districts: Limit to No More than 50,000 Residents Each



Other Bills that Didn't Pass

- HB 1302 – Preempt Local Regulation of Gas-Powered Leaf Blowers
- Numerous Bills on Restricting Landfill Sitings
- HB 1548 – Additional Requirements on Soil Amendments
- SB 535 – Reducing Street Homelessness Act of 2022: Prohibit Public Camping
- HB 1090 – Exempt Sale of Firearms, Ammo and Accessories from State and Local Sales Tax



Bills that Passed but Referendums Failed

- Create City of East Cobb: Failed 73% to 27%
 - About 60,000 residents
- Create City of Lost Mountain: Failed 58% to 42%
 - About 75,000 residents
- Create City of Vinings: Failed 55% to 45%
 - About 7,000 residents



Questions?



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Thank You

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