



**GEORGIA
RETAILERS**

LEGISLATIVE SESSION REPORT

2024



A NOTE FROM BEN COWART, VICE PRESIDENT OF GOVERNMENT AFFAIRS

MEMBERS:

Thank you for your unwavering support during the 2024 legislative session! Together, we've tackled challenges and celebrated victories, advocating for our industry, and ensuring our voices are heard.

Highlights include securing funding for the AG's Organized Retail Crime and Cyber Prosecution Unit and hosting the successful inaugural Retail Day at the Capitol. Your passion and commitment have made a lasting impact, and I'm confident in our continued success.

Georgia Retailers will keep you updated on the signing of impactful legislation as Governor Kemp shifts his focus to the 40-day period he has for signing, vetoing, or taking no action on legislation passed by the Georgia General Assembly.

As we look ahead to this election year, Georgia Retailers will support pro-business, pro-retail candidates through fundraising. We'll focus on crucial issues like tort reform, swipe fees, and tax policy changes. Additionally, we'll actively participate in legislative study committees, especially Rep. Todd Jones' House Study Committee on Credit Card Fees on State Sales and Excise Tax, to advocate for Georgia's retail community.

Please see below for a summary of legislation actively monitored and lobbied this session. Please feel free to reach out with any questions. It is our pleasure to serve the retail industry, and we thank you for your membership and support.



ORGANIZED RETAIL CRIME (ORC)

HB 916 GENERAL APPROPRIATIONS; STATE FISCAL YEAR JULY 1, 2024 - JUNE 30, 2025 SPEAKER JON BURNS (R-NEWINGTON)

The legislation is the state budget for FY 2025 and included an allocation of \$1,417,466 to establish an Organized Retail Crime and Cyber Prosecution Unit within the Attorney General's office.

Attorney General Chris Carr has prioritized the fight against ORC as a key mission for his office. This proposed unit, comprised of multiple personnel, would be housed within the AG's office, enabling them to prosecute cases that span multiple jurisdictions and alleviate the caseload burden on local law enforcement. This would serve to create a valuable statewide resource, benefiting both retailers and local law enforcement agencies in their efforts to combat ORC.

Georgia Retailers extends our gratitude to Attorney General Carr and his team for their collaborative efforts and partnership in combating ORC across the state! With the bill's advancement, it now awaits the Governor's signature to become law.

 **SUPPORTED**  **PASSED**

SB 472 COMBATING ORGANIZED RETAIL CRIME ACT SENATOR JOHN ALBERS (R-ROSWELL)

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 **SUPPORTED**  **PASSED**

TORT/LAWSUIT REFORM

HB 1114 – DATA ANALYSIS FOR TORT REFORM ACT

REPRESENTATIVE WADE HILL (R-DAWSONVILLE)

This is the first step in Governor Kemp's multiyear effort to bring about meaningful tort reform in Georgia. The bill aims to address the issue of frivolous and excessive tort litigation in Georgia, by providing policymakers with comprehensive data and analysis to inform future tort reform legislation in Georgia. It has been assigned to the House Insurance Committee. The legislation received final passage on day 40 and awaits the Governor's signature.

 **SUPPORTED**  **PASSED**

HB 1371 – TORTS; CLARIFY LIABILITY REGARDING THIRD-PARTY CRIMINAL ACTIVITY

REPRESENTATIVE JAMES BURCHETT (R-WAYCROSS)

This bill focuses on Georgia's premises liability laws, particularly regarding third-party criminal activity. Georgia Retailers appreciates Whip Burchett's initiative in addressing this issue but believed there were significant improvements that needed to be made in the legislation. The bill saw lengthy debates in both the House and Senate Judiciary committees throughout the process. Despite continuous negotiations by the business community including Georgia Retailers, alongside other associations, and businesses, until the final moments, no substantial agreement was reached. HB 1371 ran out of time before any meaningful reform could be agreed to.

Georgia Retailers expresses our sincere gratitude to the Speaker, Lt. Governor, and Senate leadership for their dedication to addressing this crucial issue for the business community. The conversation on this matter will persist, and Georgia Retailers will continue advocating for meaningful reform in the state.

 **OPPOSED FINAL VERSION**  **FAILED TO PASS**

SB 426 – MOTOR VEHICLES AND TRAFFIC; REQUIREMENTS FOR JOINING OF A MOTOR CARRIER AND MOTOR CARRIER'S INSURER TO A CAUSE OF ACTION

SENATOR BLAKE TILLERY (R-VIDALIA)

This bill revise procedures related to motor carriers and their insurers in causes of action by clarifying that insurers may only be named defendants in motor carrier lawsuits when either the truck driver or trucking company cannot be served with a lawsuit or are found to be insolvent or bankrupt. The bill overwhelmingly passed the Senate and unanimously passed the House. This bill now moves to the Governor's desk.

 **SUPPORTED**  **PASSED**

TORT/LAWSUIT REFORM

SB 186 - GEORGIA LANDOWNERS PROTECTION ACT

SENATOR GREG DOLEZAL (R- ALPHARETTA)

This legislation aimed to establish that landowners would not be held liable in premises liability actions for injuries sustained by trespassers due to the willful, wanton, or intentionally tortious conduct of third parties who are not affiliated with the landowner. Georgia Retailers, alongside the broader business community, strongly advocated for this legislation. While SB 186 successfully passed the Senate Insurance and Labor Committee, it unfortunately did not progress to the Senate Rules calendar before Crossover Day. Regrettably, the bill did not resurface during the remainder of the session.



SUPPORTED



FAILED TO PASS

SWIPE FEES ON SALES TAX

HR 1135 - HOUSE STUDY COMMITTEE ON CREDIT CARD FEE ON STATE SALES AND EXCISE TAX AND THEIR IMPACT ON GEORGIA MERCHANTS AND CONSUMERS; CREATE. REPRESENTATIVE TODD JONES (R-CUMMING)

This bill creates a House Study Committee on Credit Card Fees on State Sales and Excise Tax and Their Impact on Georgia Merchants and Consumers. The bill was introduced on behalf of Georgia Retailers after an early session stakeholder meeting with House and Senate leadership. Even after hearing from payments experts in the retail industry there was still a lot of confusion and questions amongst legislators. In working with leadership and the sponsor it was decided a study committee was the best course of action for this issue.

HR 1135 was assigned to the House Agriculture & Consumer Affairs Committee where it received a hearing and passed unanimously. On day 40 the full House overwhelmingly passed HR 1135 with a resounding vote of 164-3. Georgia Retailers is immensely thankful to Chairman Jones for championing this initiative and demonstrating his commitment to addressing this significant issue through the formation of this vital study committee! With the House's approval, the bill now awaits the Governor's signature to become law.



SUPPORTED



PASSED

DATA PRIVACY

SB 73 - TELEPHONE SERVICES; CLASS ACTION SUITS AND FOR DAMAGES AGAINST CERTAIN PERSONS FOR VIOLATING PROVISIONS RELATING TO TELEPHONE SOLICITATIONS.

SENATOR BLAKE TILLERY (R-VIDALIA)

The legislation would have allowed citizens to seek injunctive relief and damages against companies in violation or a third-party vendor calling on behalf of the company that is in violation of Georgia's do not call list.

GR has been opposed to similar bills in the past, but language was added to this year that gives safe harbor to companies with policies and procedures in place regarding the do not call list. This bill was in conference committee from last year and was eventually agreed to by both chambers. It now awaits the Governor's signature.

 **NEUTRAL**  **PASSED**

SB 473- GEORGIA CONSUMER PRIVACY PROTECTION ACT

SENATOR JOHN ALBERS (R-ROSWELL)

This is a data privacy bill modeled after many bills seen in other states but specifically the Tennessee Data Privacy bill with effective date of July 1, 2024. The bill has been assigned to the Senate Science and Technology Committee. This legislation saw several hearings in both chambers and multiple stakeholder meetings throughout the session. The bill went through a myriad of versions before its passage out of the House Technology and Infrastructure Innovation committee. It failed to make it out of the House Rules before time expired. We expect to see something similar comeback next year.

 **NEUTRAL**  **FAILED TO PASS**

TAXATION

HB 1023 - INCOME TAX; MATCH TAX RATE IMPOSED ON CORPORATIONS TO THAT IMPOSED ON INDIVIDUAL TAXPAYERS

REPRESENTATIVE BRUCE WILLIAMSON (R-MONROE)

This bill aims to reduce the state's flat corporate income tax rate to match the personal income tax rate. This bill overwhelmingly passed the House and passed the Senate this week by a vote of 34-17. This bill now moves to the Governor for consideration.

 **SUPPORTED**  **PASSED**

TAXATION

HB 808 – AD VALOREM TAX; INCREASE A STATEWIDE EXEMPTION FOR TANGIBLE PERSONAL PROPERTY

REPRESENTATIVE MIKE CHEOKAS (R-AMERICUS)

This bill increases the state ad valorem tax exemption for tangible personal property from \$7,500 to \$20,000. Congratulations to our friends at NFIB for their efforts in getting this one over the finish line.

 **SUPPORTED**  **PASSED**

GENERAL BUSINESS

HB 926 - SECOND CHANCE WORKFORCE ACT

REPRESENTATIVE MATT REEVES (R-DULUTH)

This bill provides for the waiving of fees to reinstate a driver's license when appropriate and allows for a license suspended due to missing a court date to be reinstated when the court date has been rescheduled. On Sine Die, with additional legislation added, it overwhelmingly passed the Senate by a and the House of agreed to the Senate changes. The bill is now available for the Governor's signature.

 **SUPPORTED**  **PASSED**

SB 430 – COVID-19 PANDEMIC BUSINESS SAFETY; PROVISIONS FOR REBUTTABLE PRESUMPTIONS OF RISK BY CLAIMANTS IN CERTAIN COVID-19 LIABILITY CLAIMS

SENATOR GREG DOLEZAL (R-CUMMING)

This legislation revises the COVID-19 Pandemic Business Safety law to provide that Covid warning signs are no longer necessary. The bill overwhelmingly passed both chambers and awaits the Governor's signature.

 **SUPPORTED**  **PASSED**

GENERAL BUSINESS

[HB 1073](#) – LOCAL GOVERNMENT; ZONING; REPEAL ADDITIONAL HEARING AND NOTICE PROVISIONS REGARDING HALFWAY HOUSES, DRUG REHABILITATION CENTERS, OR OTHER FACILITIES FOR TREATMENT OF DRUG DEPENDENCY

REPRESENTATIVE DALE WASHBURN (R-MACON)

In a last minute Sine Die effort language was added to this bill that restricts a municipality's ability to create video surveillance ordinances for retail establishments that sell gasoline. This bill awaits the Governor's signature.



PASSED

[SB 370](#) – HUMAN TRAFFICKING HOTLINE INFORMATION; CERTAIN ESTABLISHMENTS TO POST HUMAN TRAFFICKING HOTLINE INFORMATION

SENATOR MIKE HODGES (R-ST. SIMONS ISLAND)

This legislation expands the requirements for Human trafficking signage to be posted to include convenience stores. The bill overwhelmingly passed both chambers and awaits the Governor's signature.



PASSED

PHARMACY

[SB 491](#) – LICENSED PHARMACIST; GEORGIA STATE BOARD OF PHARMACY TO INCREASE THE MAXIMUM RATIO OF PHARMACISTS

SENATOR MATT BRASS (R-NEWNAN)

This legislation authorizes the Georgia State Board of Pharmacy to increase the maximum ratio of pharmacists to pharmacy technicians in closed-door pharmacies that provide central prescription filling services to retail pharmacies. The legislation did not pass the Senate before Crossover Day but the Senate Health and Human Services Committee incorporated the language in to [HB 1072](#) by Representative Sharon Cooper (R-Marietta). That bill updated the drug repository program, sets pharmacist to pharmacy technician ratios, and requires reverse drug distributors to prioritize donating over destruction.

The committee substitute overwhelmingly passed the Senate and was agreed to by the House. The bill now moves to the Governor's desk for his signature.



SUPPORTED



PASSED

PHARMACY

HB 546 - GEORGIA PHARMACY PRACTICE ACT

REPRESENTATIVE RICK JASPERSE (R-JASPER)

This bill would have allowed a pharmacist to adapt a prescription drug order in the exercise of his or her professional judgment if they document the adaptation in the patient's record and obtain the patient's consent prior to making the adaptation. This legislation was introduced last session and made it through the House and the Senate Health and Human Services Committee this year but failed to receive final passage.

 **FAILED TO PASS**

HB 1028- GEORGIA DEPARTMENT OF PUBLIC HEALTH AGENCY LEGISLATION

REPRESENTATIVE JOHN LAHOOD (R-VALDOSTA)

This legislation is the Georgia Department of Public Health agency clean-up bill that includes expanding the standing order from the Commissioner to include post-exposure prophylaxis (PEP) medications for the prevention of human immunodeficiency virus to be distributed by pharmacist. This legislation unanimously passed the House and overwhelmingly passed the Senate. The bill now awaits the Governor's signature.

 **SUPPORTED**  **PASSED**

ALCOHOL & TOBACCO

HB 1260 – GEORGIA NICOTINE VAPOR PRODUCTS DIRECTORY ACT

REPRESENTATIVE HOUSTON GAINES (R-ATHENS)

This bill would have created a state vapor directory similar to the tobacco directory. Both the directory and the enforcement of it would have been housed at the Department of Revenue. This legislation received passage by the House but simply ran out of time in the Senate.

 **SUPPORTED**  **FAILED TO PASS**

ALCHOL & TOBACCO

[HB 843](#) – SUNDAY SALES FOR CONSUMPTION ON THE PREMISES IN LOCALLY DESIGNATED SPECIAL ENTERTAINMENT DISTRICTS

REPRESENTATIVE RON STEPHENS (R-SAVANNAH)

This bill would permit Sunday alcohol sales within locally designated special entertainment districts. Sales are allowed from 11:55 pm to 2:55 am on Saturdays and from 11 am to midnight on Sundays. This bill passed the House but ran out of time in the Senate.

 **FAILED TO PASS**

[HR 1283](#) – HOUSE STUDY COMMITTEE ON SAFETY AND CONSUMER PROTECTION OF NICOTINE VAPOR PRODUCTS

REPRESENTATIVE ALAN POWELL (R-HARTWELL)

This bill creates a study committee on safety and consumer protections around nicotine vapor products. It will bring together convenience store retailers, vape shops, and others to discuss and educate legislators on what's what in the vaping industry.

 **PASSED**

TRANSPORTATION

[HB 516](#) – TRANSPORTATION, DEPARTMENT OF; INCREASE MINIMUM AMOUNT FOR A PUBLIC ROAD CONSTRUCTION OR MAINTENANCE CONTRACT THAT PROHIBITS NEGOTIATION

REPRESENTATIVE DERRICK MCCOLLUM (R-CHESTNUT MOUNTAIN)

Language from [HB 1312](#) regarding regulation and taxation of electricity used as motor fuel and electric vehicle charging stations was included in this bill late in session. The language delays the effective date of Part II of the Act, which pertains to the regulative authority of the Department of Agriculture, and Part III, which concerns revenue and taxation, would be extended to January 1, 2026. This bill passed and awaits the Governor's signature.

 **PASSED**

TRANSPORTATION

[SB 146](#) – GEORGIA PUBLIC SERVICE COMMISSION; REGULATION AND TAXATION OF THE PROVISION OF CERTAIN ELECTRICITY USED AS A MOTOR FUEL IN ELECTRIC VEHICLES.
REPRESENTATIVE RICK JASPERSE (R-JASPER)

This legislation develops and maintains a statewide freight and logistics implementation plan. There is notable language directing the department to look at "projects of significant economic impact." The bill overwhelmingly passed the House and Senate and awaits the Governor's signature.

 **PASSED**

[HB 848](#) – AUTHORIZE ENFORCEMENT OF EXCESS VEHICLE WEIGHT VIOLATIONS THROUGH USE OF AN AUTOMATED VEHICLE WEIGHT DETECTION SYSTEM.
REPRESENTATIVE DARLENE TAYLOR (R-THOMASVILLE)

This bill would enable the use of automatic vehicle weight detection systems, operated by a third party, to assess truck weights outside of fixed scale facilities. Violations of weight limits will result in a civil monetary penalty. This legislation could have been problematic but did not see any movement.

 **OPPOSED**  **FAILED TO PASS**

BUSINESS MANDATES THAT FAILED TO ADVANCE

[HB 940](#) – FAIR BUSINESS PRACTICES ACT OF 1975; REQUIRE RETAIL STORES TO ACCEPT CASH FOR PURCHASES.
REPRESENTATIVE TODD JONES (R-CUMMING)

The bill requires brick and mortar retail stores and restaurants to accept cash for purchases. GR worked with the sponsor and is very appreciative of the author for incorporating some exemptions to alleviate our issues. The bill failed to move out of the House.

BUSINESS MANDATES THAT FAILED TO ADVANCE

HB 1101 – FAIR BUSINESS PRACTICES ACT OF 1975; REQUIRE CASH OVERPAYMENTS TO BE REMITTED BY MERCHANTS IN THE FORM OF STORE CREDIT UNDER CERTAIN CIRCUMSTANCES

REPRESENTATIVE MESHA MAINOR (R-ATLANTA)

What This Bill Does: This bill regulates how merchants handle cash overpayments, requiring them to provide store credit if exact change cannot be given. The bill includes exceptions for certain types of merchants and events, and violations may result in penalties as per the Fair Business Practices Act of 1975.

SB 516 – UNFAIR OR DECEPTIVE PRACTICES IN CONSUMER TRANSACTIONS; MAKING OF FALSE OR MISLEADING STATEMENTS REGARDING THE LIMITED SUPPLY OF OR THE DURATION OF DISCOUNTED PURCHASE PRICES FOR CONSUMER GOODS

SENATOR JOSH MCLAURIN (D-SANDY SPRINGS)

This bill aimed to classify false or misleading statements about the limited supply or duration of discounted purchase prices for consumer goods as unfair or deceptive acts. It also introduces a definition of "consumer good." However, there are concerns that this could restrict retailers from using disclaimers like "supplies limited" to avoid liability to consumers for out-of-stock items during promotions, as per the FTC's Unavailability Rule.

SB 447 – GEORGIA RESTAURANT FRANCHISE RELATIONS ACT

SENATOR RANDY ROBERTSON (R-CATAULA)

This legislation modifies current franchisor-franchisee relations by asserting that a franchisor may not terminate a franchise relationship except under certain circumstances. It failed to advance.

SB 25 - EMPLOYMENT PRACTICES, INCREASED MINIMUM WAGE

SENATOR GLORIA BUTLER (D-STONE MOUNTAIN)

This legislation states that beginning on January 1, 2025, minimum wage will be required to be adjusted to reflect the cost-of-living increase determined by the GA Department of Labor and CPI data.

BUSINESS MANDATES THAT FAILED TO ADVANCE

SB 49 - WASTE MANAGEMENT; THE DISTRIBUTION OF CERTAIN BAGS MADE OF PLASTIC FILM AND ITEMS MADE OF POLYSTYRENE FOAM BY CERTAIN RETAIL ESTABLISHMENTS

SENATOR DONZELLA JAMES (D-ATLANTA)

This legislation prohibits retailers from distributing any bag made of plastic film or item made of extruded polystyrene foam after January 1, 2026.

HB 78 - PAID SICK LEAVE ACT

REPRESENTATIVE KIMBERLY ALEXANDER (D-HIRAM)

This legislation requires employers to implement a sick time policy that allows an employee that works at least 30 hours a week to earn and accrue at least 56 hours of paid sick leave per year. Paid sick leave shall accrue at the rate of one hour of paid sick leave for every 30 hours worked.

HB 241 - MINIMUM WAGE; PROVIDE INCREASE

REPRESENTATIVE DEWEY MCCLAIN (D-LILBURN)

This bill raises the minimum wage to \$15 an hour and allows employers of employees that meet the eligibility requirements for the tip credit may credit tips toward the satisfaction of up to 50 percent of the minimum wage.