

ABC Legislative Report – 2/25/2008

by Rusty Paul

The session passed the midway point this past week with a planned adjournment date expected around the end of March. The legislature has settled into a four-day work week, taking Monday off except for committee hearings and being in session Tuesday-Friday.

The legislative pace will pick up this week as “cross over” day approaches. Under House and Senate rules, any bill that does not pass at least one chamber before the 30th legislative day cannot be enacted this year – meaning a bill must “cross over” to the other chamber by that day to be enacted by this General Assembly. Unlike last year, any bills not enacted this year die when the General Assembly adjourns.

As a result of the cross-over day requirement, the House typically takes up few Senate bills and the Senate takes up few House bills until the 10-day period between 30th and 40th (last) legislative days.

We are currently tracking four primary pieces of legislation for the association:

- 1) SB464 – Sen. Cecil Staton– Contractor Licensing – This bill allows a contractor or other business organization that has operated continuously with a regular office and place of business but under different corporate names over the immediately preceding five-year period shall be sufficient to meet the five-year business operation requirement for obtaining a general contractor license. This bill is in the Senate Regulated Industries Committee and we are working with the author to fix some concerns related to the bill. The bill is not currently scheduled for committee action yet.
- 2) SB 452 – Sen. Jeff Mullis – Reciprocal Licensing – This bill allows Georgia residents holding valid residential or general contractor licenses issued by other states or territories of the United States to obtain the equivalent Georgia license without taking Georgia’s general contractor exam. It is currently being held in the Senate Regulated Industries Committee and is not currently on the agenda for this Thursday’s committee meeting.
- 3) SB 407 – Sen. Mitch Seabaugh - Utility Contractor Licensing – this bill affects electrical contractors, plumbers, conditioned air contractors, low-voltage contractors, and utility contractors. The bill makes unlawful for any owner, general contractor, or utility contractor to allow a person or entity to bid, propose, or contract for the performance of utility contracting work when that owner, general

contractor, or utility contractor knows that the bidder does not have a current, valid utility license.

- 4) SB 374 – Sen. Mitch Seabaugh – Lien Law – This bill makes minor changes in the state’s lien law. ABC has been actively involved in helping the author perfect the language of the bill so that it does no harm to the industry. Sen. Seabaugh has been very cooperative in working out the association’s concerns with the bill. The bill passed the Senate and is currently pending in the House Judiciary Committee. No committee action is slated at this time.

- 5) HB 1147 - Rep. Matt Ramsey – Lien Law – This recently dropped legislation requires that any lien filed shall include a statement regarding its expiration as currently required by statute and a notice to the owner of the property that the owner has the right to contest the lien. However, the lack of this statement or notice shall not invalidate the lien. It appears this bill simply requires notices be included in the lien, but that the lien is not invalidated if the notices are not included. **Members should review this legislation in case there are ramifications.** It was referred to the House Judiciary Committee and no committee action is currently scheduled.

- 6) In addition, we are on the look out for any legislation regarding immigration that requires employers to be the enforcement arm for any sanctions or penalties the state may impose. Unlike past sessions, very few bills involving immigration have been dropped so far.