

FINAL REPORT

2018 LEGISLATIVE SESSION



Prepared for the Association by
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Introduction & Background

The 2018 Georgia Legislative Session began January 8 and ended just after midnight on March 27. For the first time in several years, the House and Senate returned to their traditional *sine die* adjournment method – the Lt. Governor and Speaker ordered the chamber doors to be opened and then gavelled the session to a close simultaneously.

Governor Nathan Deal had until May 8 to sign or veto legislation sent to him by the General Assembly. During his final signing period in office, the Governor issued twenty-one vetoes, more than in any of his previous years. Legislation that was not sent to him is now obsolete and must be refiled to be considered again in the 2019 session. What follows is a comprehensive report on legislation of interest to the profession considered during this year's General Assembly.

Professional Issues

HB 956: Practice Act Update

Rep. Clay Pirkle, R-Ashburn

Act 456, signed into law on May 8

House Bill 956 is a landmark update and modernization of the Veterinary Practice Act, which was last updated fifteen years ago. The legislation is the product of a coalition of stakeholders including large animal veterinarians, companion animal veterinarians, academia, the state board, the Department of Agriculture, and the agribusiness community.

Many of the changes added definitions that were previously undefined in state law, including “client,” “patient,” “informed consent,” “animal shelter,” and “mobile veterinary clinic.” Other changes incorporate alternative treatments that have increased in popularity since 2003, like acupuncture and physical therapy. It also includes language to bring state code into compliance with the federal Veterinary Feed Directive.

The legislation allows the State Board of Veterinary Medicine to perform inspections of premises and equipment. It makes changes to continuing education requirements by requiring it for veterinary technicians; it also permits a continuing education waiver for veterinarians or technicians who are active duty service members. It eliminates a cap on the number of technicians who can work under a single licensed veterinarian.

While the bill was on the Senate floor on the final day of the session, it picked up two amendments. The first added the contents of **House Bill 40** (Rep. Scot Turner), which requires a veterinarian to disclose the rabies vaccination history of any animal in the veterinarian’s care to the physician caring for a person bitten by that animal. The second added **Senate Bill 257** (Sen. Bill Heath), requiring a law enforcement officer to consult with a veterinarian before filing criminal charges in cases of animal cruelty involving food animals. Both measures had stalled elsewhere in the legislative process; the author and Senate sponsor agreed to the additions.

Having been amended by the Senate, the House had to revisit the bill and agree to the changes. The House voted to send the bill to the Governor at 11:57pm, just moments before the General Assembly adjourned until 2019. Members of the Association and other stakeholders attended a bill signing ceremony with the Governor on May 8 (pictured, right).



HB 830: Annual Drug Update**Rep. Buddy Harden, R-Cordele****Act 373, signed into law on May 3****Sen. Greg Kirk, R-Americus****Effective May 3, 2018**

House Bill 830 is the annual drug update, which makes changes to Schedule I, II, IV, and V controlled substances to include new synthetic opiates and synthetic marijuana. The Association reviewed the proposed changes and none appear to impact veterinary medicine.

HB 742: Exemption from Rabies Vaccination**Rep. Matt Gurtler, R-Tiger****Lost, failed to report from the House Agriculture and Consumer Affairs Committee**

House Bill 742 would have allowed a licensed veterinarian to waive the rabies vaccination requirement for dogs and cats if they determine the inoculation would compromise the animal's health.

Animal Welfare and Regulation Issues

HB 695: Dog and Cat Sterilization Tag Proceeds**Rep. Bubber Epps, R-Dry Branch****Act 464, signed into law on May 8****Sen. John Kenney, R-Macon****Effective July 1, 2018**

As originally introduced, House Bill 695 established a special license plate to benefit the Georgia Forestry Foundation. After a number of other license plate measures stalled, it became the omnibus license plate bill. The version enacted by the Governor includes provisions originally contained in [House Bill 253](#) (Rep. Wendell Willard) to increases the amount of money the Department of Agriculture receives from the sale of specialty license plates promoting the dog and cat reproductive sterilization support program. The Department – rather than the state's general fund – will receive \$19 (up from \$10) per tag sold on or after July 1, 2018.

SR 467: Service Animal Study Committee**Sen. Renee Unterman, R-Buford****Authorized by the Senate on March 27**

Senate Resolution 467 creates the Senate Study Committee on Service Animals for Physically or Mentally Impaired Persons to ensure animals represented as service animals are actually required to assist people with performing tasks and major life activities. The Lt. Governor will appoint five Senators to serve on the committee and will designate a chair. The committee will dissolve on December 1, 2018, and must adopt a report containing any specific findings or recommendations before that time. The study committee option was an attractive alternative after legislation specific to service dogs ([House Bill 473](#)) failed to make the critical Crossover Day deadline.

SB 418: Preemption of Local Bans

Sen. John Wilkinson, R-Toccoa

Lost, voted down by the Senate on February 28

One of the more contentious issues of the year, Senate Bill 418 would have prohibited county, municipal, and consolidated governments from banning the sale of goods, products, or items regulated by the US Department of Agriculture, US Food and Drug Administration, or the Georgia Department of Agriculture, assuming the items were sold at properly zoned retail establishments. A similar measure – [**House Bill 948**](#) (Rep. Rick Jasperse) – also failed in the House.

One objective of the measure was to prohibit local governments from banning the otherwise legal sale of animals at pet retailers. Pet retailers – like Petland – supported this measure and last year's [**House Bill 144**](#) (Rep. Earl Ehrhart). Sandy Springs and a number of cities in Cherokee County have adopted ordinances permitting retailers to only sell or display animals from rescue centers, not breeders.

Taxation Issues

HB 886: GATE Program

Rep. Sam Watson, R-Moultrie

Sen. John Wilkinson, R-Toccoa

Act 387, signed into law on May 3

Effective May 3, 2018

House Bill 886 changes the amount required to qualify for Georgia Agriculture Tax Exemption from \$2,500 to \$5,000 in production, services, or sales annually. It requires the Department of Agriculture to issue certificates that are valid for three years cost \$150 at the time of registration or renewal. The bill allows for greater cooperation between the Department of Revenue and the Department of Agriculture in administering and enforcing the program.

HB 723: Veterinary Monitoring Devices

Rep. Sam Watson, R-Moultrie

Sen. John Wilkinson, R-Toccoa

Lost, failed to be called for a vote in the Senate

This bill creates a state sales tax exemption for sales to or by a nonprofit organization whose primary purpose is to provide poultry diagnostic and disease monitoring services; the bill comes at the request of a poultry lab in Tifton. After concern that the Senate would not have time to consider the legislation, the author added identical language to [**House Bill 93**](#) (Rep. John Corbett), an unrelated tax bill that picked up a number of amendments; it also failed to gain final approval.

HB 854: Horse Show Exemption

Rep. Rick Williams, R-Milledgeville

Lost, failed to be called for a vote in the House

House Bill 854 creates an exemption from state sales taxes for participation fees or admission prices for certain nonprofit horse shows, rodeos, or livestock events or exhibitions. While the bill was favorably reported from the House Ways and Means Committee, it was not voted on by the House before the critical Crossover Day deadline.

Licensing Issues

HR 1374: PLB Operations and Funding

Rep. Brett Harrell, R-Snellville

Authorized by the House on March 21

House Resolution 1374 creates a House Study Committee on Professional Licensing Board Operations and Funding to look specifically at transforming PLBs into a user fee model, whereby the direct and indirect costs of operating each board would be entirely funded by licensing fees. The Speaker will appoint five members of the House to serve on the study committee and they will begin meeting in late summer or early fall and can convene through the end of 2018. The committee will report findings back to the General Assembly before the 2019 session so any resulting legislation can be considered at that time.

SB 338: Agency Rulemaking Authority

Sen. William Ligon, R-Brunswick

Rep. Wendell Willard, R-Sandy Springs

Vetoed, May 8

This bill would have clarified adoption, amendment, repeal, and other requirements for agency rulemaking. In his veto, the Governor held that the legislation “unnecessarily cedes power from the executive branch, slows the ability of state government to respond by way of agency rulemaking, and places those who are subject to the regulation of state agencies on unstable ground, possibly jeopardizing the state’s business climate.”

Veto statement provided by the Office of the Governor ([here](#))

HB 653: Federal Education Loan

Rep. Jason Spencer, R-Woodbine

Lost, failed to be called for a vote in the House

House Bill 653 would have changed state law to not require a professional licensing board to suspend the license of a person following notice of nonpayment or default on a federal education loan or service-conditional scholarship. The author and the House Regulated Industries Committee felt it inappropriate for the state to serve as the collection agency or source of penalization on federal loans.

SB 2: The FAST Act

Sen. Mike Dugan, R-Carrollton

Rep. Emory Dunahoo, R-Gainesville

Lost, failed to gain final agreement

As originally introduced, Senate Bill 2 attempted to support Georgia businesses by creating efficiency and transparency in the permitting and licensing process at the state and local level. The measure would have applied to business licenses, professional licensing boards, and health inspections, among other items.

Political infighting between the House and Senate resulted in substantial revisions. The final version would have established a voluntary certification program housed at the Department of Community Affairs to designate municipalities as “Ready for Partnership,” signaling they have a fair and efficient licensing and permitting system in place. While the House and Senate volleyed the measure back and forth several times during the session, differences were not resolved before adjournment.