**2019 Legislative Session**

Legislative Day 40 April 3, 2019

## **Adjournment**

At the stroke of midnight on April 2, the General Assembly concluded the 2019 session. The Lt. Governor and Speaker of the House gaveled the session to a close concurrently as legislators, their family and staff members tossed homemade confetti around the chambers.

Governor Brian Kemp now has forty days to review and act on the bills that passed the legislature. Those that did not make it to the Governor remain eligible for consideration again in the 2020 General Assembly.

The conclusion of session is just a temporary respite from legislative action. The House and Senate will delve into legislation that did not pass this year, in some cases doing so as part of an official study committee. Your Government Affairs Team will be engaged as these policy issues are deliberated in the coming months.

*Due to the frenetic nature of the final days of the General Assembly, it is common for dead legislation to find new life within other active bills. This report represents our best effort to accurately report on relevant legislation. A comprehensive legislative report is forthcoming, pending action by the Governor.*

## **Priority Issues**

[**SB 75**](http://www.legis.ga.gov/legislation/en-US/Display/20192020/SB/75)**: Professional Health Program Sen. Ellis Black, R-Valdosta**

**Eligible for Enactment by the Governor**

This legislation allows the state board, via the Secretary of State’s Office, to contract with a professional health program to provide rehabilitative services to impaired veterinarians. A similar program exists but it limited to physicians and other professionals licensed by the Georgia Composite Medical Board.

In an effort to move ahead with provisions in the now-lost practice act update ([**SB 76**](http://www.legis.ga.gov/legislation/en-US/Display/20192020/SB/76)), the Association worked with the sponsor and Chairman of the House Agriculture Committee to amend SB 75 to include a veterinary technician on the state board. The amendment was adopted by the Committee and is now included as part of SB 75.

**Compounding.** The Association is actively working with the Georgia Board of Pharmacy and the Georgia Pharmacy Association to allow veterinarians to dispense non-controlled compounded drugs from a hospital supply in emergency care situations for a limited time.

The Association attended the Board of Pharmacy meeting on March 6 where the Board voted in favor of initial adoption of the rule change. For a copy of the compromise language and instructions for providing written or oral comments, please click [**here**](https://gbp.georgia.gov/sites/gbp.georgia.gov/files/related_files/press_release/NOTICE%20OF%20INTENT%20TO%20AMEND%20Rule%20480-11-.02_03.14.19.pdf). The Association submitted written comments in support of the change earlier this week.

The Pharmacy Board intends to consider the proposed amendments for final adoption at their meeting on April 17 at 9am in Atlanta. A special thanks to Dr. Vince Obsitnik for his effort on this issue.

## **Professional Issues**

[**HB 483**](http://www.legis.ga.gov/legislation/en-US/Display/20192020/HB/483)**: Annual Drug Update Rep. Ron Stephens, R-Savannah**

**Eligible for Enactment by the Governor**

This is the annual drug update legislation, which reclassifies controlled substances. The Association has reviewed the measure and it does not appear to affect veterinarians. It does add Epidiolex to Schedule V drugs. Epidiolex is currently the only drug containing cannabidiol that is FDA approved.

[**HB 233**](http://www.legis.ga.gov/legislation/en-US/Display/20192020/HB/233)**: Pharmacy Anti-Steering and Transparency Act Rep. David Knight, R-Griffin**

**Eligible for Enactment by the Governor**

HB 223 prohibits nonresident pharmacies from sharing patient and prescriber data with affiliates for commercial purposes, presenting a claim for a service based on a referral from an affiliate, or mailing a prescription to a patient when the prescriber calls for an in-person consultation. It further requires pharmacies to file an annual disclosure statement of its affiliates. This legislation may impact veterinarians who have a pharmacy storefront online.

## **Animal Welfare & Regulation Issues**

[**SB 31**](http://www.legis.ga.gov/legislation/en-US/Display/20192020/sb/31)**: Animals in Hot Cars Sen. Michael Rhett, D-Marietta**

**Eligible for Enactment by the Governor**

Similar to the bill described above, SB 31 allows for animals to be rescued from hot cars. This bill’s liability limitation only extends to law enforcement officers who are on-site attempting to rescue a pet animal, not animals generally. Despite the narrower focus, the same legislators who voted down SB 32 seem reluctant to allow SB 31 to move to the full House for a vote over similar concerns.

[**HB 713**](http://www.legis.ga.gov/legislation/en-US/Display/20192020/hb/713)**: Rabies Vaccination Exemption Rep. Matt Gurtler, R-Tiger**

**Assigned to the House Agriculture and Consumer Affairs Committee on 4/2**

HB 713 creates a rabies vaccination exemption for dogs and cats if the vaccination would compromise the animal’s health. While it was introduced too late for consideration this year, it may be acted on next year.

[**SB 32**](http://www.legis.ga.gov/legislation/en-US/Display/20192020/sb/32)**: Animals in Hot Cars Sen. Kay Kirkpatrick, R-Marietta**

**Lost, voted down in the House**

This legislation is the direct product of the Senate Study Committee on Service Animals. It limits the liability for property damage caused by the rescue or attempted rescue of animals locked in motor vehicles, so long as the person first contacts emergency services. The bill was voted down in the House after members, particularly those in agriculture, raised concerns about who will pay for damage to a vehicle when an animal is rescued that was not actually in distress or what happens if an animal bites a rescuer.

## **Taxation Issues**

[**HB 35**](http://www.legis.ga.gov/legislation/en-US/Display/20192020/hb/35)**: Poultry Disease Monitoring Services Rep. Sam Watson, R-Moultrie**

**Eligible for Enactment by the Governor**

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 the state’s poultry labs, which are administratively attached to the Department of Agriculture. The bill essentially stops one state agency (the Department Agriculture) from collecting and remitting sales tax to another state agency (the Department of Revenue).

## **Licensing Issues**

[**SB 92**](http://www.legis.ga.gov/legislation/en-US/Display/20192020/SB/92)**: Student Loans Sen. Brandon Beach, R-Alpharetta**

**Lost, failed to report from the House Appropriations Committee**

SB 92 prohibits professional licensing boards from refusing to issue a license or suspending/revoking the license of a person who is in default on an education loan issued through the Georgia Higher Education Assistance Corporation or through a federal agency. Proponents believe it is inappropriate for PLBs to serve as the collection agency or source of penalization for third-party loans.