

Proposed Policy Committee Recommendations for ACCG 2023 Legislative Agenda

Economic Development and Transportation:

- **Truck Weight Limit Increases** - ACCG opposes legislation that increases allowable weight limits on local roads and bridges as current allowable weight limits are at maximum capacity. The increase in truck weight limits contributes to the rapid deterioration of local road and bridge infrastructure and increases the severity of accidents which negatively affects the movement of freight and people through Georgia.
- **Local Maintenance & Improvement Grant (LMIG) Program** –With the suspension of the state motor fuel excise tax, ACCG requests that the Governor and the Georgia General Assembly preserve at a minimum the adopted FY 2023 budget levels for the Georgia Department of Transportation (GDOT) in particular the LMIG appropriations. In addition, ACCG requests that the FY 2024 budget appropriate funding that would have been collected had there not been a suspension of collection for the state motor fuel excise tax.
- **Development Authorities / Property Tax Abatement** - ACCG encourages the Georgia General Assembly to address the inequities that can occur when economic development incentives are used, including the use of “payments in lieu of taxes” (PILOT). When economic development incentives result in abatement of property taxes, the use of PILOTs and other legal mechanisms can lead to one local government recouping some or all of its lost property taxes while other local governments suffer the full impact of the abated taxes. The rights of those who are allowed to participate in bond validation proceedings for retail and residential projects should be expanded to include local taxing authorities who are directly impacted by said bonds.
- **Urban and Rural Transit Systems** – ACCG urges the General Assembly to provide both capital and operating financial assistance on a consistent and annual basis to Georgia’s transit systems, both urban and rural. In addition, ACCG encourages the state to provide technical and financial support to address gaps in service coverage where counties are “trending urban” and in counties where public transit services are not available.
- **Rural Planning Organizations** – ACCG supports the concept of Rural Planning Organizations (RPO) in Georgia to allow more opportunity for rural areas to communicate with GDOT and participate in statewide transportation planning efforts. ACCG also supports the use of regional commissions as a liaison between GDOT and rural local governments and encourages GDOT to recognize regional commissions used in this capacity as the functional equivalent to an RPO.

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General County Government:

- **School Growth** – Planning for student population growth should be a joint effort between the county, city, and school board. The county, municipalities located within the geographic area of a school district, and the local board of education that is experiencing or anticipating growth in student population (to the extent that additional schools or classrooms may need to be

constructed) should hold one or more public hearings as needed and collaborate with the district school board that jointly establishes the specific ways in which planning for growth, including school facility siting, shall be coordinated and how infrastructure to support expansion should be financed. Furthermore, state law should be changed to authorize ESPLOST and all other available funds received by boards of education to help pay for road, sidewalk, signage and other safety costs directly related to newly constructed or renovated schools.

- **Creation of New Cities** –The creation of new cities duplicates local administrative structures and can disrupt long term planning, create service delivery challenges and inefficiencies, and impose greater costs on taxpayers both within and outside the new city. To that end, any legislation to create new cities should only be introduced following a signed petition of at least 10 percent of the registered voters in the proposed city’s jurisdiction. It should be introduced in the first year of the General Assembly’s biennial session and voted upon in the second year, with no changes in boundaries of the proposed municipality in the second year.
- **Georgia Broadband Deployment Initiative** – ACCG asks the Georgia General Assembly to continue to appropriate funds to the Georgia Broadband Deployment Initiative (GBDI) to maintain the state created maps and to direct broadband grant funding to eligible local governments and their private sector partners in unserved and underserved areas. ACCG supports the efforts of the GBDI Stakeholder Advisory Council and urges that any changes to the grant program be fully vetted by this group, understanding it that it takes a combination of local, state, and federal funds to bolster private broadband investment in many areas of the state.
- **Home Rule – Design Standards, and Short-Term Rentals, and Build-to-Rent Subdivisions** - In recent years, numerous bills have been introduced which would substantially prohibit or preempt Georgia’s cities and counties from responding to their constituents’ demands through establishing appropriate local oversight of residential design standards, short-term rentals and build-to-rent subdivisions within their jurisdictions. ACCG opposes these state preemptions, believing that county elected officials, working with and accountable to their community, are in the best position to determine the oversight of these practices at the local level. One size certainly doesn’t fit all of Georgia’s counties in these areas, and this legislation sets a very dangerous precedent of state usurpation of Constitutional home rule authority.

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Health and Human Services:

- **Emergency Medical Services (EMS)** -The EMS community provides the first hands-on response to Georgians in need, whether provided by a fire or EMS department, a hospital-based service, or a private provider under contract. Counties must invest in this service and its personnel in order to provide the highest quality of care.
- **Behavioral Health and Developmental Disabilities (DBHDD)** - Counties will continue to join with public and private entities to develop and operate community-based services for persons with mental health, developmental disabilities, and addictive diseases as part of a comprehensive human services system. The association supports improvement and refining of the reformed

state and local DBHDD system, to ensure that the needs of citizens are being met in the timeliest and cost-efficient manner.

- **Co-responder and Behavioral Health Program** – ACCG encourage the General Assembly to appropriate funds to support the establishment of co-responder programs across the state. These funds can be allocated as grants or funds provided directly to local law enforcement agencies. These funds would be used to recruit and hire behavioral health specialist, offset the cost of transporting patients, and provide all the necessary resources and training for co-responder teams. ACCG also supports legislation that authorizes that the law enforcement agencies that is responsible for the initial transport of the mental health crisis patient also be responsible for all subsequent transports if the transport is in the peace officer's jurisdiction.
- **Health Care for Inmates of County Jails and Correctional Institutions** - ACCG urges that options be explored to help counties provide and finance health care for jail and correctional institution (CI) inmates. The inmate health care costs for these individuals are excessive and have become a financial burden on county budgets since federal and state funding streams shut down when an individual enters the jail.
- **Children and Families** – ACCG supports the development of a comprehensive continuum of services for families and children and continued and permanent state funding for prevention and intervention programs such as Family Connections and Peach Care for Kids. Public agencies alone cannot bear the burden of improving the well-being of families and children. The private sector and the faith community have a vital role to play in fostering partnerships, providing opportunities, and encouraging and supporting families in self-sufficiency and educational achievement.

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Natural Resources and the Environment:

- **Environmental Trust Funds** – ACCG urges the General Assembly to dedicate the two remaining fees inadvertently not included in HB 511 that passed during the 2021 Session - the hazardous waste management fee and the hazardous substance reporting fee - to the Hazardous Waste Trust Fund (HWTf). Almost every county in Georgia has at least one hazardous waste site. Dedicating these fees ensures that there are funds available to clean up these sites.
- **Soil Amendments Derived from Industrial By-Products** – ACCG supports the efforts of the Georgia Department of Agriculture to amend the soil amendment regulations and requests legislation that allows for the collaboration in the enforcement of the application of soil amendments between local governments, the Georgia Department of Agriculture and the Georgia Environmental Protection Division.
- **Stormwater Management** – Adequate funding is necessary in order for local governments to meet federal and state mandates in operating, maintaining and improving stormwater infrastructure and management practices.

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Public Safety and the Courts:

- **Judicial Salary Structure Reform** – ACCG supports the work of the Judicial Council AD Hoc Committee on Judicial Salaries and Supplements as they work toward a more equitable salary structure for the Judges and judicial officers within the state. ACCG urges the legislature to keep the supplement cap in place while the committee continues its work and final recommendations are made.
- **Criminal Justice Reform**– HB 1176 was passed during the 2012 legislative session which mandates an overhaul of the criminal justice system in Georgia. While ACCG is supportive of efforts by the State to only house serious violent offenders in state prisons, counties must be given the resources to provide services for and supervision of non-violent offenders at the local level. ACCG urges the Governor and the Legislature to take financial responsibility for state prisoners who are housed in local jails on probation revocation proceedings or who have been arrested for another charge while under active probation.
- **Juvenile Court** - ACCG urges the General Assembly to create a study committee to develop recommendations regarding the funding and staffing of juvenile courts. With Juvenile Justice Reform came many additional administrative duties and timelines, the state provides no funding for juvenile court staff, but created mandates to the counties without providing resources. Currently juvenile court judgeships are funded through a grant to counties program that is based on the number of superior court judges within a judicial circuit; there is no known correlation between the number of superior court judges and the caseload or judgeship needs in juvenile courts. We strongly urge the study of juvenile court judgeship needs, caseload recommendations, minimum staffing requirements and state funding where appropriate.
- **Indigent Defense** - Indigent defense is a state responsibility. In criminal matters, it is the state, not any county that prosecutes the defendant. The statewide public defender system created in 2003 poses special problems for county taxpayers. To date, no state funding has been forthcoming for the indigent defense of state crimes in state courts, recorder courts, or probate courts cases, placing on county taxpayers the burden for funding indigent defense in those courts.
- **Assume Full Financial Responsibility for State Prisoners** - To ensure that counties have the financial ability to keep their jails and correctional institutions (CIs) open ACCG requests that the state take steps to eliminate any local tax burden for housing state prisoners.
- **PTSD Insurance for First Responders** – ACCG encourages the General Assembly to appropriate adequate funding in order to establish a post-traumatic stress disorder (PTSD) insurance program for first responders. This insurance program will be administered by the Association County Commissioners of Georgia and the Georgia Municipal Association. Eligible first responders are employees who work as a peace officer, correctional officer, emergency health worker, firefighter, highway emergency response operator, jail officer, juvenile correctional officer, probation officer, emergency services dispatcher, or coroner. This insurance program is aimed at offsetting the cost of treatment for any first responder that is clinically diagnosed with PTSD from exposure to a traumatic event during the normal course of occupational duties.

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Revenue and Finance:

- **Tax Estimate on Assessment Notice** – The estimated taxes required to be published on the property tax assessment notice is confusing and misleading because it does not take into consideration the millage rates that have not been set and any new exemptions on the property. This estimate should not be mandated.
- **Taxes Exceeding Fair Market Value** - When property taxes are not paid for several years, the property taxes owed can exceed the market value of the property making it impossible to sell and recover the owed taxes. County commissioners should be granted the authority to waive taxes that exceed the fair market value of a property to recover a portion of the taxes owed and place the property back in private ownership that will pay future taxes. ACCG asks the General Assembly to call for a constitutional amendment that would grant the authority for county commissioners to waive taxes that exceed a property's fair market value.
- **Tax Commissioners Contracting to Collect City Taxes** - There are three different ways, depending on the population of the county, for counties to contract with cities for the collection of city property taxes. There is also a separate contract with the tax commissioner allowed in some counties. To make the process uniform, there should be a single contract that must be signed by the county commission, tax commissioner and city council. This contract should specify reimbursement to the county for administrative costs and any personal compensation paid to the tax commissioner.
- **LOST Renegotiations** – Although LOST renegotiations occur once every ten (10) years, they are often contentious and pit counties and cities against one another. The difficulty encountered in these negotiations hurts county-city relationships, which is not good for constituents of either group. ACCG asks the General Assembly to create a study committee on LOST negotiations to determine a way to resolve these issues when an impasse is reached and to make the negotiations less contentious by providing additional guidance.
- **County Officials' Funds - Full Accounting** – County commissioners, as trustees of the people, have a fiduciary duty to properly oversee and account for revenues received by all officials of the county, including constitutional officers. Accordingly, the law should be amended to make it clear that all funds received by any county official from whatever source—including confiscated funds and property—must be deposited in the county general fund or other appropriate fund of the county on a monthly basis with all such funds being appropriated and audited in accordance with state and federal law.

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