

2023 DeKalb Draft Legislative Agenda

To support an efficient and collaborative legislative process, Central Staff, at the request of Presiding Officer Patrick, evaluated previous County legislative processes and made recommendations to promote a more streamlined practice of incorporating Commissioner recommendations into Policy Spheres. Each Sphere encompasses a policy category that has a history of advocacy by the DeKalb County Board of Commissioners. The philosophy of the 2023 State Legislative Agenda is to establish a flexible process for the Board of Commissioners to maximize priority approval and/or progression at the State level and to encourage greater collaboration between Commissioners and the DeKalb State Delegation. Staff has developed the following policy spheres for this year's legislative agenda: Economic Development, Elections, Environmental Reform & Sustainability, Housing, Public Health, Public Safety, Transportation, and Other.

Economic Development

DeKalb County supports efforts that allow local governments more tools to affect positive change in the development of its local market and provide more opportunities of prosperity for its citizens while safeguarding its infrastructure.

Priorities

- **DeKalb County requests the General Assembly to support legislation related to the ability of counties that provide urban services to collect telecommunication fees.** This includes local fees that apply to all digital goods or services, including prewritten software delivered electronically and used by a commercial enterprise via an electronic transmission to a purchaser where such purchaser's primary purpose for the underlying transaction is the processed data or information.
(Sponsor: Commissioner Larry Johnson, District 3)
- **DeKalb County requests the State of Georgia repeal O.C.G.A. Section 36-31-11.1(f)¹ regarding the sale of parks.**
(Sponsor: Commissioner Robert Patrick, District 1)
- **DeKalb County requests the State Delegation to conduct an Equalized Homestead Option Sales (EHOST) Tax structure review.** DeKalb County requests the delegation review the parameters of decoupling the SPLOST referendum from the EHOST referendum to primarily provide constituents incentive to engage with SPLOST project decisions.
(Sponsor: Commissioner Jeff Rader, District 2)

¹ <https://law.justia.com/codes/georgia/2010/title-36/provisions/chapter-31/36-31-11-1>

Support Statements	<ul style="list-style-type: none"> - DeKalb County supports the development of a process by the General Assembly regarding municipalities that annex land from a County within the State is required to remit compensation to the County for the total amount of recent infrastructure improvements and/or long-range planning functions that were performed by the County. DeKalb County believes compensation should apply to infrastructure improvements including long-range planning functions that are performed by County offices with County revenue within five (5) years of the official date of municipal annexation. The recoupment and repayment of public funds would be equitable to the County and allow for further allocation towards projects applicable to the County’s unincorporated residents. <i>(Sponsor: Commissioner Robert Patrick, District 1)</i> - The DeKalb County Governing Authority believes tax abatement should be constrained to ensure that public resources are not needlessly transferred to a private party, or to another unit of government. Additionally, Reforms should focus on qualifying private properties for tax abatement, the transfer of resources or benefit from one unit of government to another and strengthening the opportunities for public and private stakeholders to challenge tax abatement through bond validation hearings. <i>(Sponsor: Commissioner Jeff Rader, District 2)</i>
<h2 style="margin: 0;">Elections</h2>	
Priorities	<p style="text-align: center;">DeKalb County supports initiatives that codify our representative democracy and are integral to advancing free and fair elections to enable every eligible DeKalb County citizen the opportunity to vote.</p> <ul style="list-style-type: none"> - The DeKalb County Governing Authority requests that the Delegation of the General Assembly support the development of a study committee to evaluate the establishment of an independent redistricting commission to conduct all redistricting and reapportionment within the State of Georgia. The County suggests the review of Washington State ²Article II, Section 43, or The Constitution of the State of Montana³, Article V, Section 14 in which the parameters of independent redistricting commissions, including membership, appointments, and process are outlined and expressed. <i>(Sponsor: Commissioner Lorraine Cochran-Johnson, Super District 7)</i>
Support Statements	<ul style="list-style-type: none"> - DeKalb County’s Governing Authority seeks support of the General Assembly to implement countywide polling place programs which allow residents to vote at any polling place within their county of residence, in lieu of predesignated, precinct-based polling locations. <i>(Sponsor: Commissioner Larry Johnson, District 3)</i> - DeKalb County’s Governing Authority seeks support for extended early voting through the weekend immediately preceding the November General Election Day. <i>(Sponsor: Commissioner Mereda Davis Johnson, District 5)</i>

² <https://leg.wa.gov/CodeReviser/RCWArchive/Documents/2019/WA%20Constitution.pdf>

³ <https://leg.mt.gov/bills/mca/CONSTITUTION/V/14.htm>

<h2 style="margin: 0;">Environmental Reform & Sustainability</h2>	<p>DeKalb County supports legislative efforts that provide safe and clean environments for its residents, including initiatives that reduce the risk of poor health outcomes of residents and risks of deterioration to the local natural environment.</p>
<p>Priorities</p>	<ul style="list-style-type: none"> - DeKalb County seeks efforts to restrict the storage and transportation of coal combustion residuals, or “coal ash” within the State of Georgia and believes that the storage and transportation of coal ash within the state of Georgia should be strictly regulated for the protection of Georgia’s citizens, its waterways, and its landscape. Coal ash contains at least twenty-five (25) heavy metals, carcinogens, and radioactive elements that are easily introduced to and transported by water and can easily become hazards to human health when ingested. Access to clean water is critical to the County's residents, visitors, employees, and economy. Not only for DeKalb but the state of Georgia and nationally. The County believes that local governments should be able to protect residents against surface and groundwater contamination from neighboring communities through ordinances. <i>(Commissioner Mereda Davis Johnson, District 5)</i>
<h2 style="margin: 0;">Housing</h2>	<p>DeKalb County supports legislative efforts that provide safe, affordable, and equitable housing opportunities for its residents.</p>
<p>Priorities</p>	<ul style="list-style-type: none"> - The Governing Authority of DeKalb County requests that the State delegation support the creation of a rental registry that enables researchers and policymakers to study the business practices of corporate landlords so that counties can respond with appropriate local measures. Also, the delegation should consider limiting the market share of corporate landlords, through legislation, as policymakers explore these possibilities to disincentivize their expansion, stabilize rent, and increase the pool of homes available for purchase by first-time buyers and families. <i>(Sponsor: Commissioner Cochran-Johnson, Super District 7)</i> - The Governing Authority of DeKalb County supports the implementation of broad-based tenant protections, including protections against drastic rent increases, ancillary fees, and fines. The County promotes the security of tenure to ensure that the property rights of landlords do not take priority over the fundamental need of housing in supporting life, safety, and welfare of all citizens. <i>(Sponsor: Commissioner Cochran-Johnson, Super District 7)</i> - The Governing Authority of DeKalb County supports the ability of state, local, and federal government agencies to limit restrictions on condominium lending practices that present a barrier to first-time buyers who need a loan, and in turn, has limited the development of for-sale condominiums. <i>(Sponsor: Commissioner Cochran-Johnson, Super District 7)</i>

<p>Priorities (continued)</p>	<ul style="list-style-type: none"> - DeKalb County requests the DeKalb Delegation to raise the senior tax exemption income eligibility limits. DeKalb County requests a review and update of the income eligibility requirements (with no change to the age requirement) for DeKalb County's senior property homestead exemptions. An upward adjustment in the income requirements of the homestead exemption can assist more seniors who are vulnerable to a tight housing market, rising property assessments and fair market values, rising consumer price increases and unprecedented inflation. <i>(Sponsor: Commissioner Robert Patrick, District 1)</i> - DeKalb County supports the Delegation's work to reduce or eliminate the 7-year credit history for residents who were evicted due to the COVID-19 pandemic. <i>(Sponsor: Commissioner Robert Patrick, District 1)</i> - DeKalb County requests the State to adjust how landlords receive monies from tenants when apartment units receive application fees but the applicant does not qualify. <i>(Sponsor: The DeKalb County Planning, Economic Development, & Community Services (PECS) Committee)</i> - The Governing Authority of DeKalb County requests that the General Assembly enact legislation that allows the State Court clerk to collect a fee for the removal of personal property and other unremunerated costs incurred by DeKalb County after an eviction. This change in law is necessary in order to ensure that the Department of Sanitation has sufficient funding to complete the tasks of removing debris from vacant properties that have been subject to an eviction. Current DeKalb Marshall's fees are enumerated at Ga. L. 1951, p. 2401, Section 11B, as amended by Ga. L. 2010, p. 3677, as amended by Ga. L. 2012, p. 5059. <i>(Sponsor: Commissioner Mereda Davis Johnson, District 5)</i>
<p>Support Statements</p>	<ul style="list-style-type: none"> - DeKalb County requests that the General Assembly work to support legislation establishing a state-wide eviction resolution program with the goal of stabilizing housing needs for all parties across the state. DeKalb County believes this program should include resources for landlords, tenants, attorneys, and service providers to assist in mediations. This program should connect participants to resources as needed, such as legal assistance for eviction proceedings, rental assistance, and rehousing information for individuals across the state. <i>(Sponsor: Commissioner Robert Patrick, District 1)</i>

<h2>Public Health</h2>	
Priorities	<p>DeKalb County supports legislative efforts that provide appropriately funded health resources to DeKalb County residents.</p> <ul style="list-style-type: none"> - The DeKalb County Governing Authority requests that the General Assembly convene a study committee to review public health taxation reform. Due to the unrealized cost of the global pandemic and recognizing the limited resources a County has to provide health services to residents, DeKalb County requests the review of public health taxation reform by the State, and requests that a study committee be convened to review the feasibility of an optional sales tax levied by any county for the purpose of funding the building of public health centers, funding for public health services, and/or other infrastructures related to public health. DeKalb County believes that collected tax revenues could be used for public health purposes as necessary, including supporting community health centers, mental health clinics, or any comprehensive health services. The DeKalb County Governing Authority suggests the review of Jackson County, Missouri’s measures in recent years that expand the county’s ability to address public health needs through sales tax collections. ⁴ <i>(Sponsor: Commissioner Larry Johnson, District 3)</i>
Support Statements	<ul style="list-style-type: none"> - The Governing Authority of DeKalb County supports a resolution to acknowledge limited Gun Safety as a Public Health Crisis and to call upon federal, state, and local legislators and elected officials to pass common sense gun control legislation to reduce gun violence, homicides, and mass murders. <i>(Sponsor: Commissioner Lorraine Cochran-Johnson, Super District 7)</i> - DeKalb County requests the Department of Behavioral Health and Developmental Disabilities (DBHDD) increase funding for crisis service unit (CSU) bed capacity across the State; DeKalb County also requests additional funding for crisis centers across the State, including increased funding for the Behavioral Health Crisis Center (BHCC) certification designation. In DeKalb, beds have been reduced to 36 to accommodate the additional staffing needed to meet the BHCC certification requirements. DeKalb County requests additional funding for DBHDD Region 3. This region, comprised of 6 counties, has the highest DBHDD region population (3,294,135), with a lower number of CSU contract beds than Regions 1 and 2. It is estimated that Region 3 will need 90 new beds to be equitable with Region 2 in terms of population. <i>(Sponsors: Commissioner Ted Terry, Super District 6; The DeKalb County Planning, Economic Development, & Community Services (PECS) Committee)</i>

⁴<https://jacksonco.legistar.com/Legislation.aspx>

<https://gbpi.org/make-public-health-a-priority-in-georgia-during-the-covid-19-pandemic-and-beyond/>

Support Statements (continued)	<ul style="list-style-type: none"> - DeKalb County requests additional funding to the DeKalb Community Service Board, which currently holds the only BHCC in Region 3. DeKalb County requests funding allocation toward a new BHCC building, to address healthcare infrastructure needs. <i>(Sponsor: Commissioner Ted Terry, Super District 6)</i> - DeKalb County’s Governing Authority believes Medicaid expansion is essential to the state’s economy and will preserve essential access to care for every Georgian and ensure a healthy workforce. DeKalb County urges the General Assembly to work to find a Georgia-driven solution to expand health coverage to all eligible recipients, regardless of individual work, school, or volunteer requirements. <i>(Sponsor: Commissioner Ted Terry, Super District 6)</i>
<div style="display: flex; justify-content: space-between; align-items: center;"> <div style="background-color: #76b82a; color: white; padding: 10px 20px; border-radius: 5px;">Public Safety</div> <div style="border-left: 1px solid black; padding-left: 10px;">DeKalb County believes in protecting and preserving the public health, safety, and welfare of the citizens of DeKalb County, and addressing local public safety and judicial resources.</div> </div>	
Priorities	<ul style="list-style-type: none"> - The DeKalb County Governing Authority supports legislation that would grant cities and counties the power to adopt ordinances or resolutions to enforce the possession of less than one ounce of marijuana. DeKalb County supports efforts that such ordinances shall specify the maximum punishment which may be imposed for a violation of the ordinance; and in no case shall the maximum punishment for the violation of any such ordinance exceed a fine of \$1,000.00. Any fines and bond forfeitures arising from the prosecution of such cases shall be retained by the governing authority issuing the citation and shall be paid into the treasury of such governing authority. Additionally, DeKalb County believes the jurisdiction over violations of such County ordinances shall be in the Magistrate Court of the pursuing County. <i>(Sponsor: Commissioner Mereda Davis Johnson, District 5)</i> - The DeKalb County Governing Authority supports the amendment of the Georgia Code, § 35-8-8, to add “Legally Permitted Residents” to the criteria of those who can apply as Peace Officers in the State of Georgia. <i>(Sponsor: Commissioner Ted Terry, Super District 6)</i>

Support Statements	<ul style="list-style-type: none"> - DeKalb County supports providing additional funding for prosecution-based Victims Advocate programs throughout the State. DeKalb County urges The General Assembly to consult with the Prosecuting Attorney’s Council (PAC) and the Criminal Justice Coordinating Council (“CJCC”) to establish a state-wide Victims Advocate Program Database, that identifies the needs of individual judicial circuits. Additionally, DeKalb County requests The General Assembly to pass legislation that designates a yearly minimum funding allocation for local Victims Assistance programs which will ensure that prosecution offices, through funding allocated to PAC, can provide the constitutional and statutory services in accordance with the Victims Bill of Rights, to include funding for at least one (1) victim advocate per judicial circuit; State funding should be sufficient enough to support staffing needs such as pay and benefits. Funding should also meet equipment and other facility needs for prosecution-based Victims Advocate programs. <i>(Sponsor: Commissioner Jeff Rader, District 2)</i> - The Governing Authority of DeKalb County requests that the General Assembly enact legislation to adopt a safe gun storage policy to impact and prevent accidental injuries and deaths. The purpose of the policy is to regulate the storage of guns, with the goal of curtailing the adverse effects on the public health, safety, and welfare of the county’s citizens. This policy is intended to represent a balancing of competing interests: reducing the risk of tragic shootings and protection of life through the regulation of the storage of guns while protecting the rights of property owners and gun owners. <i>(Sponsor: Commissioner Ted Terry, Super District 6)</i>
Transportation	
Priorities	<p style="text-align: center;">DeKalb County supports initiatives that expand access to safe and reliable public transportation.</p> <ul style="list-style-type: none"> - DeKalb County requests that the Georgia General Assembly should create a Georgia New Starts Transit program, modeled after Florida’s, to match 50% of Federal discretionary transit grants; and that the Georgia General Assembly should adopt a policy to allocate 50% of the new Federal Carbon Reduction Program (CRP) created by the Infrastructure Investment and Jobs Act (IIJA) to transit. The MARTA System currently is the largest mass transportation system in the United States not receiving ongoing State funding. DeKalb County requests Georgia State Legislators match Federal funds with State funds for transit and to direct new Federal FHWA formula monies from the Carbon Reduction Program to transit. <i>(Sponsor: Commissioner Steve Bradshaw, District 4)</i>

Other	
Reserved to provide information on other policies that may not fall under previous spheres.	
Priorities	<ul style="list-style-type: none"> - The Governing Authority of DeKalb County requests that the General Assembly amend O.C.G.A. Section 50-14-1, to authorize all Agencies as defined in that code section to hold meetings by teleconference regardless of emergency conditions. Currently, only Agencies of “state-wide jurisdiction” or committees of such Agencies are authorized to conduct meetings by teleconference outside of emergency conditions. DeKalb County requests that State law be amended to allow Agencies of local or limited jurisdiction the same flexibility to meet via teleconference as afforded Agencies of state-wide jurisdiction. Specifically, O.C.G.A. Section 50-14-1 should be amended to remove from subsection (f) the phrase “with state-wide jurisdiction or committee of such an agency” and to strike sub-section (g) in its entirety. <i>(Sponsor: Commissioner Robert Patrick, District 1)</i>
Support Statements	<ul style="list-style-type: none"> - The Governing Authority of DeKalb County requests that the DeKalb delegation of the General Assembly support legislation adopting the 2023 Association County Commissioners of Georgia (ACCG) State legislative priorities. DeKalb County believes that the adoption of their legislative goals framed within six categories are in the best interests of the citizens of DeKalb County. <i>(Sponsors: All Commissioners)</i> - The Governing Authority of DeKalb County requests that the DeKalb delegation of the General Assembly adopt the National Association of Counties’ (NACo) legislative priorities for 2023. DeKalb County believes that the adoption of legislations in these areas are in the best interests of the citizens of DeKalb County. <i>(Sponsors: All Commissioners)</i>

⁵ <https://codes.findlaw.com/ga/title-50-state-government/ga-code-sect-50-14-1/>