The 2020 session will go down in history as one of the most unusual in the Georgia General Assembly’s 269-year history. Not only was the pandemic-induced, two-month break unprecedented, the mood and focus changed dramatically between start and finish due to the virus lockdown and widespread civil unrest.

Nevertheless, the construction industry had a remarkably successful session, getting several bills through the process that restored industry norms in the aftermath of court decisions that upended traditional practices in lien law and construction warranties.

Normally, the session ends near midnight on the final 40th legislative day. Yet, when the 2020 session ended at 10:19 p.m. last Friday, tossed desk papers and hugs were replaced with masks and elbow-bumps. Access to the Capitol was greatly reduced by virus-imposed social distancing with public areas normally swarming with lobbyists and citizen visitors blocked off to protect legislators from possible infections. Even with all the safety measures, some lobbyists, staff and at least one additional legislator were suspected of contracting the virus.

Moreover, the Capitol area was the scene for numerous Black Lives Matters protests, so getting to and into the Gold Dome became a pilgrimage. Even so, the legislature closed with several milestone bills. Here are some of the highlights:

**Covid-19 Limited Liability** – A series of business liability reforms failed to move beyond the Senate. However, **HB 167** was drastically changed by the Senate to provide for limited liability immunity in situations where transmission, contraction, or exposure to COVID-19 occurred unless caused by an act or omission constituting willful and wanton misconduct or intentional infliction of harm.

**Lien Law Reform** – **SB 315** restored the practice of submitting lien waivers with invoices without sacrificing the contractor’s ability to file liens against a project for non-payment. The Georgia Court of Appeals had ruled that a waiver is a waiver regardless of whether the contractor subsequently failed to be paid. This bill ensures the traditional practices are reinstated.

**Budget** – Reconciling the budget was more complex because House passed its version before pandemic hiatus, so cuts were much steeper in Senate version. Nevertheless, the chambers agreed on a budget Thursday, but there were no cuts to the construction projects outlined in last week’s report within the state bond programs, which is the source most state funded non-transportation construction.

**Third Party Permits/Plan Reviews** - **SB 377** extends the third-party plan review/permitting initiative that passed last year to high rise buildings and homeland security projects. These projects were excluded in the legislation last year.

**SB 445** – Enables water authorities to issue land disturbance permits for certain utility projects, the first time that power has been extended to an authority.

**HB 914** - Allows military spouses with a professional license in another state to automatically qualify for a Georgia license if the requirements are similar.
HB 1098 - Extends the excise tax built into HB 170 that funds transportation construction projects to 2025.

SB 271 - Creates a State Freight Rail plan with the goal upgrading rail infrastructure to reduce truck traffic by shifting much more freight to rail rather than trucks. As the volume of freight increases, truck drivers harder to recruit, traffic congestion grows along major interstate routes and the cost of moving freight increases, the state is looking to reconstitute a railroad network to solve these challenges.

Transit Funding – The first state funding for transit occurred when HB 105 passed. It imposes a 25-cent fee for single person ride sharing and 50-cents for multi-passenger ride sharing that is dedicated to transit. Also, another 10 percent of hotel/motel tax will also be dedicated to transit.