



## ACCG Policy Council's' Proposed 2020 Policy Agenda

The Policy Agenda is the guide for the ACCG policy team in influencing legislative and administrative actions in the state and federal government on behalf of Georgia's counties. ACCG's Policy Council reviewed the recommendations from the seven policy committees and has recommended the below objectives for the membership's consideration and for adoption during the Business Session at the Legislative Leadership Conference on October 3<sup>rd</sup> in Athens, GA. The highlighted objectives have been selected by the Policy Council as potential top priorities to be voted on by the membership.

### State:

- 1) **Bridge Improvement Program** - ACCG supports the use of formal asset management programs and innovative technology as a supplement to inspection of the condition of local bridge infrastructure. As of July 2019, counties are responsible for maintaining 8,034 bridge structures, many were built between 1950 and 1965 and carrying a 40-50 year life span. More than 1,350 bridges in the state are posted for weight restrictions or are closed to traffic; 97% of these bridges are on local roads. County officials rely on asset management data provided by GDOT to prioritize the use of limited infrastructure funding for repairing and replacing these structures. When possible, ACCG encourages GDOT to use objective methods to assess bridge infrastructure conditions to ensure clarity and certainty of information and the most efficient use of funding. ACCG supports state bond investment in bridges and encourages the General Assembly and GDOT to maintain or increase earmarked funding for local bridges.
- 2) **Service Delivery Strategies (SDS) and Local Option Sales Tax (LOST) Negotiations** - ACCG and GMA formed a Joint Task Force for LOST and SDS Issues at the beginning of 2019 with the primary goal of reducing conflict and improving working relations between counties and cities. The Task Force is working on recommendations that include more closely tying SDS and LOST negotiations together, clarifying definitions in both laws, replacing the LOST criteria with clear guidance on the purpose and use of LOST proceeds, and developing a dispute resolution process for negotiations that reach an impasse. ACCG and GMA have agreed to only pursue recommendations from the Joint Task Force during the 2020 Legislative Session. ACCG asks the General Assembly and the Department of Community Affairs to support the joint efforts of ACCG and GMA to resolve SDS and LOST issues.

- 3) **Modify Legal Organ Notice Requirements** – Counties should be allowed to post legal notices on their county website or common statewide websites in addition to the required paid post in the county’s legal organ. Should the legal organ fail to post the notice, the publication on the county website or common statewide website should serve as adequate notice to the public.
- 4) **Limit Charges for All Inmate Medical Services to Medicaid Rates** – All providers of medical services for inmates housed in local jails should be capped at the Medicaid rate.
- 5) **Fees on Property Tax Bills** - Local elected officials and their citizens should control the substance of what will or will not be placed on a local property tax bill. To make fees a viable option to the property tax, they must be easy to administer and collect. Having the option to collect fees on the property tax bill ensures that the fees can be collected efficiently. ACCG asks the General Assembly to protect this important local tool for charging a fee for service as an alternative to the property tax.
- 6) **Redirection of Dedicated Fees** - ACCG supports the legislative intent for various fees collected at the state level to go toward their statutorily-designated purposes. To end the practice of these fees becoming taxes that bolster the state’s general fund, ACCG urges the General Assembly to adopt one or more constitutional amendments creating constitutional trust funds to truly dedicate these fees to their intended purposes.
- 7) **Increase Add-On to Criminal and Quasi Criminal Fines to Fund the Peace Officer Annuity and Benefit Fund (POAB)** – One result of criminal justice reform has been the elimination or reduction of fines on many criminal cases resulting in a decrease in contributions to the POAB fund. ACCG supports the increase in the fine add-on to ensure this valuable recruitment and retention tool remains a viable option for counties to maintain a quality law enforcement staff.
- 8) **Support Policy and Rule Changes by the Department of Public Health (DPH) to Increase Transparency in relation to EMS Zone Services** – ACCG supports the proposed policy and rule changes by DPH to increase accountability and transparency around the awarding of EMS Zone Providers and standardized operating procedures for the regional councils that oversee the operation of EMS zone providers.
- 9) **Public Notification of Tax Increase** – The tax increase notice required under the Taxpayer Bill of Rights has created great confusion about tax increases for the public. To promote public notification of tax increases, ACCG requests that the notification required by the Taxpayer Bill of Rights and the five-year history be replaced with one annual

notification that is simple for the taxpayer to understand. Additionally, the General Assembly should consider exempting those local governments with “floating” homestead exemptions from compliance with these additional notification steps, in the same manner as the General Assembly has exempted the City of Atlanta.

**10) Location of Taxable Transactions** – For businesses to accurately determine the proper sales tax allocation to each county, state law should clearly prescribe a uniform method for businesses to identify the county where the transaction occurs. Such steps could include requiring the Department of Revenue rate and boundary database to include information at the street address level in addition to the 9-digit zip code when this information is provided to DOR by a county or city in an approved format.

**11) Marketplace Facilitator Tax Collection**

**(a) Online Platforms** – ACCG asks the General Assembly to require online platforms that host third-party sellers (e.g., Amazon, Ebay, AirBnb, etc.) to collect and remit applicable taxes on sales to Georgia customers.

**(b) Short Term Rentals and Ride Share Services** – ACCG asks the General Assembly to require any business that provides an online or other platform for the transaction of short term rentals or ride share network services to collect and remit sales taxes on such services to the Department of Revenue. Taxes collected through such platforms should be distributed to counties, cities, and boards of education in the same manner as other local sales taxes. Additionally, the General Assembly should require any business that provides an online or other platform providing short-term rentals to collect and remit hotel/motel taxes to the relevant local jurisdictions.

**12) Revenue Flexibility** - Multiple options for generating needed revenues allows local governments to respond to local conditions and constituents’ desires, including allowing for property tax relief to their citizens. ACCG supports maximum flexibility for counties with regard to sales taxes.

**a) Homestead Option Sales Tax (HOST): Allow for All Counties** – The HOST tax is a 1 percent county sales tax, the proceeds of which are used to fund a homestead exemption to reduce or eliminate the county property tax levy on homeowners. However, due to limitations in state law, HOST is only available to the handful of counties that do not have a Local Option Sales Tax (LOST). ACCG recommends removal of this impediment so that any county can choose any combination of the sales tax options available.

**(b) Special Purpose Local Option Sales Tax (SPLOST)** – ACCG asks the General Assembly to make changes to the SPLOST law, including clarifying that repayment of debt on a courthouse, administrative building, or jail qualifies for the level one category.

(c) **Sales Tax to Offset Property Tax** – ACCG asks the General Assembly to help counties reduce their reliance on property tax by expanding the existing sales tax base through reductions in exemptions and including additional services and digital goods such as digital music, books, and video. Commissioners should also be granted greater flexibility to determine the appropriate local sales tax rate for their county.

(d) **Local Exemption from Transportation Taxes and Fees** – During the 2015 Session of the General Assembly, several changes were made to the tax code to provide more funding for transportation. Unlike the historical practice of exempting government from paying taxes, the new taxes and fees for transportation were applied to purchases by both state and local government. ACCG does not believe it is appropriate to tax a government and asks the General Assembly to exempt local governments from the new state hotel/motel fee, motor fuel excise tax, heavy weight truck fee, and the alternative fuel vehicle tax.

**13) Telecommunications Excise Tax**—ACCG asks the General Assembly to eliminate the current franchise fees and taxes on telecommunication service providers and replace these revenues with a local telecommunications excise tax. The local revenues should be split between the counties and the cities based upon a population formula.

**14) Title Agent Fees and Equipment Costs** – Although tag and title administration is a state function, counties currently provide all of the equipment for and data input into the tag and title system but have not received an increase in compensation for such services. ACCG recommends that the title fee be raised from \$18.00 to \$20.00 and the fee for a replacement title be raised from \$8.00 to \$20.00. In addition, the counties’ share of the base tag fee should be increased and the General Assembly should provide funding to assist counties in acquiring upgraded equipment necessary to implement the state’s new DRIVES system.

#### **Federal:**

1) **Medicaid/Medicare/Federal Benefit Inmate Exclusion** – ACCG requests the federal government to allow Medicaid/Medicare coverage and other federal benefits for eligible inmates/detainees in local jails pre-adjudication and for hospital stays of more than 24 hours post adjudication. The inmate exception rule must be rescinded for those awaiting trial that have not been convicted. Those accused should not lose their Medicaid/Medicare/Federal benefits until the adjudication process is complete for those individuals in a pretrial status.



- 2) **Infrastructure Investment / Truck Weight Increases** –Counties play a critical role in our state’s transportation system with local governments owning and maintain 80 percent of all public roads in Georgia. ACCG encourages Congress to allocate funding for locally owned public infrastructure, which includes surface transportation projects, bridges, transit systems and airports and involve local governments in the decision-making process. In addition, ACCG urges Congress to refrain from passing legislation that increases allowable weight limits on local roads and bridges. Increasing the weight limits contributes to the rapid deterioration of local road and bridge infrastructure.