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Introduction

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REVIEW OF THE 2020 GEORGIA LEGISLATIVE SESSION AMIDST THE COVID-19 PANDEMIC

The second session of the 155th Georgia General Assembly was historic in many ways. The stage for the session was set in the fall of 2019, when Governor Brian Kemp (R) announced significant budget cuts of 4% and 6% for the Amended Fiscal Year 2020 (AFY20) and Fiscal Year 2021 (FY21) budgets respectively. Noting some of the largest budget cuts the state had seen in several years, agencies and legislators alike began working to assess how budgets could be altered in such a dramatic way.

With these budget cuts and the looming November elections, the legislature convened on January 13, 2020 to complete the second half of the biennium. Other priorities included an end to surprise medical billing, previously failed hate crimes legislation, sports gambling, and significant tort reform. Legislators began working on the large task of cutting the AFY20 budget, while others began the process of introducing, hearing, and moving bills to the other chamber.

On February 22, 2020, the State of Georgia announced its first case of the novel SARS-CoV-2 virus, more commonly known as COVID-19. On Crossover Day, which was set for March 12, the Lieutenant Governor and Speaker of the House announced that the legislature would suspend the session indefinitely while awaiting news of COVID-19's spread, bringing the legislative session to a screeching halt. On March 16, the legislature convened in an emergency session to approve the Governor's declaration of a Public Health State of Emergency, and then legislators went home to await news on the future of the legislative session.

As the Public Health Emergency failed to abate in the following weeks as was originally anticipated by most in the legislature, a decision needed to be made as to when and how the legislature would resume in a safe manner amid the pandemic. Committee meetings resumed in late May to specifically address the 10% projected budget shortfall. The legislature ultimately reconvened on June 15, meeting until the late hours of June 26 to pass a budget and several measures aimed at combatting the economic, legal, and health effects of

COVID-19. Such measures included liability protections for physicians, healthcare facilities, and businesses at risk of spreading COVID-19; senior care home protections; surprise medical billing; and the previous year's hate crimes legislation.

Much like most of 2020, this issue of the Georgia State University Law Review has undergone significant changes. Although typically an annual review of selected pieces of legislation, this *Peach Sheets* edition focuses more on the legal challenges that the COVID-19 pandemic created for a variety of individuals in the state. The Governor's declaration of a Public Health State of Emergency gave him significant lawmaking authority, and significant ethical and policy issues emerged during the course of the pandemic. At the time of publication, the pandemic was still ongoing, as was the Public Health State of Emergency. Due to the evolving nature of these topics, the editors set an October 10, 2020, cut off for dates that inform data and other news items, therefore some topics may have continued to change beyond what is described in the *Peach Sheets*.

This *Peach Sheets* edition was redefined by COVID-19 and the uncertainty following the sudden adjournment of the General Assembly—would they reconvene? When? Would they pass anything beyond the constitutionally mandated budget? However, given the importance of the topic as it unfolded alongside the pandemic, one traditional *Peach Sheet* is included in this nontraditional edition to address the hate crimes legislation passed once the legislature reconvened. Both the authors who volunteered to abruptly change topics and the editors felt it was an important component of the state's legislative history and the legal community at large, and thus belonged in these *Peach Sheets*.

We appreciate the hard work and dedication of the Law Review Members during this especially daunting edition of the *Peach Sheets*. Additionally, we greatly appreciate the assistance we received from legislators, agency staff, Georgia attorneys, Georgia State University College of Law Professors, and others who took time to answer our questions and provide feedback.

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Legislation Editors