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## Review of Selected 2021 Georgia Legislation

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## REVIEW OF SELECTED 2021 GEORGIA LEGISLATION

After every regular session of the Georgia General Assembly, the Georgia State University Law Review publishes an issue on selected pieces of legislation. This issue, known as the *Peach Sheets*, documents the legislative history of bills believed to be especially significant to the citizens of Georgia and its legal community. It is our hope that the *Peach Sheets* will assist legal practitioners and Georgia citizens with understanding the effects of newly enacted legislation.

Each *Peach Sheet* includes the title of the bill, a brief summary of the legislation, a history section, a tracking section that explains changes made during the bill's passage, and a section explaining the final legislation. At the end of the *Peach Sheet*, an analysis section explores issues such as the legislation's constitutionality, its impact on other laws, and possible unintended consequences. Every edition of the *Peach Sheets* includes a Table of Code Sections Affected, which lists all Code sections affected by the covered legislation, and a House and Senate Bill Index, which lists all House and Senate bill numbers addressed in the *Peach Sheets*.

This issue of the *Peach Sheets* reviews bills from the first session of the 156th Georgia General Assembly, arguably the most high-profile legislative session in the state's recent history. The session began with only minor shifts in the balance of power: Democrats gained one seat in the Senate and two seats in the House of Representatives, with Republicans retaining majorities in both chambers. But the legislation introduced during the session caused major shifts in the lives of Georgians. Some of these changes drew national attention on the heels of the hotly contested 2020 presidential election, a heat that continued to simmer throughout the General Assembly in 2021. As a polarized nation turned its eyes to Georgia, it saw divisions that mirrored its own.

The state's divisions were apparent in numerous bills, but perhaps none more than Senate Bill (SB) 202, which made sweeping changes to the state's election Code. The bill's proponents defended it as necessary to preserve the integrity of elections, while its opponents labeled it "Jim Crow 2.0." And although the Republican-backed SB 221, which allows newly created "leadership committees" to

circumvent the legislative session’s fundraising freeze, was passed along party lines, Republican and former United States Senator David Perdue challenged the law’s constitutionality as part of his bid to unseat Governor Brian Kemp in the 2022 Republican primary.

Despite the forceful disagreements that dominated the headlines, not all legislation that passed during the 2021 legislative session involved controversy. Notably, the General Assembly—in unanimity or near unanimity—repealed the state’s archaic Citizen’s Arrest Law in the wake of the murder of Ahmaud Arbery, created a cause of action in tort for victims of human trafficking, granted eligible state employees three weeks of paid parental leave, refined the definition of “hazing” on college campuses, and protected the interests of disabled individuals in receiving organ transplants. Nearly all commentators and observers have heralded these pieces of legislation as positive developments in public policy.

This year also marked the introduction of the Georgia State University Law Review’s Legislative Forum. Created to shine a spotlight on state lawmaking, the event hosted speakers to discuss and debate the many issues that arose during the legislative session. We are grateful to the Forum’s participants for sharing their knowledge, experience, and perspective: State Senator Jen Jordan, Chief Justice David Nahmias of the Supreme Court of Georgia, Presiding Judge Stephen Dillard of the Georgia Court of Appeals, Judge Kimberly M. Esmond Adams of the Fulton County Superior Court, Professor Eric Segall, Professor Anthony M. Kreis, Mark Niese, Ryan Germany, Aklima Khondoker, Sara Tindall Ghazal, and Matt M. Mashburn.

We are grateful for the hard work and dedication of our fellow Law Review members throughout the drafting and editing process. We owe an extra debt of gratitude to the members whose efforts helped make the inaugural Legislative Forum a success. We would also like to thank the legislators, staff members, lobbyists, and others who participated in this process, with special recognition to the legislators who took additional time to read drafts and work with our student authors to ensure the accuracy, consistency, and objectivity of the *Peach Sheets*.

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*Legislation Editors*