

House Bill 1306

By: Representatives Porter of the 143<sup>rd</sup>, McBee of the 88<sup>th</sup> and Mobley of the 69<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Code Section 45-10-25 of the Official Code of Georgia Annotated, relating to  
2 exceptions to prohibitions on transactions with state agencies, so as to allow an appointed  
3 public official of the executive branch or employee of the executive branch to serve as an  
4 instructor of an evening or night course or program for a unit of the University System of  
5 Georgia or the Department of Technical and Adult Education in certain circumstances; to  
6 repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Code Section 45-10-25 of the Official Code of Georgia Annotated, relating to exceptions to  
10 prohibitions on transactions with state agencies, is amended by striking paragraph (15) of  
11 subsection (a) and inserting in lieu thereof the following:

12 "(15) Any transaction whereby an appointed public official of the executive branch or  
13 employee of the executive branch, under the procedures specified in this paragraph, sells  
14 to a unit of the University System of Georgia or the Department of Technical and Adult  
15 Education services as a teacher or instructor of an evening or night course or program,  
16 if:

17 (A) The chief executive officer of the unit of the University System of Georgia or the  
18 Department of Technical and Adult Education shall certify in writing the need for the  
19 services and set forth why the best interest of the state will be served by obtaining the  
20 services of such state official or employee in lieu of obtaining such services from a  
21 person not presently employed by the state;

22 (B) The chief executive officer of the department, agency, commission, or authority  
23 presently employing the state official or employee shall certify in writing that the  
24 person whose services are desired is available to perform such services, that the  
25 performance of such services will not detract or have a detrimental effect on the  
26 performance of said person's full-time employment, and, where appropriate, that the

1 employment of such person by the unit of the University System of Georgia or the  
2 Department of Technical and Adult Education will be in the best interest of the state;  
3 and  
4 (C) The departments, agencies, commissions, authorities, and units, after having  
5 complied with subparagraphs (A) and (B) of this paragraph, shall, by agreement,  
6 establish the procedures under which the official or employee shall perform the  
7 additional services. The agreement shall specify the means of employment, the  
8 compensation, and other pertinent details and conditions of the employment  
9 relationship. The agreement shall be terminable at any time by any of the departments,  
10 agencies, commissions, authorities, or units; or".

11 **SECTION 2.**

12 All laws and parts of laws in conflict with this Act are repealed.