

House Bill 1330

By: Representative Poag of the 6th

A BILL TO BE ENTITLED
AN ACT

1 To amend Title 42 of the Official Code of Georgia Annotated, relating to penal institutions,
2 so as to provide that it shall be unlawful for any member of the General Assembly or other
3 elected or appointed official to communicate with the Board of Corrections or the
4 Department of Corrections on behalf of any person under the jurisdiction of the board; to
5 provide that it shall be unlawful for any member of the General Assembly or other elected
6 or appointed official to communicate with the State Board of Pardons and Paroles on behalf
7 of any person under the jurisdiction of the board; to specify conduct which shall constitute
8 a prohibited conflict of interest on the part of any member or full-time employee of the State
9 Board of Pardons and Paroles; to provide for related matters; to repeal conflicting laws; and
10 for other purposes.

11 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

12 style="text-align:center">**SECTION 1.**

13 Title 42 of the Official Code of Georgia Annotated, relating to penal institutions, is amended
14 by adding at the end of Chapter 2, relating to the Board of Corrections and the Department
15 of Corrections, a new Code Section 42-2-15 to read as follows:

16 "42-2-15.

17 (a) It shall be unlawful for members of the General Assembly or any other state elected
18 or appointed official to appear before the board on behalf of a person under the jurisdiction
19 of the board or communicate with the board or the department seeking a decision on behalf
20 of such a person. Nothing in this Code section shall be construed so as to prohibit:

21 (1) Members of the General Assembly or state elected or appointed officials from
22 appearing before the board when their official duties require them to do so on matters not
23 on behalf of a particular person under the jurisdiction of the board; or

24 (2) Members of the General Assembly or state elected or appointed officials from
25 requesting information from the board or the department.

1 (b) Any person who violates subsection (a) of this Code section shall be guilty of a
2 misdemeanor."

3 **SECTION 2.**

4 Said title is further amended by striking Code Section 42-9-15, relating to prohibited conduct
5 on the part of members and employees of the State Board of Pardons and Paroles, and
6 inserting in its place a new Code section to read as follows:

7 "42-9-15.

8 (a)(1) Except as provided in subsections (b) and (c) of this Code section, no member of
9 the board or full-time employee thereof, during his or her service upon or under the
10 board, shall engage in any other business or profession or hold any other public office
11 which business, profession, or office conflicts with his or her official duties as a member
12 of the board or as an employee thereof; nor shall he or she serve as a representative of any
13 political party or any executive committee or other governing body thereof, or as an
14 executive officer or employee of any political committee, organization, or association;
15 nor shall he or she be engaged on the behalf of any candidate for public office in the
16 solicitation of votes or otherwise become a candidate for public office, without resigning
17 from the board or from employment by the board.

18 (2) Without limiting the generality of paragraph (1) of this subsection, it is specifically
19 provided that no member of the board or full-time employee thereof, during his or her
20 service upon or under the board, shall accept any employment from or engage in any
21 course of business dealing with any corrections contractor. For this purpose, the term
22 'corrections contractor' shall include any person or business who or which is engaged in
23 the business of providing to any unit of federal, state, or local government any facilities,
24 materials, supplies, or services for use in the incarceration, supervision, or oversight of
25 criminal offenders.

26 (b) Except as provided by subsection (c) of this Code section, an employee of the board
27 shall not be required to resign from employment by the board if he or she becomes a
28 candidate for a public office of a county, school district, or municipality which does not
29 require full-time service or accepts appointment to such an office.

30 (c) An employee of the board shall be required to resign from employment by the board
31 if he or she becomes a candidate for the General Assembly or becomes a candidate for or
32 accepts appointment to a public office which requires full-time service. "

