

House Bill 45

By: Representative Franklin of the 39th

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 2 of Chapter 12 of Title 45 of the Official Code of Georgia Annotated,
2 relating to the powers and duties of the Governor, so as to provide for a reward for persons
3 providing information leading to the arrest and conviction of persons engaging in election
4 fraud; to provide definitions; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **SECTION 1.**

7 Article 2 of Chapter 12 of Title 45 of the Official Code of Georgia Annotated, relating to the
8 powers and duties of the Governor, is amended by inserting after Code Section 45-12-37 a
9 new Code Section 45-12-37.1 to read as follows:

10 "45-12-37.1.

11 (a) As used in this Code section, the term:

12 (1) 'Conviction' means a final judgment of conviction entered upon a verdict of guilty or
13 upon a plea of guilty. Such judgment shall be deemed to be a final judgment when the
14 remittitur from the appellate court of this state affirming the conviction is filed in the
15 court below or, if the proceeding is before a federal court, when the United States Circuit
16 Court of Appeals has affirmed the conviction.

17 (2) 'Election fraud' means the commission of any act punishable as a felony that is
18 prohibited by Article 15 of Chapter 2 of Title 21. In addition, election fraud shall also
19 include any act which is a violation of Code Sections 21-2-567, 21-2-568, 21-2-573,
20 21-2-576, 21-2-578, 21-2-579, 21-2-589, 21-2-590, and 21-2-591.

21 (b) Any person, other than a law enforcement officer, who furnishes information leading
22 to the arrest and conviction of a person or persons for election fraud, as defined by this
23 Code section, may receive a reward of up to \$25,000.00.

24 (c) The Governor, at his or her discretion, may pay any reward authorized by this Code
25 section after conviction.

1 (d) The Governor, at his or her discretion, may pay such reward to any such person from
2 funds appropriated or otherwise available to the executive branch of the state government.

3 (e) Counties and municipalities wherein election fraud is committed are authorized, but
4 not required, to supplement or make rewards to persons entitled to receive a reward, as
5 provided for in subsection (b) of this Code section, in an amount not to exceed \$5,000.00
6 paid from county funds or \$5,000.00 paid from municipal funds for each such person. Any
7 reward paid pursuant to this subsection shall be paid at the time the conviction becomes
8 final, as provided in paragraph (1) of subsection (a) of this Code section, from the funds
9 of the county or municipality, as the case may be. It is declared that any funds expended
10 pursuant to this subsection are expended for a public purpose.

11 (f) When more than one person furnishes information which would entitle them to receive
12 the rewards pursuant to subsections (b) through (e) of this Code section, such rewards shall
13 be paid to the first person furnishing such information; and, if more than one person
14 furnishes such information at the same time, such rewards shall be prorated among all
15 persons furnishing such information.

16 (g) In any case in which a reward is paid pursuant to this Code section, the person or
17 persons who were convicted as a result of the information provided shall be required as a
18 part of the sentence imposed to make restitution to the state and the county or municipality,
19 if applicable, for the full amount of the reward paid."

20 SECTION 2.

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