

House Bill 725

By: Representatives Smith of the 175th, Turnquest of the 73rd, Dukes of the 161st, Royal of the 164th and Parrish of the 144th

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 25 of Title 50 of the Official Code of Georgia Annotated, relating to the
2 Georgia Technology Authority, so as to exempt employee purchase programs facilitated by
3 the Georgia Technology Authority from the prohibition on personal purchases through the
4 authority; to amend Article 3 of Chapter 7 of Title 45 of the Official Code of Georgia
5 Annotated, relating to salary deductions, so as to authorize any department, agency,
6 authority, or political subdivision of this state to deduct designated amounts from the salaries
7 or wages of its employees for the purpose of payment of indebtedness for certain employee
8 purchase programs facilitated by and through the Georgia Technology Authority; to provide
9 procedures, conditions, and limitations; to provide an effective date; to repeal conflicting
10 laws; and for other purposes.

11 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

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

13 Chapter 25 of Title 50 of the Official Code of Georgia Annotated, relating to the Georgia
14 Technology Authority, is amended by striking Code Section 50-25-7.9, relating to purchase
15 of articles for personal or individual ownership, and inserting in lieu thereof a new Code
16 Section 50-25-7.9 to read as follows:

17 "50-25-7.9.

18 (a) As used in this Code section, the term 'person' includes natural persons, firms,
19 partnerships, corporations, or associations.

20 (b) It shall be unlawful for any employee or official of the state or any other person to
21 purchase, directly or indirectly, through the authority any article, material, merchandise,
22 ware, commodity, or other thing of value for the personal or individual ownership of
23 himself or herself or other person or persons. All articles, materials, merchandise, wares,
24 commodities, or other things of value purchased, directly or indirectly, by or through the
25 authority shall be and remain the property of the state until sold or disposed of by the state
26 in accordance with the laws governing the disposition or sale of other state property.

1 (c) It shall be unlawful for any person knowingly to sell or deliver any article, material,
 2 merchandise, ware, commodity, or other thing of value to any person, directly or indirectly,
 3 by or through the authority for the individual and personal ownership of such person or
 4 other person or persons except that property of the state may be sold or otherwise disposed
 5 of in accordance with the laws governing the sale or other disposition of state property.

6 (d) Any person who violates any provision of this Code section shall be guilty of a
 7 misdemeanor.

8 (e) This Code section shall not apply to any official employee purchase program facilitated
 9 by and through the authority under Code Section 45-7-56."

10 SECTION 2.

11 Article 3 of Chapter 7 of Title 45 of the Official Code of Georgia Annotated, relating to
 12 salary deductions, is amended by adding a new Code section at the end thereof, to be
 13 designated Code Section 45-7-56, to read as follows:

14 "45-7-56.

15 (a) It is the purpose of this Code section to permit voluntary deductions from wages or
 16 salaries of employees of the State of Georgia and its political subdivisions for the purchase
 17 of personal computing and telecommunications products and services through an employee
 18 purchase program facilitated by and through the Georgia Technology Authority.

19 (b) Any department, agency, authority, commission, or political subdivision of the state
 20 is authorized to deduct designated amounts from the wages or salaries from its employees
 21 for the purpose of facilitating employee purchases or personal computing and
 22 telecommunications products and services through an employee purchase program
 23 facilitated by and through the Georgia Technology Authority. No such deduction shall be
 24 made under this Code section without the express written and voluntary consent of the
 25 employee. Each such request shall designate the exact amount to be deducted. Any
 26 employee who has consented to a deduction is authorized to withdraw from such salary
 27 reduction with two weeks' written notice; provided, however, that such withdrawal shall
 28 not relieve any employee of any outstanding indebtedness incurred under such purchase
 29 program.

30 (c) The fiscal authorities or other employees of the various departments, agencies, or
 31 political subdivisions of this state will not incur any liability for errors or omissions made
 32 in the performance of the agreement between the state and the employee, provided that this
 33 Code section does not confer immunity from criminal or civil liability for conversion, theft
 34 by conversion, theft by taking, theft by extortion, theft by deception, or any other
 35 intentional misappropriation of the money or property of another."

1 **SECTION 3.**

2 This Act shall become effective upon its approval by the Governor or upon its becoming law
3 without such approval.

4 **SECTION 4.**

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