

The House Committee on Industry offers the following substitute to HB 725:

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

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

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

16 "50-25-7.9.

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

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

H. B. 725 (SUB)

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 for
 9 personal computing and computer related equipment facilitated by and through the
 10 authority for state employees and public school employees of county or independent boards
 11 of education."

12 SECTION 2.

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

16 "45-7-56.

17 (a) As used in this Code section, the term 'local unit of administration' means any county
 18 or independent board of education.

19 (b) It is the purpose of this Code section to permit voluntary deductions from wages or
 20 salaries of employees of the State of Georgia and local units of administration for the
 21 purchase of personal computing and computer related equipment through an employee
 22 purchase program facilitated by and through the Georgia Technology Authority.

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

33 (d)(1) The fiscal authorities or other employees of the various departments or agencies
 34 of this state will not incur any liability for errors or omissions made in the performance
 35 of the agreement between the state and the employee.

1 (2) The fiscal authorities or other employees of local units of administration will not
2 incur any liability for errors or omissions made in the performance of the agreement
3 between the local unit of administration and the employee.

4 (3) Notwithstanding the provisions of paragraphs (1) and (2) of this subsection, this Code
5 section does not confer immunity from criminal or civil liability for conversion, theft by
6 conversion, theft by taking, theft by extortion, theft by deception, or any other intentional
7 misappropriation of the money or property of another."

8 **SECTION 3.**

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

11 **SECTION 4.**

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