

House Bill 980

By: Representatives Wiles of the 34<sup>th</sup> and Ehrhart of the 36<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Part 1 of Article 4 of Chapter 12 of Title 45 of the Official Code of Georgia  
2 Annotated, relating to management of state budgetary and financial affairs, so as to provide  
3 that appropriated state funds shall not be made available or paid over to agencies or private  
4 corporations which refuse to cooperate with an investigation conducted by the United States  
5 Department of Justice; to provide for enforcement; to provide for nonimpairment of certain  
6 contracts; to provide an effective date; to repeal conflicting laws; and for other purposes.

7 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

8 **SECTION 1.**

9 Part 1 of Article 4 of Chapter 12 of Title 45 of the Official Code of Georgia Annotated,  
10 relating to management of state budgetary and financial affairs, is amended by inserting a  
11 new Code section to read as follows:

12 "45-12-83.2.

13 (a) As used in this Code section, the term 'agency' means:

14 (1) Every state department, agency, board, bureau, commission, public corporation, and  
15 authority;

16 (2) Every county, municipal corporation, school district, or other political subdivision  
17 of this state;

18 (3) Every department, agency, board, bureau, commission, authority, or similar body of  
19 each such county, municipal corporation, or other political subdivision of the state; and

20 (4) Every city, county, regional, or other authority established pursuant to the laws of this  
21 state.

22 (b)(1) No appropriated state funds shall be made available for expenditure by any agency  
23 which at the direction of an officer thereof is refusing to cooperate with an investigation  
24 conducted by the United States Department of Justice or any bureau or division thereof,  
25 upon verification of such direction and refusal by the Attorney General of the United

1 States or a deputy thereof to the Governor and thereafter until the Attorney General of the  
2 United States or a deputy thereof verifies to the Governor that such refusal has ceased.

3 (2) No agency shall make any payment from appropriated state funds to any private  
4 corporation which at the direction of an officer thereof is refusing to cooperate with an  
5 investigation conducted by the United States Department of Justice or any bureau or  
6 division thereof, upon verification of such direction and refusal by the Attorney General  
7 of the United States or a deputy thereof to the Governor and thereafter until the Attorney  
8 General of the United States or a deputy thereof verifies to the Governor that such refusal  
9 has ceased. All agency contracts entered into with private corporations on or after the  
10 effective date of this Code section shall be subject to the provisions of this paragraph.

11 (3) No appropriated state funds shall be made available to any agency which is not in  
12 compliance with the provisions of paragraph (2) of this subsection.

13 (c) The Office of Planning and Budget shall investigate any allegation of noncompliance  
14 with the provisions of this Code section. The Office of Planning and Budget and the Office  
15 of Treasury and Fiscal Services shall enforce the provisions of this Code section."

## 16 SECTION 2.

17 This Act shall not impair any obligation of contract entered into prior to the effective date  
18 of this Act.

## 19 SECTION 3.

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

## 22 SECTION 4.

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