

Senate Bill 73

By: Senators Brush of the 24th, Johnson of the 1st and Seabaugh of the 28th

AS PASSED

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 16 of Title 50 of the Official Code of Georgia Annotated, relating to
2 public property, so as to prohibit the naming or renaming of state property for any elected
3 public official unless he or she is deceased or has been out of office for at least five years;
4 to provide for the writing off of small amounts due to institutions under the Board of Regents
5 of the University System of Georgia; to provide for movable personal property of institutions
6 under the Board of Regents of the University System of Georgia; to amend Part 2 of Article
7 2 of Chapter 3 of Title 20 of the Official Code of Georgia Annotated, relating to the
8 university system, so as to provide that certain revenue of the university system shall not
9 lapse; to provide for related matters; to provide an effective date; to provide for automatic
10 repeal; to repeal conflicting laws; and for other purposes.

11 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

12 Chapter 16 of Title 50 of the Official Code of Georgia Annotated, relating to public property,
13 is amended by adding at the end of Article 1 a new Code section to read as follows:

14 "50-16-20.

15 On and after July 1, 2003, no property owned by the state including, but not limited to,
16 state parks, buildings, highways, roads, or bridges, shall be officially designated or
17 redesignated by any state agency or state official by the name and in honor of any elected
18 public official unless the public official is deceased or until he or she has been out of office
19 for at least five years, and no signs or markers shall be erected which so designate any such
20 state owned property."
21

SECTION 2

22 Chapter 16 of Title 50 of the Official Code of Georgia Annotated, relating to public property,
23 is amended by striking subsection (a) of Code Section 50-16-161, relating to movable
24 personal property, and inserting in lieu thereof the following:
25

1 "(b) All state agencies and departments, in order to preserve public funds, are authorized
2 to develop appropriate standards, in conjunction with the Department of Audits and
3 Accounts, which will provide a mechanism to consider administratively discharging any
4 obligation or charge in favor of such agency or department when such obligation or charge
5 is \$100.00 or any lesser amount unless the agency or department belongs to the Board of
6 Regents of the University System of Georgia in which case the obligation or charge in
7 favor of the institution under the Board of Regents of the University System of Georgia
8 may be \$3,000.00 or any lesser amount. This procedure shall not be available to such
9 agency or department in those instances where the obligor has more than one such debt or
10 obligation in any given fiscal year, and this provision shall be construed in favor of the
11 state agency or department so as not to alter the unquestioned ability of such state agency
12 or department to pursue any debt, obligation, or claim in any amount whatsoever. In those
13 instances where a debt or obligation of \$100.00 or less, or \$3,000.00 or less for the
14 institutions of the Board of Regents of the University System of Georgia, has been deemed
15 to be uncollectable, the proper individual making such determination shall transmit a
16 recapitulation of the efforts made to collect the debt together with all other appropriate
17 information, which shall include a reasonable estimate of the cost to pursue
18 administratively or judicially the account together with a recommendation to the
19 commissioner of such state agency or department. In those instances where the
20 commissioner makes a determination that further collection efforts would be detrimental
21 to the public's financial interest, a certificate reflecting this determination shall be
22 executed, and this certificate shall serve as the authority to remove such uncollectable
23 accounts from the financial records of such state agency or department. Such certificates
24 shall be forwarded to the state auditor in a manner and at such times as are reflected in the
25 standards developed by the state auditor and the state agency or department."

26 SECTION 5.

27 Part 2 of Article 2 of Chapter 3 of Title 20 of the Official Code of Georgia annotated, relating
28 to the university system, is amended by inserting at the end thereof a new Code Section
29 20-3-86 to read as follows:

30 "20-3-86.

31 Revenue collected by any or all institutions in the university system from continuing
32 education fees, technology fees, or indirect cost recoveries shall not lapse."

33 SECTION 6

34 Section 1 of this Act shall be repealed in its entirety on June 30, 2005, and the remaining
35 sections of this Act shall be repealed in their entirety on June 30, 2006.

SECTION 7.

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