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

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

## BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

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

"50-16-20.

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

22 SECTION 2

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

1	"(a) This part shall apply to movable personal property for all state agencies, authorities,
2	and entities except for those agencies, authorities, and entities provided for in
3	subsection (a) of Code Section 50-16-161.1, which shall be defined as any item which
4	meets the following criteria:
5	(1) Any item which is basically nonconsumable and nonexpendable in nature, such as
6	motor vehicles, mechanized and nonmechanized equipment, office equipment,
7	appliances, etc.;
8	(2) Any item with an estimated usable life expectancy of three or more years and an item
9	acquisition cost of \$1,000.00 or more; or
10	(3) Any item or items which an agency feels should be included in its personal property
11	inventory even though it fails to meet the criteria outlined above."
12	SECTION 3.
13	Said chapter is further amended by inserting immediately following Code Section 50-16-161
14	a new Code Section 50-16-161.1 to read as follows:
15	"50-16-161.1
16	(a) This Code section shall apply to movable personal property for institutions under the
17	Board of Regents of the University System of Georgia, which shall be defined as any item
18	which meets the following criteria:
19	(1) Any item which is basically nonconsumable and nonexpendable in nature, including,
20	but not limited to, motor vehicles, mechanized and nonmechanized equipment, office
21	equipment, appliances;
22	(2) Any item with an estimated usable life expectancy of three or more years and an item
23	acquisition cost of \$3,000.00 or more; or
24	(3) Any item or items which an agency determines should be included in its personal
25	property inventory even though it fails to meet the criteria of paragraph (1) or (2) of this
26	subsection.
27	(b) The Department of Administrative Services shall be authorized to include or exclude
28	items from the inventory as it deems necessary; and the determination shall be binding
29	upon the various departments, boards, bureaus, commissions, institutions, and other
30	agencies of the state government."
31	SECTION 4.
32	Said chapter is further amended by striking subsection (b) of Code Section 50-16-18, relating

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to writing off small amounts due to the state, and inserting in lieu thereof a new subsection

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(b) to read as follows:

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

SECTION 5.

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

"20-3-86.

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

33 SECTION 6

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

1 SECTION 7.

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