

House Bill 1708

By: Representatives Channell of the 77<sup>th</sup>, Parrish of the 102<sup>nd</sup>, Shaw of the 143<sup>rd</sup>, Orrock of the 51<sup>st</sup>, and Teilhet of the 34<sup>th</sup>, Post 2

A BILL TO BE ENTITLED  
AN ACT

1 To amend Chapter 1 of Title 45 of the Official Code of Georgia Annotated, relating to public  
2 officers and employees, so as to express certain legislative findings with respect to state  
3 reduction in force programs and furlough programs; to generally prohibit agencies from  
4 hiring new employees during or shortly after the use of any such program; to provide for  
5 exemptions; to provide for other related matters; to provide an effective date; to repeal  
6 conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Chapter 1 of Title 45 of the Official Code of Georgia Annotated, relating to public officers  
10 and employees, is amended by adding at its end a new Code Section 45-1-7 to read as  
11 follows:

12 "45-1-7.

13 (a) As used in this Code section, the term 'agency' means any department, board, bureau,  
14 commission, authority, or other agency of the state.

15 (b) The General Assembly recognizes that budgetary constraints may require an agency  
16 to carry out either a reduction in force program or a program of furloughs. As a matter of  
17 state policy, however, it is determined to be generally inappropriate and unfair to state  
18 employees to carry out such a program if an agency during the same period of time is  
19 hiring, or will shortly thereafter hire, new employees.

20 (c) No agency shall during any period of time when a program of mandatory furloughs is  
21 in effect in such agency or within 90 days following the close of such a period of time hire  
22 any new employees.

23 (d) If any state agency implements a reduction in force program, that agency shall not hire  
24 any new employees within 180 days after the last termination of employment resulting  
25 from the reduction in force.

1 (e) An executive order of the Governor applicable to a specific agency for a specific  
2 limited period of time and a specific number of positions may authorize a specific  
3 exemption from the provisions of subsection (c) or (d) of this Code section, if the executive  
4 order makes a finding that the hiring authorized therein is necessary in the best interest of  
5 the state despite the general policy expressed in subsection (a) of this Code section.

6 (f) The provisions of this Code section are not in any manner intended to apply with  
7 respect to or be triggered by any employee's voluntary absence from employment or any  
8 termination of employment resulting from any reason other than a reduction in force  
9 program."

10 **SECTION 2.**

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

13 **SECTION 3.**

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