

House Bill 1708 (FLOOR SUBSTITUTE)

By: Representatives Channell of the 77th, Parrish of the 102nd, and Shaw of the 143rd

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 prohibit agencies from hiring new supervisory employees
3 during or shortly after the use of any reduction in force or furlough program; to provide for
4 exemptions; to provide for other related matters; to provide for automatic repeal; to provide
5 an effective date; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

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

11 "45-1-7.

12 (a) As used in this Code section, the term:

13 (1) 'Agency' means any department, board, bureau, commission, authority, or other
14 agency of the state.

15 (2) 'Supervisory employee' means any employee who supervises the job performance of
16 one or more other employees or to whom one or more other employees report.

17 (b) No agency shall during any period of time when a program of mandatory furloughs is
18 in effect in such agency or within 90 days following the close of such a period of time hire
19 any new supervisory employee.

20 (c) If any state agency implements a reduction in force program, that agency shall not hire
21 any new supervisory employee while such program is in effect or within 180 days after the
22 last termination of employment resulting from the reduction in force.

23 (d) An executive order of the Governor applicable to a specific agency for a specific
24 limited period of time and a specific number of positions may authorize a specific
25 exemption from the provisions of subsection (b) or (c) of this Code section, if the executive

1 order makes a finding that the hiring authorized therein is necessary in the best interest of
2 the state.

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

7 (f) This Code section shall stand repealed on January 1, 2008."

8 **SECTION 2.**

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

11 **SECTION 3.**

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