

NOT GERMANE

Senators Cheeks of the 23rd and Hall of the 22nd offered the following amendment:

Amend HB 1582 by inserting on line 1 of page 1, following the words "To amend", the following:

"Chapter 4 of Title 50 of the Official Code of Georgia Annotated, relating to organization of the executive branch of state government, so as to revise provisions relating to governmental privatization contracts; to provide for the invalidity of contracts entered into without compliance; to provide for an emergency exception and the circumstances under which such exception shall apply; to amend".

By inserting immediately following line 6 of page 1 the following:

"Chapter 4 of Title 50 of the Official Code of Georgia Annotated, relating to organization of the executive branch of state government, is amended by inserting at the end of Code Section 50-4-5, relating to notice of privatization contracts, and Code Section 50-4-6, relating to other requirements for privatization contracts, new subsections designated (d) and (c), respectively, both to read as follows:

"The provisions of this Code section shall be mandatory and binding with respect to its subject matter. Any contract entered into in violation of this Code section shall be void in its entirety. The only exception to this Code section shall be an emergency exception as otherwise provided in this Code section. The emergency exception specified in this subsection shall apply only if there exists an imminent peril to person or property which can be avoided only through noncompliance with this Code section; and in order for this exception to apply the Governor must by executive order make a prior written finding to such effect. Such executive order shall recite with particularity the specific facts of such imminent peril, such as, for example: (1) a specific substantial likelihood that specific persons will suffer adverse risks to their health or physical safety if the contract is not entered into without compliance; or (2) a specific substantial likelihood that specific property of the state or specific persons will be damaged, destroyed, or lost if the contract is not entered into without compliance.

SECTION 1A."