

House Bill 646

By: Representatives Rogers of the 26th, Millar of the 79th, Watson of the 91st, and Stephenson of the 92nd

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 1 of Chapter 15 of Title 45 of the Official Code of Georgia Annotated,
2 relating to the Attorney General, so as to provide that the Attorney General shall have the
3 authority to investigate and initiate civil actions for the protection of consumers and small
4 businesses under certain circumstances; to provide for related matters; to repeal conflicting
5 laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Article 1 of Chapter 15 of Title 45 of the Official Code of Georgia Annotated, relating to the
9 Attorney General, is amended by striking Code Section 45-15-3, relating to duties of the
10 Attorney General, and inserting in its place a new Code section to read as follows:

11 "45-15-3.

12 (a) It is the duty of the Attorney General:

13 (1) When required to do so by the Governor, to give his or her opinion in writing, or
14 otherwise, on any question of law connected with the interest of the state or with the
15 duties of any of the departments;

16 (2) When he or she deems it advisable, to prepare all contracts and writings in relation
17 to any matter in which the state is interested;

18 (3) When required to do so by the Governor, to participate in, on behalf of the state, all
19 criminal actions in any court of competent jurisdiction when the district attorney thereof
20 is being prosecuted, and all other criminal or civil actions to which the state is a party;

21 (4) To act as the legal adviser of the executive branch;

22 (5) To represent the state in all capital felony actions before the Supreme Court;

23 (6) To represent the state in all civil actions tried in any court; and

24 (7) To perform such other services as shall be required of him or her by law.

25 (b) The Attorney General shall have the authority to investigate and initiate civil actions
26 for the protection of consumers and small businesses in this state whenever he or she has

1 reason to believe that a class of consumers or small businesses has been injured by or is in
2 danger of being injured by: criminal fraudulent activities in commerce or trade; a violation
3 of Chapter 1 of Title 10, relating to selling and trade practices; or a violation of any other
4 law of this state enacted for the protection of consumers and small businesses against unfair
5 activities in the course of commerce or trade."

6 **SECTION 2.**

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