

The Senate Higher Education Committee offered the following substitute to HB 340:

A BILL TO BE ENTITLED  
AN ACT

1 To amend Code Section 50-18-72 of the Official Code of Georgia Annotated, relating to  
2 when public disclosure of records is not required, so as to provide that records maintained  
3 by public postsecondary educational institutions in this state and associated foundations of  
4 such institutions that contain certain personal information concerning donors or potential  
5 donors to such institutions or foundations shall not be subject to disclosure; to provide  
6 definitions; to provide for related matters; to provide an effective date; to repeal conflicting  
7 laws; and for other purposes.

8 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

**SECTION 1.**

9 Code Section 50-18-72 of the Official Code of Georgia Annotated, relating to when public  
10 disclosure of records is not required, is amended by striking the word "or" at the end of  
11 paragraph (16) of subsection (a), by striking the period at the end of paragraph (17) of  
12 subsection (a) and inserting in lieu thereof "; or", and by adding a new paragraph (18) to read  
13 as follows:  
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15 "(18) Records maintained by public postsecondary educational institutions in this state  
16 and associated foundations of such institutions that contain personal information  
17 concerning donors or potential donors to such institutions or foundations; provided,  
18 however, that the name of any donor and the amount of donation made by such donor  
19 shall be subject to disclosure if such donor or any entity in which such donor has a  
20 substantial interest transacts business with the public postsecondary educational  
21 institution to which the donation is made within three years of the date of such donation.  
22 As used in this paragraph, the term 'transact business' means to sell or lease any personal  
23 property, real property, or services on behalf of oneself or on behalf of any third party as  
24 an agent, broker, dealer, or representative in an amount in excess of \$10,000.00 in the  
25 aggregate in a calendar year and the term 'substantial interest' means the direct or indirect  
26 ownership of more than 25 percent of the assets or stock of an entity."

**SECTION 2.**

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

**SECTION 3.**

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