

House Bill 429 (COMMITTEE SUBSTITUTE)

By: Representatives Smith of the 168th, Rogers of the 26th, Manning of the 32nd, Coleman of the 144th, and Graves of the 137th

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 48-7-161 of the Official Code of Georgia Annotated, relating to
2 definitions relative to the setoff of debt collection, so as to authorize a setoff of certain debts
3 owed to public housing authorities; to repeal conflicting laws; and for other purposes.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

5 style="text-align:center">**SECTION 1.**

6 Code Section 48-7-161 of the Official Code of Georgia Annotated, relating to definitions
7 relative to the setoff of debt collection, is amended by striking in its entirety paragraph (1)
8 and inserting in lieu thereof the following:

9 "(1) 'Claimant agency' means and includes, in the order of priority set forth below:

10 (A) The Department of Human Resources with respect to collection of debts under
11 Chapter 9 of Title 37, Article 1 of Chapter 11 of Title 19, and Code Section 49-4-15;

12 (B) The Georgia Student Finance Authority with respect to the collection of debts
13 arising under Part 3 of Article 7 of Chapter 3 of Title 20;

14 (C) The Georgia Higher Education Assistance Corporation with respect to the
15 collection of debts arising under Part 2 of Article 7 of Chapter 3 of Title 20;

16 (D) The State Medical Education Board with respect to the collection of debts arising
17 under Part 6 of Article 7 of Chapter 3 of Title 20;

18 (E) The Department of Labor with respect to the collection of debts arising under Code
19 Sections 34-8-254 and 34-8-255 and Article 5 of Chapter 8 of Title 34, with the
20 exception of Code Sections 34-8-158 through 34-8-161; provided, however, that the
21 Department of Labor establishes that the debtor has been afforded required due process
22 rights by such Department of Labor with respect to the debt and all reasonable
23 collection efforts have been exhausted; ~~and~~

24 (F) The Department of Corrections with respect to probation fees arising under Code
25 Section 42-8-34 and restitution or reparation ordered by a court as a part of the sentence

1 imposed on a person convicted of a crime and placed on probation by the court if such
2 person has absconded or ended probation in warrant status; and
3 (G) Public housing authorities with respect to the collection of debt related to
4 occupying public housing; provided, however, that the public housing authority
5 establishes that the debtor has been afforded required due process rights by the public
6 housing authority with respect to the debt and all reasonable collection efforts have
7 been exhausted. This subparagraph shall apply only to a debt owed by an occupant of
8 public housing who has moved from the property."

9 **SECTION 2.**

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