

House Bill 955 (AS PASSED HOUSE AND SENATE)

By: Representatives Geisinger of the 48th, Chambers of the 81st, Millar of the 79th, and Lindsey of the 54th

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 public records exempt from disclosure, so as to add an exemption for records of the
3 Metropolitan Atlanta Rapid Transit Authority relating to the personal information of persons
4 who have purchased cards under the TransCard or SmartCard fare payment system; to
5 provide for related matters; to provide an effective date; to repeal conflicting laws; and for
6 other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Code Section 50-18-72 of the Official Code of Georgia Annotated, relating to public records
10 exempt from disclosure, is amended by striking paragraphs (18) and (19) of subsection (a)
11 and inserting in place thereof the following:

12 "(18) Records of the State Road and Tollway Authority which would reveal the financial
13 accounts or travel history of any individual who is a motorist upon such toll project.
14 Such financial records shall include, but not be limited to, social security number, home
15 address, home telephone number, e-mail address, credit or debit card information, and
16 bank account information but shall not include the user's name; ~~or~~

17 (19) Records maintained by public postsecondary educational institutions in this state
18 and associated foundations of such institutions that contain personal information
19 concerning donors or potential donors to such institutions or foundations; provided,
20 however, that the name of any donor and the amount of donation made by such donor
21 shall be subject to disclosure if such donor or any entity in which such donor has a
22 substantial interest transacts business with the public postsecondary educational
23 institution to which the donation is made within three years of the date of such donation.

24 As used in this paragraph, the term 'transact business' means to sell or lease any personal
25 property, real property, or services on behalf of oneself or on behalf of any third party as
26 an agent, broker, dealer, or representative in an amount in excess of \$10,000.00 in the

1 aggregate in a calendar year and the term 'substantial interest' means the direct or indirect
2 ownership of more than 25 percent of the assets or stock of an entity; or
3 (20) Records of the Metropolitan Atlanta Rapid Transit Authority or of any other transit
4 system that is connected to that system's TransCard or SmartCard system which would
5 reveal the financial records or travel history of any individual who is a purchaser of a
6 TransCard or SmartCard or similar fare medium. Such financial records shall include,
7 but not be limited to, social security number, home address, home telephone number,
8 e-mail address, credit or debit card information, and bank account information but shall
9 not include the user's name."

10 **SECTION 2.**

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

13 **SECTION 3.**

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