

Senate Bill 442

By: Senators Tarver of the 22nd, Smith of the 52nd, Chapman of the 3rd, Jones of the 10th,
Reed of the 35th and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 2 of Chapter 10 of Title 16 of the Official Code of Georgia Annotated,
2 relating to obstruction of public administration and related offenses, so as to change certain
3 provisions relating to false statements and writings, concealment of facts, and fraudulent
4 documents in matters within the jurisdiction of the state or political subdivisions; to provide
5 for applicability to certain matters within the jurisdiction of the legislative branch of state
6 government; to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Article 2 of Chapter 10 of Title 16 of the Official Code of Georgia Annotated, relating to
10 obstruction of public administration and related offenses, is amended by revising Code
11 Section 16-10-20, relating to false statements and writings, concealment of facts, and
12 fraudulent documents in matters within the jurisdiction of the state or political subdivisions,
13 as follows:

14 "16-10-20.

15 (a) A person who knowingly and willfully falsifies, conceals, or covers up by any trick,
16 scheme, or device a material fact; makes a false, fictitious, or fraudulent statement or
17 representation; or makes or uses any false writing or document, knowing the same to
18 contain any false, fictitious, or fraudulent statement or entry, in any matter within the
19 jurisdiction of any department or agency of state government, the legislative branch of state
20 government, or of the government of any county, city, or other political subdivision of this
21 state shall, upon conviction thereof, be punished by a fine of not more than \$1,000.00 or
22 by imprisonment for not less than one nor more than five years, or both.

23 (b) With respect to any matter within the jurisdiction of the legislative branch of state
24 government, subsection (a) of this Code section shall apply only to:

25 (1) Administrative matters, including a claim for payment, a matter related to the
26 procurement of property or services, personnel or employment practices, support

1 services, or a document required by law to be submitted to the General Assembly or any
2 office or officer within the legislative branch; and
3 (2) Any investigation or review conducted pursuant to the authority of any committee
4 or subcommittee of the General Assembly, consistent with applicable rules of the House
5 of Representatives or the Senate, including but not limited to the reception of evidence
6 from persons not members of the General Assembly in support or opposition of
7 legislation or a request for appropriation. This paragraph shall not be applied to impair
8 any privilege afforded by Article III, Section IV, Paragraph IX of the Constitution."

9 **SECTION 2.**

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