

Senate Bill 487

By: Senators Wiles of the 37th and Hill of the 32nd

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 1 of Chapter 2 of Title 9 of the Official Code of Georgia Annotated,
2 relating to general provisions applicable to actions, so as to ensure that legislative enactments
3 do not create a private right of action unless expressly stated in the legislation; to provide for
4 a short title; to provide for legislative purpose; to provide for an effective date and
5 applicability; to provide for related matters; to repeal conflicting laws; and for other
6 purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 This Act may be known as and may be cited as the "Transparency in Lawsuits Protection
10 Act."

11 **SECTION 2.**

12 The purpose of this Act is to ensure that any legislative Act in this state shall not create a
13 private right of action unless such right is expressly stated in the legislation.

14 **SECTION 3.**

15 Article 1 of Chapter 2 of Title 9 of the Official Code of Georgia Annotated, relating to
16 general provisions applicable to actions, is amended by adding a new Code section to read
17 as follows:

18 "9-2-8.

19 Any legislation enacted in this state creating a private right of action shall contain express
20 language providing for such right. Courts of this state shall not construe a statute to imply
21 a private right of action in the absence of such express language."

1 **SECTION 4.**

2 This Act shall become effective on July 1, 2008, and shall apply to any action filed with
3 respect to any state statute heretofore or hereinafter enacted; provided, however, that this Act
4 shall not operate to bar a cause of action pending on or arising prior to July 1, 2008.

5 **SECTION 5.**

6 All laws and parts of laws in conflict with this Act are repealed.