

House Bill 1007 (AS PASSED HOUSE AND SENATE)

By: Representative Holt of the 112th

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 16-10-6 of the Official Code of Georgia Annotated, relating to sale
2 of real or personal property to political subdivision by local officer or employee, so as to
3 increase the maximum amount of sales of personal property that is exempt from the
4 prohibitions of the Code section; to limit civil liability; to provide for related matters; to
5 repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Code Section 16-10-6 of the Official Code of Georgia Annotated, relating to sale of real or
9 personal property to political subdivision by local officer or employee, is amended by
10 revising subsection (c) and adding a new subsection to read as follows:

11 "(c) Subsection (b) of this Code section shall not apply to:

12 (1) Sales of personal property of less than ~~\$200.00~~ \$800.00 per calendar quarter;

13 (2) Sales of personal property made pursuant to sealed competitive bids made by the
14 employee, appointed officer, or elected officer, either for himself or herself or on behalf
15 of any business entity; or

16 (3) Sales of real property in which a disclosure has been made:

17 (A) To the judge of the probate court of the county in which the purchasing political
18 subdivision or local authority is wholly included or, if not wholly included in any one
19 county, to the judge of the probate court of any county in which the purchasing political
20 subdivision or local authority is partially included and which shall have been designated
21 by the purchasing political subdivision or local authority to receive such disclosures,
22 provided that if the sale is made by the judge of the probate court, a copy of such
23 disclosure shall also be filed with any superior court judge of the superior court of the
24 county;

25 (B) At least 15 days prior to the date the contract or agreement for such sale will
26 become final and binding on the parties thereto;

27 (C) Which shows that an employee, appointed officer, or elected officer of an
28 employing political subdivision or agency thereof or of an employing local authority
29 has a personal interest in such sale, which interest includes, without being limited to,
30 any commission, fee, profit, or similar benefit and which gives the name of such
31 person, his or her position in the political subdivision or agency or local authority, the
32 purchase price, and location of the property.

33 (d) Any contract or transaction for a sale made in accordance with subsection (c) of this
34 Code section shall be valid and no employee, appointed officer, or elected officer shall be
35 subject to civil liability for any such sale."

36 **SECTION 2.**

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