

House Bill 263

By: Representative Peake of the 137th

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 1 of Title 10 of the Official Code of Georgia Annotated, relating to selling
2 and other trade practices, so as to define certain terms; to provide that any person offering
3 in-home services shall conduct a criminal background investigation of each employee; to
4 provide that such persons shall not employ individuals who have been convicted of certain
5 crimes; to provide that any violation shall be an unfair and deceptive act; to repeal conflicting
6 laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Chapter 1 of Title 10 of the Official Code of Georgia Annotated, relating to selling and other
10 trade practices, is amended by adding a new article to read as follows:

11 "ARTICLE 35

12 10-1-930.

13 As used in this article, the term 'in-home service' means any service offered to the public
14 which requires a person providing such service to enter a residence or business.

15 10-1-931.

16 No person shall offer or provide an in-home service in this state unless such person and
17 every employee who will be in a position of entering a residence or business have
18 undergone criminal background investigations to ensure that he or she has not been
19 convicted of a felony or a crime involving moral turpitude in this state or any other
20 jurisdiction.

21 10-1-932.

22 No person offering or providing an in-home service shall employ any individual who has
23 been convicted of a felony or a crime involving moral turpitude in this state or any other
24 jurisdiction and whose civil rights have not been restored.

25 10-1-933.

26 (a) A violation of this article shall constitute an unfair and deceptive act or practice in the
27 conduct of consumer transactions under Part 2 of Article 15 of this chapter, the 'Fair
28 Business Practice Act.'

29 (b) This article is cumulative with other laws and is not exclusive. The rights and
30 remedies provided for in this article shall be in addition to any other rights and remedies
31 that are otherwise available to a consumer under any other law."

32 **SECTION 2.**

33 All laws and parts of laws in conflict with this Act are repealed.