

Senate Bill 296

By: Senator Seabaugh of the 28th

A BILL TO BE ENTITLED  
AN ACT

To amend Title 50 of the Official Code of Georgia Annotated, relating to state government, so as to rename the Office of Treasury and Fiscal Services as the Office of the State Treasurer and to rename the director of the Office of Treasury and Fiscal Services as the state treasurer; to amend various other titles of the Official Code of Georgia Annotated to conform with such changes; to provide an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

**SECTION 1.**

Title 50 of the Official Code of Georgia Annotated, relating to state government, is amended by revising Chapter 5A as follows:

"CHAPTER 5A

50-5A-1.

There is created the Office of ~~Treasury and Fiscal Services~~ the State Treasurer. The ~~director~~ state treasurer of the Office of Treasury and Fiscal Services shall be both appointed and removed by the State Depository Board and shall be in the unclassified service. The ~~director~~ state treasurer shall hire the personnel for the office and shall supervise, direct, account for, organize, plan, and execute the functions vested in the office. ~~Any reference in this chapter to the 'director' shall mean the director of the Office of Treasury and Fiscal Services.~~

50-5A-2.

The ~~director~~ state treasurer shall post bond to the state in the sum of \$200,000.00; with a bonding company duly licensed to do business in the state and approved by the Governor, the annual premium of the bond to be paid from funds appropriated to the Office of

~~Treasury and Fiscal Services~~ the State Treasurer. The bond shall be conditioned as follows:

(1) That the ~~director~~ state treasurer faithfully discharge, execute, and perform all and singular the duties required of him or her by virtue of the office and the Constitution and laws of this state;

(2) That the ~~director~~ state treasurer faithfully account for and pay over all state moneys received by him or her from time to time by virtue of the office; and

(3) That the ~~director~~ state treasurer safely deliver to his or her successor all records, moneys, vouchers, accounts, and effects whatsoever belonging to the office.

50-5A-3.

The surety may, by express stipulation in writing, limit its liability to a specific sum to be stated in the bond of the ~~director~~ state treasurer, and all the property of the ~~director~~ state treasurer to the full amount of the bond and the property of the securities to the amount for which they may be severally bound shall be liable for the faithful performance by the ~~director~~ state treasurer of the duties of the office from the date of the execution of the bond.

A lien is created in favor of the state upon the property of the ~~director~~ state treasurer to the amount of the bond and upon the property of the securities upon the bond to the amount for which they may be severally liable, from the date of the execution of the bond.

50-5A-4.

The bond of the ~~director~~ state treasurer, when duly executed and approved, shall be recorded in the Secretary of State's office and filed in the office of the Governor. A copy of the bond, when certified by one of the Governor's secretaries under the seal of the office of the Governor, or a certified copy taken from the records of the Secretary of State's office shall be received in evidence in any court in lieu of the original.

50-5A-5.

The Governor, at all times when, in the Governor's opinion, the security or securities of the ~~director~~ state treasurer have or are likely to become invalid or insufficient, shall demand and require the ~~director~~ state treasurer forthwith to renew the bond to the state, in the amount and according to the form prescribed in Code Sections 50-5A-2 through 50-5A-4, and in case of neglect or refusal by any ~~director~~ state treasurer to give bond, with security or securities, within ten days after the same is demanded and required by the Governor, such neglect or refusal shall be a disqualification under the law and shall create a vacancy in the office of the ~~director~~ state treasurer. The State Depository Board shall forthwith appoint a fit and proper person to fill the vacancy occasioned thereby; and the appointee

shall give bond and security in the same manner and upon the same terms as prescribed for the ~~director~~ state treasurer.

50-5A-6.

If the ~~director~~ state treasurer fails to perform the duties of the office, misapplies or misuses the funds of the state, or fails to account for and pay over any moneys that he or she may have received by virtue of the office, whereby the ~~director~~ state treasurer becomes liable to the state, it shall not be necessary to bring an action on the official bond; but the Governor may issue an execution instanter against the ~~director~~ state treasurer and the securities for the amount due the state by the ~~director~~ state treasurer, with penalties and costs. The execution shall be directed to all and singular sheriffs of this state and shall be executed by them. The ~~director~~ state treasurer and securities shall have only those defenses allowed tax collectors against executions issued against them by the state revenue commissioner.

50-5A-7.

(a) It shall be the power and duty of the Office of ~~Treasury and Fiscal Services~~ the State Treasurer:

(1) To receive and keep safely all moneys which shall from time to time be paid to the treasury of this state, and to pay all warrants legally drawn on the treasury by the Governor and countersigned by the Comptroller General or, in the Comptroller General's absence, by the deputy comptroller general, and to pay all drafts of the President of the Senate and the Speaker of the House of Representatives for sums lawfully due the members and officers of their respective bodies;

(2) To keep good and sufficient accounting records of every sum of money received into, or disbursed from, the state treasury, utilizing an accounting system in conformity with generally accepted accounting principles and approved by the state accounting officer;

(3) To keep a true and faithful record of all warrants drawn by the Governor on the treasury and all drafts drawn on the treasury by the President of the Senate and the Speaker of the House of Representatives;

(4) To keep a true and faithful record of the accounts with all designated state depositories in which the state's money is deposited, showing the principal amount and the interest earned in each depository;

(5) To keep safely certificates of stock, securities, state bonds, and other evidences of debt and to manage and control the same for the purposes to which they are pledged;

(6) To invest all state and custodial funds, subject to the limitations of subsection (b) of this Code section and Chapter 17 of this title;

(7) To invest all health insurance funds, subject to the limitations of subsection (b) of this Code section and Chapter 17 of this title;

(8) To invest all self-insurance, liability, indemnification, tort claims, workers' compensation, or related funds, subject to the limitations of subsection (b) of this Code section and Chapter 17 of this title;

(9) To invest all other funds in its possession, subject to the limitations of subsection (b) of this Code section and Chapter 17 of this title; and

(10) To lend securities in its possession, subject to the limitations of subsection (b) of this Code section and Chapter 17 of this title.

(b) Pursuant to an investment policy adopted by the State Depository Board, the Office of ~~Treasury and Fiscal Services~~ the State Treasurer shall invest funds through the ~~director~~ state treasurer. The ~~director~~ state treasurer shall invest all funds with the degree of judgment and care, under circumstances then prevailing, which persons of prudence, discretion, and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering first the probable safety of their capital and then the probable income to be derived.

50-5A-8.

The costs and expenses of the maintenance and support of every department, commission, bureau, and other branch or agency of the state government shall be paid out of funds in the state treasury by warrant of the Governor drawn on appropriations duly made by the General Assembly.

50-5A-9.

The Office of ~~Treasury and Fiscal Services~~ the State Treasurer shall be assigned for administrative purposes only to the Department of Administrative Services, as provided in Code Section 50-4-3.

50-5A-10.

The Office of ~~Treasury and Fiscal Services~~ the State Treasurer and its ~~director~~ the state treasurer shall be in all respects the successor agency to, and shall assume all the powers and duties of, the former ~~Fiscal Division of the Department of Administrative Services~~ Office of Treasury and Fiscal Services and its director. Without limiting the generality of the foregoing, the ~~director of the Office of Treasury and Fiscal Services~~ state treasurer shall serve as a member of the Georgia State Financing and Investment Commission; and for that purpose the ~~director of the Office of Treasury and Fiscal Services~~ state treasurer shall

also be designated as the director of the Fiscal Division of the Department of Administrative Services.

50-5A-11.

(a) The following records, or portions thereof, shall not constitute public records and shall not be open to inspection by the general public:

(1) Participant account balances in the local government investment pool;

(2) All wiring or Automated Clearing House transfer of funds instructions;

(3) Account analysis statements received or prepared by the staff of the Office of ~~Treasury and Fiscal Services~~ the State Treasurer;

(4) All bank account numbers in the possession of the Office of ~~Treasury and Fiscal Services~~ the State Treasurer and any record or document containing such numbers;

(5) All proprietary computer software in the possession or under the control of the Office of ~~Treasury and Fiscal Services~~ the State Treasurer; and

(6) All security codes and procedures related to physical, electronic, or other access to the Office of ~~Treasury and Fiscal Services~~ the State Treasurer, its systems, and its software.

(b) For a period from the opening of bank accounts until such time as those bank accounts are closed, the local government investment pool resolutions which pertain to the opening and maintenance of bank accounts shall not constitute public records and shall not be open to inspection by the general public.

(c) For a period from the date of creation of the record until the end of the calendar quarter in which the record is created, the following records, or portions thereof, shall not constitute public records and shall not be open to inspection by the general public:

(1) Investment trade tickets; and

(2) Bank statements of the Office of ~~Treasury and Fiscal Services~~ the State Treasurer.

(d) For a period from the date of creation of the record until 30 days after adoption, bank fee payment schedules shall not constitute public records and shall not be open to inspection by the general public.

(e) The restrictions of subsections (a), (b), (c), and (d) of this Code section shall not apply to access:

(1) Required by law, including disclosures required by subpoena or other legal process of a court or administrative agency having competent jurisdiction in legal proceedings where the State of Georgia or the Office of ~~Treasury and Fiscal Services~~ the State Treasurer is a party;

(2) In prosecutions or other court actions to which the State of Georgia or the Office of ~~Treasury and Fiscal Services~~ the State Treasurer is a party;

(3) Given to federal or state regulatory or law enforcement agencies;

(4) Given to any person or entity in connection with its account in the local government investment pool managed by the Office of ~~Treasury and Fiscal Services~~ the State Treasurer pursuant to Chapter 83 of Title 36, the 'Local Government Investment Pool Act'; or

(5) Given to the Governor, the Attorney General and the Department of Law, the Office of Planning and Budget, officers of the General Assembly, the legislative budget offices, the state accounting officer and the State Accounting Office, the state auditor and the Department of Audits and Accounts, or the State Depository Board for use and public disclosure in the ordinary performance of those officers' and offices' duties."

## SECTION 2.

The following Code sections of the Official Code of Georgia Annotated are amended by replacing "Office of Treasury and Fiscal Services" wherever it occurs with "Office of the State Treasurer" except in those instances where the phrase is stated as "director of the Office of Treasury and Fiscal Services":

(1) Code Section 2-14-40, relating to licenses for the sale of bees;

(2) Code Section 3-2-10, relating to disposition of taxes, penalties, interest, and fees collected by the state revenue commissioner;

(3) Code Section 7-1-43, relating to disposition of fees by the Department of Banking and Finance;

(4) Code Section 7-1-1003.5, relating to uniform multistate administration of an automated licensing system for mortgage loan originators, brokers, and lenders;

(5) Code Section 8-3-305, relating to drawing of warrants regarding State Housing Trust Fund for the Homeless funds;

(6) Code Section 10-1-594, relating to buying services license fees;

(7) Code Section 12-3-241, relating to certain Jekyll Island leases;

(8) Code Section 12-4-101, relating to annual mining fees;

(9) Code Section 14-2-1408, relating to articles of corporate dissolution;

(10) Code Section 14-2-1433, relating to decreases of corporate dissolution;

(11) Code Section 14-2-1440, relating to assets of dissolved corporations;

(12) Code Section 14-3-1409, relating to articles of nonprofit corporate dissolution;

(13) Code Section 14-3-1433, relating to decreases of nonprofit corporate dissolution;

(14) Code Section 14-3-1440, relating to assets of dissolved nonprofit corporations;

(15) Code Section 15-2-43, relating to duties of the clerk of the Supreme Court;

(16) Code Section 15-21-74; relating to payments to the Georgia Superior Court Clerks' Cooperative Authority;

- 198 (17) Code Section 15-21-180, relating to deposit of certain fines;  
199 (18) Code Section 15-21-181, relating to reporting and availability of certain Driver's  
200 Education Commissioner funds;  
201 (19) Code Section 19-11-9, relating to putative father registry fees;  
202 (20) Code Section 19-13-17, relating to deposit of certain family violence fines;  
203 (21) Code Section 20-2-564, relating to certain revenue bonds for education purposes;  
204 (22) Code Section 20-2-891, relating to the health insurance fund for public school  
205 teachers;  
206 (23) Code Section 20-2-919, relating to deposit of certain health insurance funds;  
207 (24) Code Section 20-3-55, relating to certain payments to the University of Georgia or  
208 its branches;  
209 (25) Code Section 20-3-63, relating to refunding state obligations held by the board of  
210 regents;  
211 (26) Code Section 20-3-635, relating to administration of the Georgia Higher Education  
212 Savings Plan;  
213 (27) Code Section 20-4-3, relating to custody of certain federal or state vocation education  
214 moneys;  
215 (28) Code Section 33-2-29, relating to insurance taxes, fees, dues, charges, penalties, and  
216 interest;  
217 (29) Code Section 33-5-32, relating to surplus line broker fees;  
218 (30) Code Section 33-21-17, relating to health maintenance organization expenses;  
219 (31) Code Section 33-35-15, relating to prepaid legal services plans expenses;  
220 (32) Code Section 34-8-177, relating to Unemployment Compensation Fund amounts;  
221 (33) Code Section 34-9-40, relating to lapsing of certain workers' compensation funds;  
222 (34) Code Section 34-9-129, relating to certain insurance company bonds;  
223 (35) Code Section 34-15-7, relating to custodian of certain federal labor funds;  
224 (36) Code Section 34-15-16, relating to funds from certain surplus;  
225 (37) Code Section 36-17-2, relating to granting of county road grants;  
226 (38) Code Section 36-17-3, relating to distribution of certain county road grants;  
227 (39) Code Section 36-40-22, relating to certificates for certain municipal grants;  
228 (40) Code Section 36-40-24, relating to computation and granting of certain municipal  
229 grants;  
230 (41) Code Section 36-40-42, relating to certificates for certain municipal grants;  
231 (42) Code Section 36-40-44, relating to computation and granting of certain municipal  
232 grants;  
233 (43) Code Section 36-40-45, relating to municipal grant distribution;  
234 (44) Code Section 36-40-46, relating to audits of municipal grants;

- 235 (45) Code Section 43-13-9, relating to disposition of certain driver training school funds;  
236 (46) Code Section 45-9-4, relating to certain insurance or indemnity contracts and  
237 self-insurance programs;  
238 (47) Code Section 45-9-84.1, relating to the Georgia State Indemnification Fund;  
239 (48) Code Section 45-12-83.1, relating to display of the state flag by state and local  
240 agencies;  
241 (49) Code Section 45-14-20, relating to the creation and duties of the Office of  
242 Comptroller General;  
243 (50) Code Section 45-14-23, relating to Comptroller General reports;  
244 (51) Code Section 45-18-13, relating to deposit of amounts from the health insurance fund;  
245 (52) Code Section 46-3-427, relating to electric membership corporation articles of  
246 dissolution;  
247 (53) Code Section 46-3-436, relating to electric membership corporation decrees of  
248 involuntary dissolution;  
249 (54) Code Section 46-3-438, relating to disposition of certain unclaimed amounts from  
250 electric membership corporations;  
251 (55) Code Section 46-8-123, relating to railroad company branch roads;  
252 (56) Code Section 47-3-66, relating to retirement system membership of independent  
253 school system teachers;  
254 (57) Code Section 47-3-67, relating to retirement system membership of county school  
255 system teachers;  
256 (58) Code Section 47-23-81, relating to contributions by state court judges and  
257 solicitors-general to the Georgia Judicial Retirement System;  
258 (59) Code Section 47-23-82, relating to contributions by juvenile court judges to the  
259 Georgia Judicial Retirement System;  
260 (60) Code Section 47-24-60, relating to contributions to the Georgia Military Pension  
261 Fund;  
262 (61) Code Section 48-2-17, relating to state revenue commissioner or Department of  
263 Revenue payments of taxes;  
264 (62) Code Section 48-2-82, relating to contraband articles;  
265 (63) Code Section 48-5-131, relating to county insolvent lists;  
266 (64) Code Section 48-5-304, relating to tax digests and grant withholding;  
267 (65) Code Section 48-5-330, relating to state aid for assessment evaluation and  
268 equalization;  
269 (66) Code Section 48-5-346, relating to conditional digest approval;  
270 (67) Code Section 48-7-112, relating to refunds and credits regarding withholdings;  
271 (68) Code Section 48-9-10, relating to motor fuel tax refunds;

- 272 (69) Code Section 48-9-36, relating to refunds to motor carriers;  
273 (70) Code Section 48-11-9, relating to contraband unstamped tobacco products;  
274 (71) Code Section 48-11-15, relating to refund of taxes on tobacco products;  
275 (72) Code Section 48-11-16, relating to purchase of tobacco product tax stamps;  
276 (73) Code Section 48-13-31, relating to payment by the state revenue commissioner of  
277 certain nonresident contractor fees;  
278 (74) Code Section 48-14-3, relating to funds for public road construction and maintenance;  
279 (75) Code Section 50-5-14, relating to authorization of the Workers' Compensation Trust  
280 Fund;  
281 (76) Code Section 50-5-16, relating to liability insurance and self-insurance for state  
282 authorities;  
283 (77) Code Section 50-5B-3, relating to the duties of the state accounting officer;  
284 (78) Code Section 50-7-16, relating to acquisition of property by the Department of  
285 Economic Development;  
286 (79) Code Section 50-7-41, relating to lease of property to the Geo. L. Smith II Georgia  
287 World Congress Center;  
288 (80) Code Section 50-7-51, relating to authority and duties of the Georgia International  
289 and Maritime Trade Center;  
290 (81) Code Section 50-16-12, relating to authorization for the state insurance and hazard  
291 reserve fund;  
292 (82) Code Section 50-17-2, relating to resale or repurchase of United States government  
293 obligations;  
294 (83) Code Section 50-17-63, relating to deposit of state demand funds;  
295 (84) Code Section 50-17-101, relating to interest rate management and programs;  
296 (85) Code Section 50-21-33, relating to liability insurance or self-insurance programs and  
297 the State Tort Claims Trust Fund;  
298 (86) Code Section 51-12-5.1, relating to punitive damages in tort actions;  
299 (87) Code Section 52-2-9, relating to powers of the Georgia Ports Authority; and  
300 (88) Code Section 52-2-14, relating to conveyance of certain sites and sale of surplus lands  
301 and improvements.

302 **SECTION 3.**

303 The following Code sections of the Official Code of Georgia Annotated are amended by  
304 replacing "director of the Office of Treasury and Fiscal Services" wherever it occurs with  
305 "state treasurer":

- 306 (1) Code Section 8-3-303, relating to State Housing Trust Fund for the Homeless funds;

- 307 (2) Code Section 8-3-304, relating to investment of State Housing Trust Fund for the  
308 Homeless funds;
- 309 (3) Code Section 8-3-309, relating to deposit of federal funds in the State Housing Trust  
310 Fund for the Homeless;
- 311 (4) Code Section 12-5-482, relating to failure to collect and remit certain fees to the  
312 Department of Natural Resources;
- 313 (5) Code Section 15-21-147, relating to deposit of certain federal funds;
- 314 (6) Code Section 15-21-148, relating to creation of the Brain and Spinal Injury Trust Fund;
- 315 (7) Code Section 19-14-21, relating to crediting of funds to the State Children's Trust  
316 Fund;
- 317 (8) Code Section 19-14-22, relating to investment of funds regarding the State Children's  
318 Trust Fund;
- 319 (9) Code Section 20-2-891, relating to the health insurance fund for public school teachers;
- 320 (10) Code Section 20-2-919, relating to deposit of certain health insurance funds;
- 321 (11) Code Section 20-3-250.27, relating to the Tuition Guaranty Trust Fund;
- 322 (12) Code Section 20-3-633, relating to the board of directors of the Georgia Higher  
323 Education Savings Plan;
- 324 (13) Code Section 21-2-13, relating to reasonable expenses of the electoral college;
- 325 (14) Code Section 21-5-30, relating to political contributions;
- 326 (15) Code Section 27-2-30, relating to the Wildlife Endowment Fund;
- 327 (16) Code Section 31-8-35, relating to hospital payments to the Nonresident Indigent  
328 Health Care Fund;
- 329 (17) Code Section 31-8-152, relating to creation of the Indigent Care Trust Fund;
- 330 (18) Code Section 31-8-157, relating to Indigent Care Trust Fund refunds of contributed  
331 funds;
- 332 (19) Code Section 31-8-158, relating to other Indigent Care Trust Fund refunds;
- 333 (20) Code Section 32-2-2, relating to powers of the Department of Transportation;
- 334 (21) Code Section 32-5-1, relating to receipt of federal road funds;
- 335 (22) Code Section 32-5-2, relating to appropriation of federal road funds;
- 336 (23) Code Section 34-9-352, relating to custodian of the Subsequent Injury Trust Fund;
- 337 (24) Code Section 36-17-2, relating to granting of county road grants;
- 338 (25) Code Section 36-80-15, relating to allocation and expenditure of certain timber sale  
339 proceeds;
- 340 (26) Code Section 36-83-7, relating to certain state technical assistance;
- 341 (27) Code Section 36-83-8, relating to the local government investment pool;
- 342 (28) Code Section 40-2-131, relating to disposition of certain fees by the commissioner  
343 of transportation;

- 344 (29) Code Section 40-9-39, relating to refunding of certain security deposits;  
345 (30) Code Section 43-1-3, relating to deposit of certain fees collected by the public  
346 licensing boards division of the office of the Secretary of State;  
347 (31) Code Section 44-2-191, relating to the separate account for the Land Registration  
348 Assurance Fund;  
349 (32) Code Section 44-2-192, relating to investment of funds in the Land Registration  
350 Assurance Fund;  
351 (33) Code Section 44-2-193, relating to actions for damages regarding the Land  
352 Registration Assurance Fund;  
353 (34) Code Section 44-2-194, relating to parties defendant regarding the Land Registration  
354 Assurance Fund;  
355 (35) Code Section 44-2-195, relating to executions on judgements against the Land  
356 Registration Assurance Fund;  
357 (36) Code Section 45-8-1, relating to definitions regarding accounting for public funds;  
358 (37) Code Section 45-9-4, relating to certain insurance or indemnity contracts and  
359 self-insurance programs;  
360 (38) Code Section 45-9-84.1, relating to the Georgia State Indemnification Fund;  
361 (39) Code Section 45-12-72, relating to general provisions regarding the Office of  
362 Planning and Budget;  
363 (40) Code Section 45-12-78, relating to budget estimates;  
364 (41) Code Section 45-12-82, relating to periodic work programs;  
365 (42) Code Section 45-14-20, relating to the creation and duties of the Office of  
366 Comptroller General;  
367 (43) Code Section 45-18-13, relating to deposit of amounts from the health insurance fund;  
368 (44) Code Section 47-1-5, relating to actuarial investigations by local governments or  
369 political subdivisions;  
370 (45) Code Section 47-2-21, relating to retirement system administration by the board of  
371 trustees;  
372 (46) Code Section 47-2-201, relating to ineligibility for certain emeritus positions;  
373 (47) Code Section 47-3-21, relating to the board of trustees of the teachers retirement  
374 system;  
375 (48) Code Section 47-4-60, relating to contributions to the public school employees  
376 retirement system;  
377 (49) Code Section 47-8-2, relating to creation of the Superior Court Judges Retirement  
378 Fund;  
379 (50) Code Section 47-12-21, relating to creation of the District Attorneys Retirement  
380 Fund;

381 (51) Code Section 47-16-21, relating to membership of the board of the Sheriffs'  
382 Retirement Fund of Georgia;

383 (52) Code Section 47-18-41, relating to submission of federal Title II plans by political  
384 subdivisions;

385 (53) Code Section 47-19-1, relating to creation of the State Employees' Assurance  
386 Department;

387 (54) Code Section 47-20-21, relating to triennial actuarial investigations of public  
388 retirement systems;

389 (55) Code Section 47-20-83.1, relating to public retirement systems forms of investment;

390 (56) Code Section 47-24-60, relating to contributions to the Georgia Military Pension  
391 Fund;

392 (57) Code Section 49-5-132, relating to establishment of the Governor's Office of Children  
393 and Families;

394 (58) Code Section 50-5-14, relating to authorization of the Workers' Compensation Trust  
395 Fund;

396 (59) Code Section 50-5-16, relating to liability insurance and self-insurance for state  
397 authorities;

398 (60) Code Section 50-8-8, relating to grants and appropriations for community  
399 development and comprehensive planning;

400 (61) Code Section 50-16-12, relating to authorization for the state insurance and hazard  
401 reserve fund;

402 (62) Code Section 50-16-32, relating to creation of the State Properties Commission;

403 (63) Code Section 50-17-2, relating to resale or repurchase of United States government  
404 obligations;

405 (64) Code Section 50-17-23, relating to state general obligation and guaranteed revenue  
406 debt;

407 (65) Code Section 50-17-50, relating to creation of the State Depository Board;

408 (66) Code Section 50-17-62, relating to funds held by state depositories;

409 (67) Code Section 50-21-33, relating to liability insurance or self-insurance programs and  
410 the State Tort Claims Trust Fund;

411 (68) Code Section 50-23-20, relating to withholding state funds for failure of local  
412 government to collect amounts due the Environmental Facilities Authority;

413 (69) Code Section 50-27-13, relating to disposition of lottery proceeds; and

414 (70) Code Section 50-32-54, relating to failure of local governments to collect amounts  
415 due the Georgia Regional Transportation Authority.

**SECTION 4.**

The following Code sections of the Official Code of Georgia Annotated are amended by replacing "director" wherever it occurs with "state treasurer":

- (1) Code Section 20-3-635, relating to administration of the Georgia Higher Education Savings Plan;
- (2) Code Section 20-3-637, relating to investment of plan funds;
- (3) Code Section 36-80-15, relating to allocation and expenditure of certain timber sale proceeds;
- (4) Code Section 36-83-8, relating to the local government investment pool;
- (5) Code Section 44-2-193, relating to actions for damages regarding the Land Registration Assurance Fund;
- (6) Code Section 44-2-194, relating to parties defendant regarding the Land Registration Assurance Fund;
- (7) Code Section 44-2-195, relating to executions on judgements against the Land Registration Assurance Fund;
- (8) Code Section 45-8-1, relating to definitions regarding accounting for public funds;
- (9) Code Section 45-8-13.1, relating to depositories using pooled method of securing deposits of public funds;
- (10) Code Section 45-8-17, relating to deposit of funds in banks or depositories;
- (11) Code Section 47-1-5, relating to actuarial investigations by local governments or political subdivisions;
- (12) Code Section 47-20-21, relating to triennial actuarial investigations of public retirement systems;
- (13) Code Section 50-17-22, relating to the State Financing and Investment Commission;
- (14) Code Section 50-17-50, relating to creation of the State Depository Board;
- (15) Code Section 50-17-51, relating to meetings of State Depository Board;
- (16) Code Section 50-17-52, relating to contracts for interest on deposits;
- (17) Code Section 50-17-53, relating to authority to determine amount to be deposited;
- (18) Code Section 50-17-54, relating to monitoring financial condition of depositories;
- (19) Code Section 50-17-56, relating to director to make deposits in compliance with board's determinations;
- (20) Code Section 50-17-57, relating to director to make reports;
- (21) Code Section 50-17-59, relating to deposit of securities in lieu of bond;
- (22) Code Section 50-17-62, relating to funds to be held by depositories;
- (23) Code Section 50-17-63, relating to deposit of state demand funds; and
- (24) Code Section 50-27-13, relating to disposition of lottery proceeds.

**SECTION 5.**

Code Section 20-3-632 of the Official Code of Georgia Annotated, relating to definitions regarding the Georgia Higher Education Savings Plan, is amended by striking and reserving paragraph (5).

**SECTION 6.**

Code Section 50-17-21 of the Official Code of Georgia Annotated, relating to definitions regarding the "Georgia State Financing and Investment Commission Act," is amended by revising paragraph (4) as follows:

"(4) 'Fiscal officer of the state' means the ~~director of the Office of Treasury and Fiscal Services~~ state treasurer or such other officer as may be designated by a valid Act of the General Assembly to perform the functions of ~~such director~~ the state treasurer with respect to public debt."

**SECTION 7.**

This Act shall become effective on July 1, 2010.

**SECTION 8.**

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