

Senate Bill 147

By: Senators Bethel of the 54th, Williams of the 19th, Rogers of the 21st, Thompson of the 33rd, Brown of the 26th and others

A BILL TO BE ENTITLED  
AN ACT

1 To amend Part 1 of Article 2 of Chapter 10 of Title 45 of the Official Code of Georgia  
2 Annotated, relating to general provisions for conflicts of interest, so as to prohibit public  
3 officials from granting themselves licenses by waiving certain requirements; to provide for  
4 penalties; to provide for related matters; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 SECTION 1.

7 Part 1 of Article 2 of Chapter 10 of Title 45 of the Official Code of Georgia Annotated,  
8 relating to general provisions for conflicts of interest, is amended by revising subsection (a)  
9 of Code Section 45-10-28, relating to penalties for violation of the part, as follows:

10 "(a)(1) Any appointed public official or employee who violates Code Section 45-10-22,  
11 45-10-23, 45-10-24, ~~or 45-10-26,~~ or 45-10-29 shall be subject to:

- 12 (A) Removal from office or employment;
- 13 (B) A civil fine not to exceed \$10,000.00; and
- 14 (C) Restitution to the state of any pecuniary benefit received as a result of such  
15 violation.

16 (2) Any elected public official who violates Code Section 45-10-22, 45-10-23, 45-10-24,  
17 ~~or 45-10-26,~~ or 45-10-29 shall be subject to:

- 18 (A) A civil fine not to exceed \$10,000.00; and
- 19 (B) Restitution to the state of any pecuniary benefit received as a result of such  
20 violation.

21 (3) Any business which violates Code Section 45-10-22, 45-10-23, 45-10-24, ~~or~~  
22 45-10-26, or 45-10-29 shall be subject to:

- 23 (A) A civil fine not to exceed \$10,000.00; and
- 24 (B) Restitution to the state of any pecuniary benefit received as a result of such  
25 violation."

26 **SECTION 2.**

27 Said part is further amended by adding a new Code section to read as follows:

28 "45-10-29.

29 (a) Notwithstanding any law, rule, or regulation to the contrary, a public official shall not  
30 be authorized to waive any legal, educational, or testing requirement for himself or herself  
31 relative to the issuance of any license to himself, herself, or to his or her business.

32 (b) Any person who knowingly violates subsection (a) of this Code section shall be subject  
33 to the penalties provided for in Code Section 45-10-28."

34 **SECTION 3.**

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