

Senate Bill 343

By: Senators Heath of the 31st, Hill of the 32nd, Miller of the 49th, Chance of the 16th and Jackson of the 24th

AS PASSED SENATE

**A BILL TO BE ENTITLED
AN ACT**

1 To amend Chapter 5B of Title 50 of the Official Code of Georgia Annotated, relating to the
2 State Accounting Office, so as to designate the state accounting officer as the Comptroller
3 General; to transfer the office, functions, duties, and responsibilities of the Comptroller
4 General from the Commissioner of Insurance to the State Accounting Office; to provide for
5 related matters; to amend Chapter 14 of Title 45 of the Official Code of Georgia Annotated,
6 relating to the Commissioner of Insurance, so as to conform such provisions to reflect the
7 change in the transfer of the position and duties of the Comptroller General to the state
8 accounting officer; to provide effective dates; to repeal conflicting laws; and for other
9 purposes.

10 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

11 **SECTION 1.**

12 Chapter 5B of Title 50 of the Official Code of Georgia Annotated, relating to the State
13 Accounting Office, is amended by designating the existing provisions as Article 1 and adding
14 a new article to read as follows:

15 "ARTICLE 2

16 50-5B-20.

17 (a) There shall be in the office of the State Accounting Office the office of the Comptroller
18 General of the State of Georgia. The state accounting officer shall be the Comptroller
19 General.

20 (b) It shall be the duty of the Comptroller General:

21 (1) To keep an account showing the several appropriations authorized by law, the time
22 when the same are drawn from the treasury, in whose favor they are drawn, and to what
23 fund they are charged;

24 (2) To examine, check, and countersign all warrants upon the treasury drawn by the
25 Governor, the President of the Senate, and the Speaker of the House of Representatives
26 and to charge the amount thereof to the funds on which they may be respectively drawn
27 prior to their being presented to the Office of the State Treasurer for payment;

28 (3) To audit all accounts against the state and to allow or reject the same before they are
29 submitted to the Governor;

30 (4) To see that no draft or warrant shall be countersigned by him or her to be paid out of
31 any appropriated fund after the fund has been exhausted; and, in such case, or in any case
32 of illegal payments from the treasury upon warrants countersigned by the Comptroller
33 General, the Comptroller General and the state treasurer with all their securities shall be
34 jointly and severally liable upon their several bonds for the repayment of such amounts
35 with all expenses of prosecution to the state;

36 (5) To receive and keep safely and collect all evidences of debt due to the state from any
37 source other than taxes and to pay over the same to the state treasurer as soon as
38 collected;

39 (6) To keep a book in which to enter all bonds taken and to file the originals in his or her
40 office;

41 (7) To have made suitable indexes to the record books in his or her office; and

42 (8) To certify under his or her official seal at all times when necessary for public use and,
43 on application and payment of his or her legal fees therefor, for private use, copies of any
44 papers kept in his or her office.

45 50-5B-21.

46 The Comptroller General is authorized and directed to designate one of his or her
47 employees as deputy comptroller general. In the event the Comptroller General is sick or
48 for any other reason is absent from his or her office for three or more days, the deputy
49 comptroller general shall examine, check, and countersign any warrants during the absence
50 of the Comptroller General.

51 50-5B-22.

52 The Comptroller General shall keep in his or her office a bound book in which shall be
53 entered in alphabetical order the full amount of all annual appropriations, setting forth the
54 amounts under their several heads; all warrants that he or she may check and pass, together
55 with the fund on which they are drawn and the time, amount, and in whose favor drawn;
56 and all entries necessary for a true exhibit of the finances of the state.

57 50-5B-23.

58 The Comptroller General shall make an annual report to the Governor, which report shall
 59 show, from his or her books, a current account of all receipts and payments between the
 60 Office of the State Treasurer and the state, including the amount paid on the drafts of the
 61 President of the Senate and the Speaker of the House of Representatives as reported to him
 62 or her by the Office of the State Treasurer.

63 50-5B-24.

64 The Comptroller General shall have an official seal of such design as he or she shall select
 65 with the approval of the Governor."

66 **SECTION 2.**

67 Chapter 14 of Title 45 of the Official Code of Georgia Annotated, relating to the
 68 Commissioner of Insurance, is amended by revising Code Section 45-14-3, relating to duties
 69 of Commissioner of Insurance as Safety Fire Commissioner, Industrial Loan Commissioner,
 70 and Comptroller General, as follows:

71 "45-14-3.

72 The Commissioner of Insurance shall be the Safety Fire Commissioner, and the Industrial
 73 Loan Commissioner, ~~and the Comptroller General."~~

74 **SECTION 3.**

75 Said chapter is further amended by revising Code Section 45-14-5, relating to the seal of the
 76 Commissioner of Insurance, Safety Fire Commissioner, Industrial Loan Commissioner, and
 77 the Comptroller General, as follows:

78 "45-14-5.

79 The Commissioner of Insurance, Safety Fire Commissioner, and Industrial Loan
 80 Commissioner, ~~and the Comptroller General~~ shall have an official seal for each office of
 81 such design as he or she shall select with the approval of the Governor. Every certificate
 82 and other document or paper executed by the Commissioner of Insurance, Safety Fire
 83 Commissioner, or Industrial Loan Commissioner, ~~or the Comptroller General~~ in the
 84 pursuance of any authority conferred upon that office by law and sealed with the seal of
 85 that office and all copies or photographic copies of papers certified by him or her and
 86 authenticated by said seal shall in all cases be evidence 'in equal and like manner' as the
 87 original thereof and in all cases be primary evidence of the contents of the original and
 88 shall be admissible in any court in this state."

89 **SECTION 4.**

90 Said chapter is further amended by revising Code Section 45-14-5, relating to the seal of the
91 Commissioner of Insurance, Safety Fire Commissioner, Industrial Loan Commissioner, and
92 the Comptroller General, as follows:

93 "45-14-5.

94 The Commissioner of Insurance, Safety Fire Commissioner, and Industrial Loan
95 Commissioner, ~~and the Comptroller General~~ shall have an official seal for each office of
96 such design as he or she shall select with the approval of the Governor."

97 **SECTION 5.**

98 Said chapter is further amended by repealing Article 2, relating to the Comptroller General.

99 **SECTION 6.**

100 This Act shall become effective on July 1, 2012, except for Sections 3 and 4. Section 3 shall
101 become effective on July 1, 2012, and shall remain effective until December 31, 2012.
102 Section 4 shall become effective on January 1, 2013.

103 **SECTION 7.**

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