

House Bill 228

By: Representatives Hamilton of the 24th, Jones of the 47th, Peake of the 141st, Powell of the 171st, Dudgeon of the 25th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 4 of Chapter 5 of Title 21 of the Official Code of Georgia Annotated,
2 relating to conduct of public officials and lobbyist disclosure, so as to provide a definition;
3 to provide that public employees shall not use government owned or leased computers or
4 telecommunications devices to promote or oppose the passage of any legislation by the
5 General Assembly or to promote or oppose the approval or veto of any legislation by the
6 Governor; to provide that e-mail addresses of parents or guardians of students in school
7 systems collected by the school system shall be used only for school related functions and
8 shall not be used for the purpose of promoting or opposing the passage of any legislation by
9 the General Assembly, promoting or opposing the approval or veto of any legislation by the
10 Governor, or promoting or opposing the ratification or approval of questions submitted to the
11 electorate; to provide for certain exceptions; to repeal conflicting laws; and for other
12 purposes.

13 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

14 style="text-align:center">**SECTION 1.**

15 Article 4 of Chapter 5 of Title 21 of the Official Code of Georgia Annotated, relating to
16 conduct of public officials and lobbyist disclosure, is amended by adding a new Code section
17 to read as follows:

18 "21-5-77.

19 (a) As used in this Code section, the term 'public employee' means any person employed
20 by the state or any political subdivision of the state, including, but not limited to, all
21 agencies, authorities, bureaus, departments, offices, and commissions of the state or any
22 political subdivision of the state, but shall not include persons who are elected to public
23 office in this state.

24 (b) No public employee shall use a computer, computer system, or computer network or
25 telecommunications device owned or leased by the state or a political subdivision of the
26 state for the purpose of promoting or opposing the passage of any legislation by the

27 General Assembly or promoting or opposing the approval or veto of any legislation by the
28 Governor, which shall include, but shall not be limited to, the use of facsimile machines,
29 wired and wireless telephones and telephone systems, e-mail, word processing software,
30 and printers.

31 (c)(1) The provisions of this Code section shall not apply to a public employee who, as
32 a part of the duties of such person's employment with the state or a political subdivision
33 of the state, is registered as a lobbyist under this article and who engages in lobbying on
34 behalf of the state agency that employs such person or the political subdivision that
35 employs such person.

36 (2) The provisions of this Code section shall not apply to a public employee who, as a
37 part of the duties of such person's employment with the state or a political subdivision of
38 the state, provides information to any member of the General Assembly or the Governor
39 regarding legislation if such information was requested by such member of the General
40 Assembly or the Governor.

41 (d) E-mail addresses of parents and guardians of students enrolled in a public school
42 system collected by the school system shall be used only for school related functions and
43 shall not be used for the purpose of promoting or opposing the passage of any legislation
44 by the General Assembly, promoting or opposing the approval or veto of any legislation
45 by the Governor, or promoting or opposing the ratification or approval of questions
46 submitted to the electorate, either directly or indirectly. Such e-mail addresses shall not be
47 subject to public inspection under Article 4 of Chapter 18 of Title 50."

48 **SECTION 2.**

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