

House Bill 551 (COMMITTEE SUBSTITUTE)

By: Representative Brockway of the 102nd

A BILL TO BE ENTITLED
AN ACT

To amend Article 3 of Chapter 7 of Title 45 of the Official Code of Georgia Annotated, relating to salary deductions applicable to public officers and employees, so as to authorize voluntary deductions from wages or salaries of employees of the State of Georgia and local units of administration for purchases of consumer offerings through an employee purchase program facilitated by and through the Department of Administrative Services; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article 3 of Chapter 7 of Title 45 of the Official Code of Georgia Annotated, relating to salary deductions applicable to public officers and employees, is amended by revising Code Section 45-7-56, relating to deductions for purchase of personal computing and computer related equipment, as follows:

"45-7-56.

(a) As used in this Code section, the term 'local unit of administration' means any county or independent board of education.

(b) It is the purpose of this Code section to permit voluntary deductions from wages or salaries of employees of the State of Georgia and local units of administration for the purchase of personal computing and computer related equipment through an employee purchase program facilitated by and through the Georgia Technology Authority and for the purpose of facilitating employee purchases of personal computing and computer related equipment through an employee purchase program facilitated by and through the Department of Administrative Services.

(c) Any department, agency, authority, or commission of the state or any local unit of administration is authorized to deduct designated amounts from the wages or salaries from its employees for the purpose of facilitating employee purchases of personal computing and computer related equipment through an employee purchase program facilitated by and through the Georgia Technology Authority and for the purpose of facilitating employee

purchases of consumer offerings through an employee purchase program facilitated by and through the Department of Administrative Services. No such deduction shall be made under this Code section without the express written and voluntary consent of the employee. Each such request shall designate the exact amount to be deducted. Any employee who has consented to a deduction is authorized to withdraw from such salary reduction with two weeks' written notice; provided, however, that such withdrawal shall not relieve any employee of any outstanding indebtedness incurred under such purchase program.

(d)(1) The fiscal authorities or other employees of the various departments or agencies of this state will not incur any liability for errors or omissions made in the performance of the agreement between the state and the employee.

(2) The fiscal authorities or other employees of local units of administration will not incur any liability for errors or omissions made in the performance of the agreement between the local unit of administration and the employee.

(3) Notwithstanding the provisions of paragraphs (1) and (2) of this subsection, this Code section does not confer immunity from criminal or civil liability for conversion, theft by conversion, theft by taking, theft by extortion, theft by deception, or any other intentional misappropriation of the money or property of another.

(e) If a state employee or public school employee leaves employment for any reason and a balance is owing for the computer, ~~or~~ equipment, or consumer offering, then, in that event, the state or board of education or the state retirement system shall have the right to deduct the balance owing from any funds under the control of the state or board of education or state retirement system to which said employee would otherwise be entitled."

SECTION 2.

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