

Senate Bill 66

By: Senators Jackson of the 2nd, Fort of the 39th, Jones II of the 22nd, Rhett of the 33rd,  
Butler of the 55th and others

A BILL TO BE ENTITLED  
AN ACT

1 To amend Article 2 of Chapter 19 of Title 45 of the Official Code of Georgia Annotated,  
2 relating to fair employment practices, so as to require that at least one minority person be  
3 interviewed during the process of filling vacancies of executive heads of state agencies; to  
4 provide for definitions; to provide an exception to such requirement; to provide for related  
5 matters; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Article 2 of Chapter 19 of Title 45 of the Official Code of Georgia Annotated, relating to fair  
9 employment practices, is amended in Code Section 45-19-22, relating to definitions, by  
10 adding two new paragraphs to read as follows:

11 "(4.1) 'Minority person' means a lawful permanent resident of the United States who is:

12 (A) Black;

13 (B) Hispanic;

14 (C) Asian-Pacific American;

15 (D) Native American; or

16 (E) Asian-Indian American."

17 "(7.1) 'State agency' means every state department, agency, board, bureau, office,  
18 commission, public corporation, and authority."

19 **SECTION 2.**

20 Said article is further amended by adding a new Code section to read as follows:

21 "45-19-47.

22 (a) Except as provided in subsection (b) of this Code section and notwithstanding Code  
23 Section 45-19-35, in the event of a vacancy in any position for the executive head of a state  
24 agency, at least one minority person shall be interviewed for consideration to fill each such  
25 position.

26 (b)(1) Subsection (a) of this Code section shall not apply in the event that the state  
27 agency:  
28 (A) Publicly advertises or otherwise announces the vacancy and the time frame for  
29 acceptance of applications;  
30 (B) Subsequently accepts applications for the vacancy; and  
31 (C) Receives no application from a minority person within the designated time frame.  
32 (2) Subsection (a) of this Code section shall not apply to heads of state agencies who are  
33 elected by the voters of the state."

34 **SECTION 3.**

35 All laws and parts of laws in conflict with this Act are repealed.