House Bill 1582 (AS PASSED HOUSE AND SENATE)

By: Representatives Martin of the 37th and Greene of the 134th

A BILL TO BE ENTITLED

AN ACT

To amend Code Section 50-16-18 of the Official Code of Georgia Annotated, relating to writing off small amounts due to the state, so as to provide that the Department of Technical and Adult Education may write off amounts up to $3,000.00; to provide an automatic repeal; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Code Section 50-16-18 of the Official Code of Georgia Annotated, relating to writing off small amounts due to the state, is amended by striking in its entirety subsection (b) and inserting in lieu thereof the following:

"(b) All state agencies and departments, in order to preserve public funds, are authorized to develop appropriate standards, in conjunction with the Department of Audits and Accounts, which will provide a mechanism to consider administratively discharging any obligation or charge in favor of such agency or department when such obligation or charge is $100.00 or any lesser amount unless the agency or department belongs to the Board of Regents of the University System of Georgia or the Department of Technical and Adult Education, in which case the obligation or charge in favor of the institution under the Board of Regents of the University System of Georgia or the Department of Technical and Adult Education may be $3,000.00 or any lesser amount. This procedure shall not be available to such agency or department in those instances where the obligor has more than one such debt or obligation in any given fiscal year, and this provision shall be construed in favor of the state agency or department so as not to alter the unquestioned ability of such state agency or department to pursue any debt, obligation, or claim in any amount whatsoever. In those instances where a debt or obligation of $100.00 or less, or $3,000.00 or less for the institutions of the Board of Regents of the University System of Georgia or the Department of Technical and Adult Education, has been deemed to be uncollectable, the proper individual making such determination shall transmit a recapitulation of the efforts made to

collect the debt together with all other appropriate information, which shall include a reasonable estimate of the cost to pursue administratively or judicially the account together with a recommendation to the commissioner of such state agency or department. In those instances where the commissioner makes a determination that further collection efforts would be detrimental to the public´s financial interest, a certificate reflecting this determination shall be executed, and this certificate shall serve as the authority to remove such uncollectable accounts from the financial records of such state agency or department. Such certificates shall be forwarded to the state auditor in a manner and at such times as are reflected in the standards developed by the state auditor and the state agency or department.″

SECTION 2.

This Act shall be repealed in its entirety on June 30, 2006.

SECTION 3.

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