House Bill 340 (AS PASSED HOUSE AND SENATE)

By: Representatives Hembree of the 67th, Richardson of the 19th, Smith of the 113th, Smith of the 129th, Royal of the 171st, and others

A BILL TO BE ENTITLED

AN ACT

To amend Code Section 50-18-72 of the Official Code of Georgia Annotated, relating to when public disclosure of records is not required, so as to provide that records maintained by public postsecondary educational institutions in this state and associated foundations of such institutions that contain certain personal information concerning donors or potential donors to such institutions or foundations shall not be subject to disclosure; to provide definitions; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Code Section 50-18-72 of the Official Code of Georgia Annotated, relating to when public disclosure of records is not required, is amended by striking the word "or" at the end of paragraph (16) of subsection (a), by striking the period at the end of paragraph (17) of subsection (a) and inserting in lieu thereof "; or", and by adding a new paragraph (18) to read as follows:

"(18) Records maintained by public postsecondary educational institutions in this state and associated foundations of such institutions that contain personal information concerning donors or potential donors to such institutions or foundations; provided, however, that the name of any donor and the amount of donation made by such donor shall be subject to disclosure if such donor or any entity in which such donor has a substantial interest transacts business with the public postsecondary educational institution to which the donation is made within three years of the date of such donation. As used in this paragraph, the term 'transact business' means to sell or lease any personal property, real property, or services on behalf of oneself or on behalf of any third party as an agent, broker, dealer, or representative in an amount in excess of $10,000.00 in the aggregate in a calendar year and the term 'substantial interest' means the direct or indirect ownership of more than 25 percent of the assets or stock of an entity."

SECTION 2.

This Act shall become effective upon its approval by the Governor or upon its becoming law without such approval.

SECTION 3.

All laws and parts of laws in conflict with this Act are repealed.