

The Senate Committee on Rules offered the following substitute to HB 67:

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 1 of Chapter 16 of Title 50 of the Official Code of Georgia Annotated,
2 relating to general provisions relative to public property, so as to extend automatic repeals
3 of certain provisions regarding writing off small amounts due to the state; to amend Title 20
4 of the Official Code of Georgia Annotated, relating to education, so as to extend automatic
5 repeals of certain provisions regarding nonlapsing revenue of institutions in the University
6 System of Georgia and the Technical College System of Georgia; to provide for annual
7 reports regarding nonlapsing revenue; to provide for related matters; to provide for an
8 effective date; to repeal conflicting laws; and for other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

10 **PART I**
11 **SECTION 1-1.**

12 Article 1 of Chapter 16 of Title 50 of the Official Code of Georgia Annotated, relating to
13 general provisions relative to public property, is amended in Code Section 50-16-18, relating
14 to writing off small amounts due to the state, by revising subsection (b) as follows:

15 "(b)(1) All state agencies and departments, in order to preserve public funds, shall be
16 authorized to develop appropriate standards that comply with the policies prescribed by
17 the state accounting officer which will provide a mechanism to consider administratively
18 discharging any obligation or charge in favor of such agency or department when such
19 obligation or charge is \$100.00 or any lesser amount unless the agency or department
20 belongs to the Board of Regents of the University System of Georgia or the Technical
21 College System of Georgia in which case the obligation or charge in favor of the
22 institution under the Board of Regents of the University System of Georgia or the
23 institution of the Technical College System of Georgia may be \$3,000.00 or any lesser
24 amount. This procedure shall not be available to such agency or department in those
25 instances where the obligor has more than one such debt or obligation in any given fiscal
26 year, and this provision shall be construed in favor of the state agency or department so
27 as not to alter the unquestioned ability of such state agency or department to pursue any
28 debt, obligation, or claim in any amount whatsoever. In those instances where a debt or
29 obligation of \$100.00 or less, or \$3,000.00 or less for the institutions of the Board of
30 Regents of the University System of Georgia or the Technical College System of
31 Georgia, has been deemed to be uncollectable, the proper individual making such
32 determination shall transmit a recapitulation of the efforts made to collect the debt
33 together with all other appropriate information, which shall include a reasonable estimate
34 of the cost to pursue administratively or judicially the account, together with a
35 recommendation to the commissioner of such state agency or department. In those
36 instances where the commissioner makes a determination that further collection efforts
37 would be detrimental to the public's financial interest, a certificate reflecting this
38 determination shall be executed, and this certificate shall serve as the authority to remove
39 such uncollectable accounts from the financial records of such state agency or
40 department. Such certificates shall be forwarded to the state accounting officer in a
41 manner and at such times as are reflected in the standards developed by the state

42 accounting officer and the state agency or department. This paragraph shall stand
43 repealed and reserved effective July 1, ~~2021~~ 2026.

44 (2) On and after July 1, ~~2021~~ 2026, all state agencies and departments, in order to
45 preserve public funds, shall be authorized to develop appropriate standards that comply
46 with the policies prescribed by the state accounting officer which will provide a
47 mechanism to consider administratively discharging any obligation or charge in favor of
48 such agency or department when such obligation or charge is \$100.00 or any lesser
49 amount. This procedure shall not be available to such agency or department in those
50 instances where the obligor has more than one such debt or obligation in any given fiscal
51 year, and this provision shall be construed in favor of the state agency or department so
52 as not to alter the unquestioned ability of such state agency or department to pursue any
53 debt, obligation, or claim in any amount whatsoever. In those instances where a debt or
54 obligation of \$100.00 or less has been deemed to be uncollectable, the proper individual
55 making such determination shall transmit a recapitulation of the efforts made to collect
56 the debt together with all other appropriate information, which shall include a reasonable
57 estimate of the cost to pursue administratively or judicially the account, together with a
58 recommendation to the commissioner of such state agency or department. In those
59 instances where the commissioner makes a determination that further collection efforts
60 would be detrimental to the public's financial interest, a certificate reflecting this
61 determination shall be executed, and this certificate shall serve as the authority to remove
62 such uncollectable accounts from the financial records of such state agency or
63 department. Such certificates shall be forwarded to the state accounting officer in a
64 manner and at such times as are reflected in the standards developed by the state
65 accounting officer and the state agency or department."

PART II**SECTION 2-1.**

68 Title 20 of the Official Code of Georgia Annotated, relating to education, is amended by
69 revising Code Section 20-3-86, relating to nonlapsing revenue of institutions in the university
70 system, as follows:

71 "20-3-86.

72 Revenue collected by any or all institutions in the university system from tuition,
73 departmental sales or services, continuing education fees, technology fees, or indirect cost
74 recoveries shall not lapse. The amount of revenue from tuition that shall not lapse under
75 this Code section shall not exceed 3 percent of the tuition collected. This Code section
76 shall stand repealed on ~~June 30, 2021~~ July 1, 2026. Not later than October 15 of each year,
77 the board of regents shall provide to the Governor, the chairperson of the House Committee
78 on Appropriations, and the chairperson of the Senate Appropriations Committee a report
79 of all nonlapsing revenue provided for in this Code section from the preceding fiscal year,
80 the anticipated plans for use of such nonlapsing revenue, the actual expenses paid for from
81 nonlapsing revenue from the previous fiscal year, and the cumulative balance of nonlapsed
82 revenue."

SECTION 2-2.

84 Said title is further amended by revising Code Section 20-4-21.1, relating to nonlapsing
85 revenue of institutions under the Technical College System of Georgia, as follows:

86 "20-4-21.1.

87 Revenue collected by any or all institutions under the Technical College System of Georgia
88 from tuition, departmental sales or services, continuing education fees, technology fees, or
89 indirect cost recoveries shall not lapse. The amount of revenue from tuition that shall not
90 lapse under this Code section shall not exceed 15 percent of the tuition collected. This

91 Code section shall stand repealed on ~~June 30, 2021~~ July 1, 2026. Not later than October
92 15 of each year, the State Board of the Technical College System of Georgia shall provide
93 to the Governor, the chairperson of the House Committee on Appropriations, and the
94 chairperson of the Senate Appropriations Committee a report of all nonlapsing revenue
95 provided for in this Code section from the preceding fiscal year, the anticipated plans for
96 use of such nonlapsing revenue, the actual expenses paid for from nonlapsing revenue from
97 the previous fiscal year, and the cumulative balance of nonlapsed revenue."

98

PART III

99

SECTION 3-1.

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

102

SECTION 3-2.

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