

The House Committee on Judiciary offers the following substitute to HB 30:

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 1 of Title 50 of the Official Code of Georgia Annotated, relating to
2 general provisions relative to state government, so as to require state agencies to consider
3 antisemitism when determining whether an alleged act was motivated by discriminatory
4 intent; to provide for limitations and construction; to provide for definitions; to provide for
5 an effective date; to provide for related matters; to repeal conflicting laws; and for other
6 purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Chapter 1 of Title 50 of the Official Code of Georgia Annotated, relating to general
10 provisions relative to state government, is amended by adding a new Code section to read as
11 follows:

12 "50-1-12.

13 (a) As used in this Code section, the term:

14 (1) 'Antisemitism' has the same meaning as provided for in the advisory definition of
15 antisemitism adopted by the International Holocaust Remembrance Alliance (IHRA) on
16 May 26, 2016: a certain perception of Jews, which may be expressed as hatred toward
17 Jews. Rhetorical and physical manifestations of antisemitism are directed toward Jewish

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18 or non-Jewish individuals and/or their property, toward Jewish community institutions
19 and religious facilities.

20 (2) 'State agency' means any branch of state government or any agency, authority,
21 department, board, bureau, commission, council, corporation, entity, or instrumentality
22 of this state or of a local political subdivision of this state.

23 (b) All state agencies shall consider antisemitism as evidence of discriminatory intent for
24 any criminal or noncriminal law or policy in this state which prohibits discrimination based
25 on race, color, religion, or national origin or any criminal law in this state which provides
26 for enhanced criminal penalties for criminal offenses when the defendant intentionally
27 selected any victim or group of victims or any property as the object of the offense because
28 of such victim's or group of victims' actual or perceived race, color, religion, or national
29 origin.

30 (c) Nothing in this Code section shall be construed to diminish or infringe upon any right
31 protected under the First Amendment to the United States Constitution or the Georgia
32 Constitution. Nothing in this Code section shall be construed to diminish or infringe upon
33 an individual's right to engage in legally protected conduct or expressive activity pertaining
34 to any matter of United States foreign policy or international affairs. Nothing in this Code
35 section shall be construed to conflict with local, federal, or state discrimination laws.

36 (d) Nothing in this Code section shall be construed to alter the evidentiary requirements
37 pursuant to which an agency or department makes a determination that conduct, including
38 harassment, amounts to actionable discrimination, or to diminish or infringe upon the rights
39 protected under any other provision of law.

40 (e) Nothing in this Code section shall be construed to impair or otherwise affect the
41 authority granted by law to a department or agency.

42 (f) This Code section is not intended to and does not create any right or benefit,
43 substantive or procedural, enforceable at law or in equity by any party against the state, its
44 departments, agencies, or entities, its officers, employees, or agents."

45 **SECTION 2.**

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

48 **SECTION 3.**

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