

House Bill 670

By: Representatives Clark of the 108<sup>th</sup>, Hugley of the 141<sup>st</sup>, Carter of the 93<sup>rd</sup>, Evans of the 57<sup>th</sup>, and Holcomb of the 101<sup>st</sup>

A BILL TO BE ENTITLED

AN ACT

1 To amend Titles 8, 10, 34, 35, 45, and 50 of the Official Code of Georgia Annotated, relating  
2 to buildings and housing, commerce and trade, labor and industrial relations, law  
3 enforcement officers and agencies, public officers and employees, and state government,  
4 respectively, so as to provide comprehensive state civil rights laws protecting individuals  
5 from discrimination in housing, public accommodations, and employment on the basis of  
6 race, color, religion, sex, sexual orientation, age, disability, familial status, or national origin;  
7 to provide for legislative findings and intent; to extend protections prohibiting discrimination  
8 in housing; to provide for the right to equal enjoyment of and privileges to public  
9 accommodations and provide for a civil right of action and remedies; to prohibit  
10 discrimination in private and public employment and provide for a private right of action and  
11 remedies; to specifically prohibit racial profiling by law enforcement officers and law  
12 enforcement agencies; to require certain policies and procedures by law enforcement  
13 agencies; to provide for data collection; to provide for regulations by the Attorney General;  
14 to provide for an annual report; to provide for a right of action for enforcement; to revise the  
15 state waiver of sovereign immunity; to provide for waiver of sovereign immunity under  
16 certain circumstances; to repeal the use of the term "handicap" and make conforming changes  
17 with the use of the term "disability"; to provide for definitions; to provide for related matters;

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18 to provide for a short title; to provide for an effective date; to repeal conflicting laws; and for  
19 other purposes.

20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

21 **PART I**  
22 **SECTION 1-1.**

23 This Act shall be known and may be cited as the "Georgia Civil Rights Act of 2025."

24 **SECTION 1-2.**

25 (a) The General Assembly finds that:

26 (1) Georgia is one of only three states without comprehensive state civil rights laws  
27 protecting individuals from discrimination in employment, housing, and public  
28 accommodations;

29 (2) The General Assembly has considered legislation in recent years adding specific  
30 protections against discrimination for people based on religious beliefs, as well as sexual  
31 orientation, in separate contexts;

32 (3) The Georgia Constitution guarantees equal protection under the law for all citizens;

33 (4) The Georgia Constitution guarantees the natural and inalienable right to worship God,  
34 according to the dictates of a person's own conscience; and no human authority should, in  
35 any case, control or interfere with such right of conscience;

36 (5) The Georgia Constitution holds that no one should be molested in person or property  
37 on account of religious opinions; but the right of freedom of religion shall not be construed  
38 as to excuse acts of licentiousness or justify practices inconsistent with the peace and safety  
39 of this state; and

40 (6) It is the duty of the General Assembly to enact such laws as will protect all citizens in  
41 the full enjoyment of the rights, privileges, and immunities due to such citizenship.

42 (b) It is the intent of the General Assembly:

43 (1) To expand and clarify civil rights laws in this state by addressing discrimination in  
44 employment, housing, and public accommodations; and

45 (2) That this Act shall be liberally construed to safeguard against the discrimination  
46 prohibited herein.

47 **PART II**

48 **SECTION 2-1.**

49 Title 8 of the Official Code of Georgia Annotated, relating to buildings and housing, is  
50 amended by revising Code Section 8-3-200, relating to state policy and purposes and  
51 construction of article, as follows:

52 "8-3-200.

53 (a) It is the policy of the State of Georgia to provide, within constitutional limitations, for  
54 fair housing throughout this state.

55 (b) The general purposes of this article are:

56 (1) To provide for execution in ~~the~~ this state of policies embodied in Title VIII of the  
57 Civil Rights Act of 1968, as amended by the Fair Housing Amendments Act of 1988;

58 (2) To safeguard all individuals from discrimination in any aspect relating to the sale,  
59 rental, or financing of dwellings or in the provision of brokerage services or facilities in  
60 connection with the sale or rental of a dwelling because of ~~that individual's~~ such  
61 individuals' race, color, religion, sex, sexual orientation, age, disability or handicap,  
62 familial status, or national origin;

63 (3) To promote the elimination of discrimination in any aspect relating to the sale, rental,  
64 or financing of dwellings or in the provision of brokerage services or facilities in

65 connection with the sale or rental of a dwelling because of a person's race, color, religion,  
66 sex, sexual orientation, age, disability or handicap, familial status, or national origin; and

67 (4) To promote the protection of each individual's interest in personal dignity and  
68 freedom from humiliation and the individual's freedom to take up residence wherever  
69 such individual chooses; to secure the state against domestic strife and unrest which  
70 would menace its democratic institutions; to preserve the public safety, health, and  
71 general welfare; and to further the interests, rights, and privileges of individuals within  
72 this state.

73 (c) This article shall be broadly construed to further the general purposes stated in this  
74 Code section and the special purposes of the particular provision involved."

75 **SECTION 2-2.**

76 Said title is further amended by revising paragraphs (1) through (5) of subsection (a) of Code  
77 Section 8-3-202, relating to unlawful practices in selling or renting dwellings and exceptions,  
78 as follows:

79 "(1) To refuse to sell or rent after the making of a bona fide offer, or to refuse to  
80 negotiate for the sale or rental of, or otherwise make unavailable or deny, a dwelling to  
81 any person because of race, color, religion, sex, sexual orientation, age, disability,  
82 familial status, or national origin;

83 (2) To discriminate against any person in the terms, conditions, or privileges of sale or  
84 rental of a dwelling, or in the provision of services or facilities in connection therewith,  
85 because of race, color, religion, sex, sexual orientation, age, disability, familial status, or  
86 national origin;

87 (3) To make, print, or publish or cause to be made, printed, or published any notice,  
88 statement, or advertisement, with respect to the sale or rental of a dwelling, that indicates  
89 any preference, limitation, or discrimination based on race, color, religion, sex, sexual

90 orientation, age, disability, familial status, or national origin, or an intention to make any  
 91 such preference, limitation, or discrimination;

92 (4) To represent to any person because of race, color, religion, sex, sexual orientation,  
 93 age, disability, familial status, or national origin that any dwelling is not available for  
 94 inspection, sale, or rental when such dwelling is in fact so available;

95 (5) For profit, to induce or attempt to induce any person to sell or rent any dwelling by  
 96 representations regarding the entry or prospective entry into the neighborhood of a person  
 97 or persons of a particular race, color, religion, sex, sexual orientation, age, familial status,  
 98 or national origin or with a disability;"

99 **SECTION 2-3.**

100 Said title is further amended by revising Code Section 8-3-203, relating to unlawful denial  
 101 of or discrimination in membership or participation in service or organization relating to  
 102 selling or renting dwellings, as follows:

103 "8-3-203.

104 It shall be unlawful to deny any person access to or membership or participation in any  
 105 multiple-listing service, real estate brokers' organization, or other service, organization, or  
 106 facility relating to the business of selling or renting dwellings or to discriminate against  
 107 such person in the terms or conditions of such access, membership, or participation on  
 108 account of ~~race, color, religion, sex, disability, familial status, or national origin~~ race, color,  
 109 religion, national origin, sex, sexual orientation, age, disability, familial status, or national  
 110 origin."

111 **SECTION 2-4.**

112 Said title is further amended by revising subsections (b) and (c) of Code Section 8-3-204,  
 113 relating to discrimination in residential real estate related transactions and appraisals, as  
 114 follows:

115 "(b) It shall be unlawful for any person or other entity whose business includes engaging  
 116 in residential real estate related transactions to discriminate against any person in making  
 117 available such a transaction or in the terms or conditions of such a transaction because of  
 118 race, color, religion, sex, sexual orientation, age, disability, handicap, familial status, or  
 119 national origin.

120 (c) Nothing in this article shall be construed to prohibit a person engaged in the business  
 121 of furnishing appraisals of real property from taking into consideration factors other than  
 122 ~~race, color, religion, national origin, sex, handicap, or familial status~~ race, color, religion,  
 123 national origin, sex, sexual orientation, age, disability, familial status, or national origin."

124 **SECTION 2-5.**

125 Said title is further amended by revising subsection (a) of Code Section 8-3-205, relating to  
 126 permissible limitations in sale, rental, or occupancy of dwellings by religious organizations  
 127 or private clubs and housing for older persons, as follows:

128 "(a) Nothing in this article shall prohibit a religious organization, association, or society,  
 129 or any nonprofit institution or organization operated, supervised, or controlled by or in  
 130 conjunction with a religious organization, association, or society, from limiting the sale,  
 131 rental, or occupancy of dwellings which it owns or operates for ~~other than a commercial~~  
 132 ~~purpose~~ noncommercial purposes to persons of the same religion or from giving preference  
 133 to such persons unless membership in such religion is restricted on account of race, color,  
 134 sex, sexual orientation, age, disability, handicap, familial status, or national origin.  
 135 Nothing in this article shall prohibit a private club not in fact open to the public, which as  
 136 an incident to its primary purpose or purposes provides lodgings which it owns or operates  
 137 for ~~other than a commercial purpose~~ noncommercial purposes, from limiting the rental or  
 138 occupancy of such lodgings to its members or from giving preference to its members."

139 **PART III**  
140 **SECTION 3-1.**

141 Title 10 of the Official Code of Georgia Annotated, relating to commerce and trade, is  
142 amended by adding a new chapter to read as follows:

143 "CHAPTER 16

144 10-16-1.

145 (a) It is the policy of the State of Georgia to provide, within constitutional limitations, for  
146 equal enjoyment of public accommodations throughout this state.

147 (b) The general purpose of this chapter is to provide for execution in this state of the  
148 policies embodied in 42 U.S.C. Section 2000a, et seq., as of January 1, 2025, and 42 U.S.C.  
149 Section 1981, as of January 1, 2025.

150 (c) This chapter shall be broadly construed to further the general purposes stated in this  
151 Code section and the special purposes of the particular provision involved.

152 10-16-2.

153 As used in this chapter, the term 'place of public accommodation' shall have the same  
154 meaning as the term 'public accommodation' as set forth in the Americans with Disabilities  
155 Act of 1990, 42 U.S.C. Section 12181, et seq., as of January 1, 2025.

156 10-16-3.

157 (a) All persons shall be entitled to the full and equal enjoyment of the goods, services,  
158 facilities, privileges, advantages, and accommodations of any place of public  
159 accommodation without discrimination or segregation on the basis of race, color, religion,  
160 sex, sexual orientation, age, disability, familial status, or national origin.

161 (b) It shall be unlawful for any person to:

162 (1) Withhold, deny, or attempt to withhold or deny, or deprive or attempt to deprive any  
163 person of any right or privilege secured by subsection (a) of this Code section;

164 (2) Intimidate, threaten, or coerce, or attempt to intimidate, threaten, or coerce any  
165 person with the purpose of interfering with any right or privilege secured by  
166 subsection (a) of this Code section; or

167 (3) Punish or attempt to punish any person for exercising or attempting to exercise any  
168 right or privilege secured by subsection (a) of this Code section.

169 10-16-4.

170 When any person has engaged or there are reasonable grounds to believe that any person  
171 is about to engage in any act or practice prohibited by subsection (b) of Code  
172 Section 10-16-3, a civil action for preventive relief, including an application for a  
173 permanent or temporary injunction, restraining order, or other order, may be instituted by  
174 the person aggrieved, and the court may grant such relief as it deems appropriate. In any  
175 action commenced pursuant to this chapter, the court, in its discretion, may allow the  
176 prevailing party reasonable attorney's fees as part of the costs.

177 10-16-5.

178 This chapter shall be broadly construed to safeguard against the discrimination prohibited  
179 by this chapter."

180

#### **PART IV**

181

#### **SECTION 4-1.**

182 Title 34 of the Official Code of Georgia Annotated, relating to labor and industrial relations,  
183 is amended by adding a new Code section to read as follows:

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184 "34-1-11.

185 (a)(1) It is the policy of the State of Georgia to provide, within constitutional limitations,  
186 for equal employment opportunities throughout this state.

187 (2) The general purpose of this Code section is to provide for execution in this state of  
188 policies embodied in 42 U.S.C. Section 2000e, et seq., as of January 1, 2025.

189 (b) As used in this Code section, the term 'employer' means a person engaged in an  
190 industry affecting commerce, as defined in 42 U.S.C. Section 2000e, et. seq., as of  
191 January 1, 2025, that has 15 or more employees for each working day in each of 20 or more  
192 calendar weeks in the current or preceding calendar year, and any agent of such person.

193 Such term does not include:

194 (1) The United States, a corporation wholly owned by the government of the United  
195 States, or an American Indian tribe;

196 (2) A bona fide private membership club, other than a labor organization, as defined  
197 in 42 U.S.C. Section 2000e, et. seq., as of January 1, 2025, which is exempt from taxation  
198 under Section 501(c)(3) of the Internal Revenue Code of 1986, as of January 1, 2025; or

199 (3) A public employer as defined in Code Section 45-19-22.

200 (c) It shall be unlawful for an employer to:

201 (1) Fail or refuse to hire or to discharge any individual, or otherwise to discriminate  
202 against any individual with respect to such individual's compensation, terms, conditions,  
203 or privileges of employment, because of such individual's race, color, religion, sex, sexual  
204 orientation, age, disability, familial status, or national origin; or

205 (2) Limit, segregate, or classify its employees or applicants for employment in any way  
206 which would deprive or tend to deprive any individual of employment opportunities or  
207 otherwise adversely affect such individual's status as an employee, because of such  
208 individual's race, color, religion, sex, sexual orientation, age, disability, familial status,  
209 or national origin.

210 (d) An employee in this state shall have a private right of action for a claim against such  
211 employee's employer on the basis of discrimination for a violation of subsection (c) of this  
212 Code section.

213 (e)(1) If the court finds that a respondent has intentionally engaged in or is intentionally  
214 engaging in an unlawful employment practice as charged in the complaint, the court may  
215 enjoin the respondent from engaging in such unlawful employment practice, and order  
216 such affirmative action as may be appropriate, which may include, but shall not be  
217 limited to, reinstatement or hiring of employees, with or without back pay, or any other  
218 equitable relief as the court deems appropriate. Back pay liability shall not accrue from  
219 a date more than two years prior to the filing of a claim. Interim earnings or amounts  
220 earnable with reasonable diligence by the person or persons discriminated against shall  
221 operate to reduce the back pay otherwise allowable.

222 (2) No order of the court shall require the hiring, reinstatement, or promotion of an  
223 individual as an employee, or the payment to such individual of any back pay, if such  
224 individual was refused admission, employment, or advancement or was suspended,  
225 expelled, or discharged for any reason other than such individual's race, color, religion,  
226 sex, sexual orientation, age, disability, familial status, or national origin in violation of  
227 this Code section.

228 (f) This Code section shall be broadly construed to safeguard against the discrimination  
229 prohibited in this Code section."

230 **SECTION 4-2.**

231 Title 35 of the Official Code of Georgia Annotated, relating to law enforcement officers and  
232 agencies, is amended by adding a new chapter to read as follows:

233

"CHAPTER 11234 35-11-1.235 This chapter shall be known and may be cited as the 'End Racial Profiling Act.'236 35-11-2.237 As used in this chapter, the term:

238 (1) 'Hit rate' means the percentage of stops and searches in which a law enforcement  
239 officer finds drugs, a firearm, or other contraband that leads to an arrest. Such percentage  
240 shall be calculated by dividing the total number of searches by the number of searches  
241 that lead to arrests.

242 (2) 'Law enforcement agency' means any agency, organ, or department of this state, or  
243 a subdivision or municipality thereof, whose primary functions include the enforcement  
244 of criminal or traffic laws; the preservation of public order; the protection of life and  
245 property; or the prevention, detection, or investigation of crime, including, but not limited  
246 to, any department or unit organized by a college or university for purposes of Chapter 8  
247 of Title 20.

248 (3) 'Law enforcement officer' means any agent or officer of this state, a political  
249 subdivision or municipality of this state, an authority of this state, or a college or  
250 university who, as a full-time or part-time employee, is vested either expressly by law or  
251 by virtue of public employment or service with authority to enforce the criminal or traffic  
252 laws through the power of arrest and whose duties include the preservation of public  
253 order, the protection of life and property, or the prevention, detection, or investigation of  
254 crime.

255 (4) 'Racial profiling' means the practice of a law enforcement agency or law enforcement  
256 officer relying, to any degree, on actual or perceived race, color, religion, sex, sexual  
257 orientation, age, disability, familial status, or national origin in selecting which individual

258 to subject to routine or spontaneous investigatory activities or in deciding upon the scope  
259 and substance of law enforcement activity following the initial investigatory procedure.

260 (5) 'Routine or spontaneous investigatory activities' means the following activities by a  
261 law enforcement officer:

262 (A) Interviews;

263 (B) Traffic stops;

264 (C) Pedestrian stops;

265 (D) Frisks and other types of body searches;

266 (E) Consensual or nonconsensual searches of the persons, property, vehicles, or  
267 possessions of individuals, including, but not limited to, motorists and pedestrians,  
268 using any form of public or private transportation; or

269 (F) Data collection and analysis, assessments, and predicated investigations.

270 35-11-3.

271 No law enforcement officer or law enforcement agency shall engage in racial profiling.

272 35-11-4.

273 (a) All law enforcement agencies shall:

274 (1) Maintain adequate policies and procedures designed to eliminate racial profiling; and

275 (2) Cease any existing practices that permit racial profiling.

276 (b) The policies and procedures provided for under paragraph (1) of subsection (a) of this

277 Code section shall include:

278 (1) A prohibition on racial profiling;

279 (2) Training on racial profiling issues;

280 (3) The collection of data in accordance with regulations issued by the Attorney General;

281 and

282 (4) Procedures for receiving, investigating, and responding meaningfully to complaints  
283 alleging racial profiling by law enforcement officers.

284 (c) Beginning on July 1, 2025, and on July 1 of each year thereafter, the Attorney General  
285 shall issue a public report based upon the data collected by the Attorney General pursuant  
286 to this Code section for the prior calendar year. Such report shall detail for each law  
287 enforcement agency the number of routine or spontaneous investigatory activities and the  
288 hit rates. Such report shall disaggregate such data by race, ethnicity, and national origin.

289 35-11-5.

290 (a) The Attorney General or any individual injured by racial profiling may enforce this  
291 chapter in a civil action for declaratory or injunctive relief filed in the superior court.

292 (b) In any action brought under this Code section, relief may be obtained against any:

293 (1) Agency, organ, or department of this state, or a subdivision or municipality thereof,  
294 or a college or university that employed any law enforcement officer who engaged in  
295 racial profiling;

296 (2) Law enforcement officer who engaged in racial profiling; or

297 (3) Any individual with supervisory authority over such law enforcement officer.

298 (c) Proof that the routine or spontaneous investigatory activities of law enforcement  
299 officers in a jurisdiction have had a disparate impact on individuals because of such  
300 individual's actual or perceived race, color, religion, sex, sexual orientation, age, disability,  
301 familial status, or national origin shall constitute prima-facie evidence of a violation of this  
302 chapter.

303 (d) In any action or proceeding to enforce this chapter against any agency, organ, or  
304 department of this state, or a subdivision or municipality thereof, or a college or university,  
305 the court may allow a prevailing plaintiff, other than the Attorney General, reasonable  
306 attorney's fees as part of the costs and may include expert's fees as part of the attorney's  
307 fees."

308 **SECTION 4-3.**

309 Title 45 of the Official Code of Georgia Annotated, relating to public officers and employees,  
310 is amended by revising Code Section 45-19-21, relating to the purposes and construction of  
311 the "Fair Employment Practices Act of 1978," as follows:

312 "45-19-21.

313 (a) The general purposes of this article are:

314 (1) To provide for execution within public employment in ~~the~~ this state of the policies  
315 embodied in Title VII of the federal Civil Rights Act of 1964 (78 Stat. 241), as amended  
316 by the Equal Employment Opportunity Act of 1972 (86 Stat. 103), as from time to time  
317 amended, the federal Age Discrimination in Employment Act of 1967 (81 Stat. 602), as  
318 from time to time amended, and the federal Rehabilitation Act of 1973 (87 Stat. 355), as  
319 from time to time amended;

320 (2) To safeguard all individuals in public employment from discrimination in  
321 employment; and

322 (3) To promote the elimination of discrimination against all individuals in public  
323 employment because of such individuals' ~~race, color, religion, national origin, sex,~~  
324 ~~disability, or age~~ race, color, religion, sex, sexual orientation, age, disability, familial  
325 status, or national origin, thereby to promote the protection of their interest in personal  
326 dignity and freedom from humiliation; to make available to ~~the~~ this state their full  
327 productive capacities; to secure ~~the~~ this state against domestic strife and unrest which  
328 would menace its democratic institutions; to preserve the public safety, health, and  
329 general welfare; and to further the interests, rights, and privileges of individuals within  
330 ~~the~~ this state.

331 (b) This article shall be broadly construed to further the general purposes stated in this  
332 Code section and the special purposes of the particular provision involved.

333 (c) Nothing in this article shall be construed as indicating an intent to exclude local or  
334 federal laws on the same subject matter, which laws are not inconsistent with this article.

335 (d) Nothing contained in this article shall be deemed to repeal any other nonconflicting law  
336 of this state relating to discrimination because of ~~race, color, religion, national origin, sex,~~  
337 ~~disability, or age~~ race, color, religion, sex, sexual orientation, age, disability, familial status,  
338 or national origin."

339 **SECTION 4-4.**

340 Said title is further amended by revising paragraph (4) of Code Section 45-19-22, relating  
341 to definitions relative to the "Fair Employment Practices Act of 1978," as follows:

342 "(4) 'Discrimination' means any direct or indirect act or practice of exclusion, distinction,  
343 restriction, segregation, limitation, refusal, denial, or any other act or practice of  
344 differentiation or preference in the treatment of a person or persons because of ~~race,~~  
345 ~~color, religion, national origin, sex, disability, handicap, or age~~ race, color, religion, sex,  
346 sexual orientation, age, disability, familial status, or national origin, or the aiding,  
347 abetting, inciting, coercing, or compelling of such an act or practice. Such term shall not  
348 include any direct or indirect act or practice of exclusion, distinction, restriction,  
349 segregation, limitation, refusal, denial, or any other act or practice of differentiation or  
350 preference in the treatment of a person or persons because of religion if an employer  
351 demonstrates that the employer is unable to accommodate reasonably an employee's or  
352 prospective employee's religious observance or practice without undue hardship on the  
353 conduct of the employer's operation."

354 **SECTION 4-5.**

355 Said title is further amended by revising paragraphs (8) and (14) of Code Section 45-19-27,  
356 relating to additional powers and duties of the administrator of the Commission on Equal  
357 Opportunity, as follows:

358 "(8) To receive, initiate, investigate, seek to conciliate, and make determinations  
359 regarding complaints alleging violations of this article and to approve or disapprove plans

360 required by the Governor to eliminate or reduce imbalance in employment with respect  
 361 to ~~race, color, disability, religion, sex, national origin, or age~~ race, color, religion, sex,  
 362 sexual orientation, age, disability, familial status, or national origin;"  
 363 "(14) To adopt, promulgate, amend, and rescind, subject to approval of the board and the  
 364 Governor and after giving proper notice and hearing to all public employers pursuant to  
 365 Chapter 13 of Title 50, the 'Georgia Administrative Procedure Act,' such rules and  
 366 regulations as may be necessary to carry out the provisions of this article, including  
 367 regulations requiring the posting or inclusion in advertising material of notices prepared  
 368 or approved by the administrator and regulations regarding the filing, approval, or  
 369 disapproval of plans to eliminate or reduce imbalance in employment with respect to ~~race,~~  
 370 ~~color, disability, religion, sex, national origin, or age~~ race, color, religion, sex, sexual  
 371 orientation, age, disability, familial status, or national origin;"

372 **SECTION 4-6.**

373 Said title is further amended by revising Code Section 45-19-29, relating to unlawful  
 374 practices generally relative to fair employment practices, as follows:

375 "45-19-29.

376 It is an unlawful practice for an employer:

377 (1) To fail or refuse to hire, to discharge, or otherwise to discriminate against any  
 378 individual with respect to the individual's compensation, terms, conditions, or privileges  
 379 of employment because of such individual's ~~race, color, religion, national origin, sex,~~  
 380 ~~disability, or age~~ race, color, religion, sex, sexual orientation, age, disability, familial  
 381 status, or national origin;

382 (2) To limit, segregate, or classify ~~his~~ such employer's employees in any way which  
 383 would deprive or tend to deprive an individual of employment opportunities or otherwise  
 384 adversely affect an individual's status as an employee because of such individual's race,

385 color, religion, ~~national origin~~, sex, sexual orientation, age, disability, familial status, or  
 386 national origin ~~disability, or age~~; or  
 387 (3) To hire, promote, advance, segregate, or affirmatively hire an individual solely  
 388 because of race, color, religion, ~~national origin~~, sex, sexual orientation, age, disability,  
 389 familial status, or national origin ~~disability, or age~~, but this paragraph shall not prohibit  
 390 an employer from voluntarily adopting and carrying out a plan to fill vacancies or hire  
 391 new employees in a manner to eliminate or reduce imbalance in employment with respect  
 392 to ~~race, color, disability, religion, sex, national origin, or age~~ race, color, religion, sex,  
 393 sexual orientation, age, disability, familial status, or national origin if the plan has first  
 394 been filed with the administrator for review and comment for a period of not less than 30  
 395 days."

396 **SECTION 4-7.**

397 Said title is further amended by revising Code Section 45-19-30, relating to unlawful  
 398 practices in training or apprenticeship programs, as follows:

399 "45-19-30.

400 It is an unlawful practice for an employer controlling apprenticeship or other training or  
 401 retraining, including on-the-job training programs, to discriminate against an individual  
 402 because of such individual's race, color, religion, ~~national origin~~, sex, sexual orientation,  
 403 age, disability, familial status, or national origin ~~disability, or age~~ in admission to or  
 404 employment in any program established to provide apprenticeship or other training or to  
 405 discriminate by allowing admission or promotion to an apprenticeship or training program  
 406 solely because of ~~race, color, religion, national origin, sex, disability, or age~~ race, color,  
 407 religion, sex, sexual orientation, age, disability, familial status, or national origin."

408 **SECTION 4-8.**

409 Said title is further amended by revising Code Section 45-19-31, relating to unlawful  
410 practices in advertisement of employment, as follows:

411 "45-19-31.

412 It is an unlawful practice for an employer to print or publish or cause to be printed or  
413 published a notice or advertisement relating to employment by such an employer indicating  
414 any preference, limitation, specification, or discrimination based on race, color, religion,  
415 ~~national origin~~, sex, sexual orientation, age, disability, familial status, or national origin  
416 ~~disability, or age~~, except that such a notice or advertisement may indicate a preference,  
417 limitation, or specification based on ~~race, color~~, religion, ~~national origin~~, sex, sexual  
418 orientation, age, disability, or national origin ~~disability, or age~~ when religion, ~~national~~  
419 ~~origin~~, sex, sexual orientation, age, disability, or national origin ~~disability, or age~~ is a bona  
420 fide occupational qualification for employment."

421 **SECTION 4-9.**

422 Said title is further amended by revising Code Section 45-19-33, relating to different  
423 standards of compensation or different terms and conditions of employment where not based  
424 on race, color, religion, sex, national origin, disability, or age, as follows:

425 "45-19-33.

426 It is not an unlawful practice for an employer to apply different standards of compensation  
427 or different terms, conditions, or privileges of employment pursuant to a bona fide seniority  
428 or merit system, or a system which measures earnings by quantity or quality of production,  
429 or to employees who work in different locations, provided that such differences are not the  
430 result of an intention to discriminate because of ~~race, color, religion, national origin, sex,~~  
431 ~~disability, or age~~ race, color, religion, sex, sexual orientation, age, disability, familial status,  
432 or national origin; nor is it an unlawful practice for an employer to give and to act upon the  
433 results of any professionally developed ability test, provided that such test, its

434 administration, or action upon the results thereof is not designed, intended, or used to  
 435 discriminate because of ~~race, color, religion, national origin, sex, disability, or age~~ race,  
 436 color, religion, sex, sexual orientation, age, disability, familial status, or national origin."

437 **SECTION 4-10.**

438 Said title is further amended by revising subsections (b) and (c) of Code Section 45-19-35,  
 439 relating to use of quotas because of imbalances in employee ratios prohibited, grants of  
 440 preferential treatment to certain individuals or groups not required by the "Fair Employment  
 441 Practices Act of 1978," adoption of plans required by Governor to reduce imbalance, and  
 442 effect of the "Fair Employment Practices Act of 1978" upon certain employment practices,  
 443 as follows:

444 "(b) Nothing contained in this article requires an employer to grant preferential treatment  
 445 to an individual or to a group because of the race, color, religion, ~~national origin,~~ sex,  
 446 sexual orientation, age, disability, familial status, or national origin, ~~disability, or age~~ of the  
 447 individual or group on account of an imbalance which may exist with respect to the total  
 448 number or percentage of persons of any race, color, religion, ~~national origin,~~ sex, sexual  
 449 orientation, age, disability, familial status, or national origin ~~disability, or age in the in this~~  
 450 state or a community, section, or other area or in the available ~~work force~~ workforce ~~in the~~  
 451 this state or a community, section, or other area.

452 (c) It is specifically provided that neither subsection (a) nor (b) of this Code section nor  
 453 any other provision of this article shall prohibit an employer from adopting or carrying out  
 454 a plan to fill vacancies or hire new employees in a manner to eliminate or reduce imbalance  
 455 in employment with respect to race, color, ~~disability,~~ religion, sex, ~~national origin,~~ sexual  
 456 orientation, age, disability, familial status, or national origin ~~or age~~ if such plan is required  
 457 by the Governor and filed with and approved by the administrator prior to its final adoption  
 458 and implementation."

459 **SECTION 4-11.**

460 Said title is further amended by revising paragraph (7) of subsection (c) of Code  
 461 Section 45-19-38, relating to findings, conclusions, and order of hearing officer generally and  
 462 order to cease and desist from unlawful practice and to take remedial action, as follows:

463 "(7) Recommending to the Governor that the respondent be required to adopt and file  
 464 with the administrator, within a specified time limitation, for the administrator's approval  
 465 a plan to fill vacancies or hire new employees in a manner to eliminate or reduce  
 466 imbalance in employment with respect to race, color, ~~disability~~, religion, sex, ~~national~~  
 467 ~~origin~~, sexual orientation, age, disability, familial status, or national origin or age."

468 **SECTION 4-12.**

469 Said title is further amended by revising paragraph (1) of subsection (b) of Code  
 470 Section 45-20-1, relating to purposes and principles relative to personnel administration of  
 471 public officers and employees, as follows:

472 "(1) Assuring fair treatment of applicants and employees in all aspects of personnel  
 473 administration without regard to ~~race, color, national origin, sex, age, disability, religious~~  
 474 ~~creed~~, race, color, religion, sex, sexual orientation, age, disability, familial status, or  
 475 national origin, or political affiliations. This 'fair treatment' principle includes compliance  
 476 with all state and federal equal employment opportunity and nondiscrimination laws;"

477 **SECTION 4-13.**

478 Said title is further amended by revising paragraph (2) of Code Section 45-20-4, relating to  
 479 duties and responsibilities of commissioner relative to personnel administration, as follows:

480 "(2) To submit to the Governor the rules and regulations adopted by the board. Such  
 481 rules and regulations when approved by the Governor shall have the force and effect of  
 482 law and shall be binding upon the state departments covered by this article and shall  
 483 include provisions for the establishment and maintenance of classification and

484 compensation plans, the conduct of examinations, appointments, promotions, transfers,  
 485 demotions, appeals of classified employees, reports of performance, payroll certification,  
 486 and other phases of personnel administration. Such rules and regulations shall define and  
 487 prohibit improper political activity by any departmental employee of the State Personnel  
 488 Board or any employee covered under the terms of this article and shall provide that there  
 489 shall be no discrimination for or against any person or employee in any manner, to  
 490 include, but not be limited to, hiring, discharge, compensation, benefits, terms or  
 491 conditions of employment, promotion, job classification, transfer, privileges, or demotion  
 492 because of political affiliation, religious affiliation, race, color, ~~creed, national origin~~, sex,  
 493 sexual orientation, disability, familial status, or age between 40 and 70 years, ~~or physical~~  
 494 ~~disability~~. Such rules and regulations shall conform to the minimum standards for merit  
 495 systems of personnel administration as specified by those federal departments from which  
 496 federal funds are obtained for use by the several state departments covered by this article.  
 497 Compensation plans and modifications thereto promulgated under the rules and  
 498 regulations of the commissioner shall become effective as adopted upon approval ~~of~~ by  
 499 the director of the Office of Planning and Budget;"

500

#### SECTION 4-14.

501 Said title is further amended by revising subparagraph (C) of paragraph (3) of Code  
 502 Section 45-20-51, relating to definitions relative to voluntary deductions from wages or  
 503 salaries of state employees for benefit of charitable organizations, as follows:

504 "(C) Observes a policy and practice of nondiscrimination on the basis of race, color,  
 505 religion, sex, ~~national origin, or disability~~, sexual orientation, age, disability, familial  
 506 status, or national origin, and such policy is applicable to persons served by the agency,  
 507 to agency staff employment, and to membership on the agency's governing board; and"

508 **SECTION 4-15.**

509 Title 50 of the Official Code of Georgia Annotated, relating to state government, is amended  
510 in Article 2 of Chapter 21, relating to state tort reforms, by adding a new Code section to read  
511 as follows:

512 "50-21-38.

513 The defense of sovereign immunity is waived as to any claim, counterclaim, cross-claim,  
514 or third-party claim brought in the courts of this state by an aggrieved person seeking a  
515 declaratory judgment, injunctive relief, or reasonable attorney's fees against the state or any  
516 political subdivision thereof under Chapter 11 of Title 35; provided, however, that  
517 sovereign immunity shall not be waived as to any claim for monetary damages that are  
518 included in or related to such claim, counterclaim, cross-claim, or third-party claim. This  
519 Code section shall not be construed to alter or amend any other waiver of sovereign  
520 immunity provided by law."

521 **PART V**

522 **SECTION 5-1.**

523 This Act shall become effective on January 1, 2026.

524 **SECTION 5-2.**

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