

House Bill 913

By: Representatives Fleming of the 114th, Gullett of the 19th, Holcomb of the 101st, Reeves of the 99th, and Crawford of the 89th

A BILL TO BE ENTITLED
AN ACT

1 To amend Part 1 of Article 3 of Chapter 5 of Title 50 of the Official Code of Georgia
2 Annotated, relating to general authority, duties, and procedure of the Department of
3 Administrative services relative to state purchasing, so as to prohibit a governmental entity
4 from entering into contracts for the licensing of software applications that limit such
5 governmental entity's ability to install or run such software applications on certain desktop
6 or server hardware of such governmental entity's choosing; to provide for a definition; to
7 provide for related matters; to provide an effective date and applicability; to repeal
8 conflicting laws; and for other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

10 **SECTION 1.**

11 Part 1 of Article 3 of Chapter 5 of Title 50 of the Official Code of Georgia Annotated,
12 relating to general authority, duties, and procedure of the Department of Administrative
13 Services relative to state purchasing, is amended by adding a new Code section to read as
14 follows:

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15 "50-5-86.

16 (a) As used in this Code section, the term 'governmental entity' means any department,
17 agency, board, bureau, commission, authority, county, municipal corporation, school
18 system, or other political subdivision of this state.

19 (b) A contract procured by a governmental entity for the licensing of software applications
20 designed to run on generally available desktop or server hardware shall not limit such
21 governmental entity's ability to install or run such software applications on the desktop or
22 server hardware of such governmental entity's choosing."

23 **SECTION 2.**

24 (a) This Act shall become effective upon its approval by the Governor or upon its becoming
25 law without such approval.

26 (b) This Act shall apply to all contracts for the licensing of software applications entered into
27 by governmental entities on or after the effective date of this Act, and to any renewals,
28 modifications, or extensions of such agreements entered into on or after such date.

29 **SECTION 3.**

30 All laws and parts of laws in conflict with this Act are repealed.