

Senate Bill 432

By: Senators Walker III of the 20th, Anavitarte of the 31st, Burns of the 23rd, Hickman of the 4th, Jones II of the 22nd and others

A BILL TO BE ENTITLED
AN ACT

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

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

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

13 "20-3-86.

14 Revenue collected by any or all institutions in the university system from tuition,
15 departmental sales or services, continuing education fees, technology fees, or indirect cost
16 recoveries shall not lapse. The amount of revenue from tuition that shall not lapse under

17 this Code section shall not exceed 3 percent of the tuition collected. This Code section
18 shall stand repealed and reserved on July 1, ~~2026~~ 2031. Not later than October 15 each
19 year, the board of regents shall provide to the Governor, the chairperson of the House
20 Committee on Appropriations, and the chairperson of the Senate Appropriations
21 Committee a report of all nonlapsing revenue provided for in this Code section from the
22 preceding fiscal year, the anticipated plans for the use of such nonlapsing revenue, the
23 actual expenses paid for from nonlapsing revenue from the previous fiscal year, and the
24 cumulative balance of nonlapsed revenue."

25 **SECTION 2.**

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

28 "20-4-21.1.

29 Revenue collected by any or all institutions under the Technical College System of Georgia
30 from tuition, departmental sales or services, continuing education fees, technology fees, or
31 indirect cost recoveries shall not lapse. The amount of revenue from tuition that shall not
32 lapse under this Code section shall not exceed 15 percent of the tuition collected. This
33 Code section shall stand repealed on July 1, ~~2026~~ 2031. Not later than October 15 each
34 year, the State Board of the Technical College System of Georgia shall provide to the
35 Governor, the chairperson of the House Committee on Appropriations, and the chairperson
36 of the Senate Appropriations Committee a report of all nonlapsing revenue provided for
37 in this Code section from the preceding fiscal year, the anticipated plans for the use of such
38 nonlapsing revenue, the actual expenses paid for from nonlapsing revenue from the
39 previous fiscal year, and the cumulative balance of nonlapsed revenue."

40

SECTION 3.

41 Title 50 of the Official Code of Georgia Annotated, relating to state government, is amended
42 by revising subsection (b) of Code Section 50-16-18, relating to writing off small amounts
43 due to state, as follows:

44 "(b)(1) All state agencies and departments, in order to preserve public funds, shall be
45 authorized to develop appropriate standards that comply with the policies prescribed by
46 the state accounting officer which will provide a mechanism to consider administratively
47 discharging any obligation or charge in favor of such agency or department when such
48 obligation or charge is \$100.00 or any lesser amount unless the agency or department
49 belongs to the Board of Regents of the University System of Georgia or the Technical
50 College System of Georgia in which case the obligation or charge in favor of the
51 institution under the Board of Regents of the University System of Georgia or the
52 institution of the Technical College System of Georgia may be \$3,000.00 or any lesser
53 amount. This procedure shall not be available to such agency or department in those
54 instances where the obligor has more than one such debt or obligation in any given fiscal
55 year, and this provision shall be construed in favor of the state agency or department so
56 as not to alter the unquestioned ability of such state agency or department to pursue any
57 debt, obligation, or claim in any amount whatsoever. In those instances where a debt or
58 obligation of \$100.00 or less, or \$3,000.00 or less for the institutions of the Board of
59 Regents of the University System of Georgia or the Technical College System of
60 Georgia, has been deemed to be uncollectable, the proper individual making such
61 determination shall transmit a recapitulation of the efforts made to collect the debt
62 together with all other appropriate information, which shall include a reasonable estimate
63 of the cost to pursue administratively or judicially the account, together with a
64 recommendation to the commissioner of such state agency or department. In those
65 instances where the commissioner makes a determination that further collection efforts
66 would be detrimental to the public's financial interest, a certificate reflecting this

67 determination shall be executed, and this certificate shall serve as the authority to remove
68 such uncollectable accounts from the financial records of such state agency or
69 department. Such certificates shall be forwarded to the state accounting officer in a
70 manner and at such times as are reflected in the standards developed by the state
71 accounting officer and the state agency or department. This paragraph shall stand
72 repealed and reserved effective July 1, ~~2026~~ 2031.

73 (2) On and after July 1, ~~2026~~ 2031, all state agencies and departments, in order to
74 preserve public funds, shall be authorized to develop appropriate standards that comply
75 with the policies prescribed by the state accounting officer which will provide a
76 mechanism to consider administratively discharging any obligation or charge in favor of
77 such agency or department when such obligation or charge is \$100.00 or any lesser
78 amount. This procedure shall not be available to such agency or department in those
79 instances where the obligor has more than one such debt or obligation in any given fiscal
80 year, and this provision shall be construed in favor of the state agency or department so
81 as not to alter the unquestioned ability of such state agency or department to pursue any
82 debt, obligation, or claim in any amount whatsoever. In those instances where a debt or
83 obligation of \$100.00 or less has been deemed to be uncollectable, the proper individual
84 making such determination shall transmit a recapitulation of the efforts made to collect
85 the debt together with all other appropriate information, which shall include a reasonable
86 estimate of the cost to pursue administratively or judicially the account, together with a
87 recommendation to the commissioner of such state agency or department. In those
88 instances where the commissioner makes a determination that further collection efforts
89 would be detrimental to the public's financial interest, a certificate reflecting this
90 determination shall be executed, and this certificate shall serve as the authority to remove
91 such uncollectable accounts from the financial records of such state agency or
92 department. Such certificates shall be forwarded to the state accounting officer in a

93 manner and at such times as are reflected in the standards developed by the state
94 accounting officer and the state agency or department."

95 **SECTION 3.**

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

98 **SECTION 4.**

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