

The House Committee on Governmental Affairs offers the following substitute to HB 551:

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 3 of Chapter 7 of Title 45 of the Official Code of Georgia Annotated,
2 relating to salary deductions applicable to public officers and employees, so as to authorize
3 voluntary deductions from wages or salaries of employees of the State of Georgia and local
4 units of administration for purchases of consumer offerings through an employee purchase
5 program facilitated by and through the Department of Administrative Services; to provide
6 for related matters; to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Article 3 of Chapter 7 of Title 45 of the Official Code of Georgia Annotated, relating to
10 salary deductions applicable to public officers and employees, is amended by revising Code
11 Section 45-7-56, relating to deductions for purchase of personal computing and computer
12 related equipment, as follows:

13 "45-7-56.

14 (a) As used in this Code section, the term 'local unit of administration' means any county
15 or independent board of education.

16 (b) It is the purpose of this Code section to permit voluntary deductions from wages or
17 salaries of employees of the State of Georgia and local units of administration for the
18 purchase of personal computing and computer related equipment through an employee
19 purchase program facilitated by and through the Georgia Technology Authority and for the
20 purchase of consumer offerings through an employee purchase program facilitated by and
21 through the Department of Administrative Services.

22 (c) Any department, agency, authority, or commission of the state or any local unit of
23 administration is authorized to deduct designated amounts from the wages or salaries from
24 its employees for the purpose of facilitating employee purchases of personal computing and
25 computer related equipment through an employee purchase program facilitated by and
26 through the Georgia Technology Authority and for the purpose of facilitating employee

27 purchases of consumer offerings through an employee purchase program facilitated by and
 28 through the Department of Administrative Services. No such deduction shall be made
 29 under this Code section without the express written and voluntary consent of the employee.
 30 Each such request shall designate the exact amount to be deducted. Any employee who has
 31 consented to a deduction is authorized to withdraw from such salary reduction with two
 32 weeks' written notice; provided, however, that such withdrawal shall not relieve any
 33 employee of any outstanding indebtedness incurred under such purchase program.

34 (d)(1) The fiscal authorities or other employees of the various departments or agencies
 35 of this state will not incur any liability for errors or omissions made in the performance
 36 of the agreement between the state and the employee.

37 (2) The fiscal authorities or other employees of local units of administration will not
 38 incur any liability for errors or omissions made in the performance of the agreement
 39 between the local unit of administration and the employee.

40 (3) Notwithstanding the provisions of paragraphs (1) and (2) of this subsection, this Code
 41 section does not confer immunity from criminal or civil liability for conversion, theft by
 42 conversion, theft by taking, theft by extortion, theft by deception, or any other intentional
 43 misappropriation of the money or property of another.

44 (e) If a state employee or public school employee leaves employment for any reason and
 45 a balance is owing for the computer, ~~or~~ equipment, or consumer offering, then, in that
 46 event, the state or board of education or the state retirement system shall have the right to
 47 deduct the balance owing from any funds under the control of the state or board of
 48 education or state retirement system to which said employee would otherwise be entitled."

49 **SECTION 2.**

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