

Senate Bill 323

By: Senators Dugan of the 30th, Jackson of the 24th, Miller of the 49th, Martin of the 9th,  
Mullis of the 53rd and others

**AS PASSED**

A BILL TO BE ENTITLED  
AN ACT

1 To amend Chapter 18 of Title 50 of the Official Code of Georgia Annotated, relating to state  
2 printing and documents, so as to change certain providing relating to open records; to extend  
3 the deadline for responses to requests for certain records relating to intercollegiate sports  
4 programs; to provide for public disclosure not to be required for any documents pertaining  
5 to an economic development project by any agency; to provide for related matters; to repeal  
6 conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Title 18 of the Official Code of Georgia Annotated, relating to state printing and documents,  
10 is amended in Code Section 50-18-71, relating to the right of access to public records, timing  
11 of responses to requests, fees, denial of requests, and impact of electronic records, by adding  
12 a new subsection to read as follows:

13 "(d.1) Any other provision of this Code section to the contrary notwithstanding, the period  
14 within which any production, access, response, or notice is required from an agency with  
15 respect to a request for records, other than salary information for nonclerical staff, of  
16 intercollegiate sports programs of any unit of the University System of Georgia, including  
17 athletic departments and related private athletic associations, shall be 90 business days  
18 from the date the agency received the request."

19 **SECTION 2.**

20 Said title is further amended in Code Section 50-18-72, relating to when public disclosure  
21 not required, by revising paragraph (46) of subsection (a) as follows:

22 "(46) Documents maintained by the Department of Economic Development pertaining  
23 any agency, as such term is defined in subparagraph (a)(1)(A) of Code Section 50-14-1,  
24 which pertain to an economic development project until the economic development  
25 project is secured by binding commitment, provided that any such documents shall be

26 disclosed upon proper request after a binding commitment has been secured or the project  
27 has been terminated. No later than five business days after the Department of Economic  
28 Development secures a binding commitment and the department has committed the use  
29 of state funds from the OneGeorgia Authority or funds from Regional Economic Business  
30 Assistance for the project pursuant to Code Section 50-8-8, or other provisions of law,  
31 the Department of Economic Development shall give notice that a binding commitment  
32 has been reached by posting on its website notice of the project in conjunction with a  
33 copy of the Department of Economic Development's records documenting the bidding  
34 commitment made in connection with the project and the negotiation relating thereto and  
35 by publishing notice of the project and participating parties in the legal organ of each  
36 county in which the economic development project is to be located. As used in this  
37 paragraph, the term 'economic development project' means a plan or proposal to locate  
38 a business, or to expand a business, that would involve an expenditure of more than \$25  
39 million by the business or the hiring of more than 50 employees by the business;"

40 **SECTION 3.**

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