

Senate Bill 58

By: Senator Karinshak of the 48th

AS PASSED SENATE

A BILL TO BE ENTITLED

AN ACT

1 To amend Code Section 23-3-122 of the Official Code of Georgia Annotated, relating to
 2 investigations by Attorney General, civil actions authorized, intervention by government,
 3 limitation on participating in litigation, stay of discovery, alternative remedies, division of
 4 recovery, and limitations, so as to eliminate the requirement that the Attorney General
 5 provide written approval that allows for a private person to bring a civil action regarding
 6 false taxpayer claims; to provide for related matters; to repeal conflicting laws; and for other
 7 purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 Code Section 23-3-122 of the Official Code of Georgia Annotated, relating to investigations
 11 by Attorney General, civil actions authorized, intervention by government, limitation on
 12 participating in litigation, stay of discovery, alternative remedies, division of recovery, and
 13 limitations, is amended by revising paragraph (1) of subsection (b) as follows:

14 "(b)(1) Subject to the exclusions set forth in this Code section, a civil action under this
 15 article may also be brought by a private person ~~upon written approval by the Attorney~~
 16 ~~General~~. A civil action shall be brought in the name of the State of Georgia or local
 17 government, as applicable. The civil action may be dismissed only if the Attorney
 18 General gives written consent to the dismissal stating the reasons for consenting to such
 19 dismissal and the court enters an order approving the dismissal."

20 **SECTION 2.**

21 All laws and parts of laws in conflict with this Act are repealed.