

House Bill 1377

By: Representatives Holcomb of the 81<sup>st</sup>, Beverly of the 143<sup>rd</sup>, Park of the 107<sup>th</sup>, Hugley of the 141<sup>st</sup>, Au of the 50<sup>th</sup>, and others

A BILL TO BE ENTITLED  
AN ACT

1 To amend Chapter 1 of Title 31 of the Official Code of Georgia Annotated, relating to  
2 general provisions relative to health, so as to repeal the prohibition on expenditure or use of  
3 state resources to advocate for or intend to influence citizens in support of Medicaid  
4 expansion under the federal Affordable Care Act; to provide for related matters; to repeal  
5 conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Chapter 1 of Title 31 of the Official Code of Georgia Annotated, relating to general  
9 provisions relative to health, is amended by revising Code Section 31-1-19, relating to the  
10 prohibition on expenditure or use of state resources to advocate for or intend to influence  
11 citizens in support of Medicaid expansion under the federal Affordable Care Act, as follows:

12 "31-1-19.

13 ~~(a) Neither the state nor any department, agency, bureau, authority, office, or other unit of~~  
14 ~~the state nor any political subdivision of the state shall expend or use moneys, human~~  
15 ~~resources, or assets to advocate or intended to influence the citizens of this state in support~~  
16 ~~of the voluntary expansion by the State of Georgia of eligibility for medical assistance in~~

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17 ~~furtherance of the federal Patient Protection and Affordable Care Act, Public Law 111-148,~~  
18 ~~beyond the eligibility criteria in effect on April 15, 2014, under the provisions of 42 U.S.C.~~  
19 ~~Section 1396a(a)(10)(A)(i)(VIII) of the federal Social Security Act, as amended.~~  
20 ~~(b) The Attorney General shall enforce the provisions of this Code section in accordance~~  
21 ~~with Article V, Section III, Paragraph IV of the Constitution of the State of Georgia.~~  
22 ~~(c) Nothing in this Code section shall be construed to prevent an officer or employee of~~  
23 ~~the State of Georgia or of any department, agency, bureau, authority, office, unit, or~~  
24 ~~political subdivision thereof from advocating or attempting to influence public policy:~~  
25 ~~(1) As part of such person's official duties;~~  
26 ~~(2) When acting on personal time without using state resources; or~~  
27 ~~(3) When providing bona fide educational instruction about the federal Patient Protection~~  
28 ~~and Affordable Care Act of 2010 in institutions of higher learning or otherwise.~~  
29 ~~(d) Nothing in this Code section shall be construed to preclude the state from participating~~  
30 ~~in any Medicaid program. Reserved."~~

31 **SECTION 2.**

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