

House Bill 308

By: Representatives Ridley of the 6<sup>th</sup>, Powell of the 32<sup>nd</sup>, and Tarvin of the 2<sup>nd</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Article 4 of Chapter 18 of Title 50 of the Official Code of Georgia Annotated,  
2 relating to inspection of public records, so as to provide that no agency shall enter into any  
3 agreement, contract, or understanding with any private entity which would allow such private  
4 entity to exclusively hold public records which are subject to disclosure; to provide that any  
5 agency which enters into any agreement, contract, or understanding with any private entity  
6 that may generate public records which would be subject to disclosure as a result of such  
7 agreement, contract, or understanding shall ensure that such public records shall not be held  
8 exclusively, regardless of limitations, by such private entity; to provide for related matters;  
9 to provide for an effective date; to repeal conflicting laws; and for other purposes.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

11 **SECTION 1.**

12 Article 4 of Chapter 18 of Title 50 of the Official Code of Georgia Annotated, relating to  
13 inspection of public records, is amended by adding a new subsection to Code  
14 Section 50-18-72, relating to when disclosure of public records is not required, to read as  
15 follows:

16 "(e) No agency shall enter into any agreement, contract, or understanding with any private  
17 entity which would allow such private entity to exclusively hold public records which are  
18 subject to disclosure under this article, regardless of the limitations imposed. Any agency  
19 which enters into any agreement, contract, or understanding with any private entity that  
20 may generate public records which would be subject to disclosure under this article as a  
21 result of such agreement, contract, or understanding shall ensure that such public records  
22 shall not be held exclusively, regardless of limitations, by such private entity."

23 **SECTION 2.**

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

26

**SECTION 3.**

27 All laws and parts of laws in conflict with this Act are repealed.