

Senate Bill 169

By: Senators Walker III of the 20th, Strickland of the 17th, Butler of the 55th, Miller of the 49th, Parent of the 42nd and others

AS PASSED

A BILL TO BE ENTITLED

AN ACT

1 To amend Article 1 of Chapter 10 of Title 13 of the Official Code of Georgia Annotated,
2 relating to general provisions regarding contracts for public works, Code Section 32-2-70 of
3 the Official Code of Georgia Annotated, relating to bonds of successful bidder, and Part 1
4 of Article 3 of Chapter 91 of Title 36 of the Official Code of Georgia Annotated, relating to
5 bonds generally, so as to provide for acceptance of electronic signatures and electronic
6 corporate seals on bonds; to provide for related matters; to provide an effective date; to
7 repeal conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **PART I**

10 **SECTION 1-1.**

11 Article 1 of Chapter 10 of Title 13 of the Official Code of Georgia Annotated, relating to
12 general provisions regarding contracts for public works, is amended by adding a new Code
13 section to read as follows:

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14 "13-10-43.
15 Public procurement officers shall accept electronic signatures and electronic corporate seals
16 on bonds issued pursuant to this part so long as such signatures and seals comply with the
17 provisions of Chapter 12 of Title 10 and Code Section 33-24-14."

18 **SECTION 1-2.**

19 Said article is further amended by adding a new Code section to read as follows:

20 "13-10-66.
21 Public procurement officers shall accept electronic signatures and electronic corporate seals
22 on bonds issued pursuant to this part so long as such signatures and seals comply with the
23 provisions of Chapter 12 of Title 10 and Code Section 33-24-14."

24 **PART II**

25 **SECTION 2-1.**

26 Code Section 32-2-70 of the Official Code of Georgia Annotated, relating to bonds of
27 successful bidder, is amended as follows:

28 "32-2-70.

29 (a) Where the contract price exceeds \$100,000.00, no department construction contract
30 shall be valid unless the contractor first gives:

- 31 (1) The performance and payment bonds in accordance with Chapter 10 of Title 13; and
32 (2) Such other bonds or insurance policies required by the department in its proposal
33 forms, including but not limited to public liability and property damage insurance bonds
34 or policies.

35 (b) Public procurement officers shall accept electronic signatures and electronic corporate
36 seals on bonds issued pursuant to this Code section so long as such signatures and seals
37 comply with the provisions of Chapter 12 of Title 10 and Code Section 33-24-14."

38

PART III

39

SECTION 3-1.

40 Part 1 of Article 3 of Chapter 91 of Title 36 of the Official Code of Georgia Annotated,
41 relating to bonds generally, is amended by adding a new Code section to read as follows:

42 "36-91-42.

43 Public procurement officers shall accept electronic signatures and electronic corporate seals
44 on bonds issued pursuant to this part so long as such signatures and seals comply with the
45 provisions of Chapter 12 of Title 10 and Code Section 33-24-14."

46

PART IV

47

SECTION 4-1.

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

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SECTION 4-2.

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