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STATE GOVERNMENT

Public Records: Public Disclosure Shall Not Be Required, Including Employees of the Public School System

CODE SECTION: O.C.G.A. § 50-18-72 (amended)
BILL NUMBER: HB 65
ACT NUMBER: 186
GEORGIA LAWS: 2001 Ga. Laws 327
SUMMARY: This Act, called the "Public Records Teacher's Exemption," protects teachers and other public school employees from disclosure of their home address or telephone number, social security number, and insurance or medical information.
EFFECTIVE DATE: Apr. 19, 2001¹

History

Concern for teachers' privacy and safety prompted HB 65 after newspaper reporters attempted to obtain teachers' home addresses, phone numbers, social security information, and insurance and medical information.² Speaker of the House Tom Murphy had a personal interest in the bill's passage because his daughter and daughter-in-law, as well as several former House employees, are teachers. They had relayed to him that the disclosure of private information was a problem.³ Speaker Murphy said he felt the legislation was needed to protect teachers' safety and privacy, and to help retain good teachers, whom otherwise rapidly tire of harassing telephone calls to their homes.⁴

The bill extends to teachers and public school employees the same privacy protections already provided for law enforcement officers, judges, and other government employees.⁵

1. See 2001 Ga. Laws 327, §§ 2-3, at 328. The Act took effect upon approval by the Governor. See *id.*, § 2, at 328.

2. See Telephone Interview with Rep. Jimmy Skipper, House District No. 137 (Apr. 5, 2001). There was also a fear that releasing this information could lead to identity theft. See *id.*

3. See Telephone Interview with Rep. Thomas Murphy, House District No. 18 (Apr. 6, 2001).

4. See *id.*

5. See Audio Recording of House Proceedings, Feb. 5, 2001 (remarks by Rep. Jim Martin), at <http://www.ganet.org/services/leg/audio/2001archive.html> [hereinafter House Audio].

HB 65

Representatives Thomas Murphy of the 18th District, Larry Walker of the 141st District, and Jim Martin of the 47th District sponsored HB 65.⁶ The bill was introduced in the House on January 9, 2001.⁷ The House assigned the bill to its Judiciary Committee.⁸ The Judiciary Committee included language that added other government employees, such as Department of Human Resources employees, to the list of exempted workers.⁹ The Judiciary Committee favorably reported the bill as substituted on January 30, 2001.¹⁰ The House made a floor substitute which restored much of the bill's original language, but placed the teacher's exemption in a new paragraph.¹¹ The House adopted the floor substitute and passed the bill by a vote of 157 to 10 on February 5, 2001.¹²

Consideration by the Senate

On February 7, 2001, HB 65 was introduced in the Senate.¹³ The Senate assigned HB 65 to its Education Committee, which favorably reported the bill without changes on March 2, 2001.¹⁴ The Senate adopted and unanimously passed HB 65 without changes on March 12, 2001.¹⁵ The Governor signed the bill into law on April 19, 2001.¹⁶

The Act

The Act amends Code section 50-18-72 by adding a new paragraph immediately following paragraph (13) of subsection (a), designating it

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6. See HB 65, as introduced, 2001 Ga. Gen. Assem.
 7. See State of Georgia Final Composite Status Sheet, HB 65, Mar. 21, 2001.
 8. See *id.*
 9. Compare HB 65, as introduced, 2001 Ga. Gen. Assem., with HB 65 (HCS), 2001 Ga. Gen. Assem.
 10. See Georgia House of Representatives Voting Record, HB 65 (Feb. 5, 2001); State of Georgia Final Composite Status Sheet, HB 65, Mar. 21, 2001.
 11. Compare HB 65 (HCS), 2001 Ga. Gen. Assem., with HB 65 (HFS), 2001 Ga. Gen. Assem., and HB 65, as introduced, 2001 Ga. Gen. Assem.
 12. See Georgia House of Representatives Voting Record, HB 65 (Feb. 5, 2001); State of Georgia Final Composite Status Sheet, HB 65, Mar. 21, 2001.
 13. See State of Georgia Final Composite Status Sheet, HB 65, Mar. 21, 2001.
 14. Compare HB 65 (HFS), 2001 Ga. Gen. Assem., with HB 65, as passed, 2001 Ga. Gen. Assem. See State of Georgia Final Composite Status Sheet, HB 65, Mar. 21, 2001.
 15. See Georgia Senate Voting Record, HB 65 (Mar. 12, 2001); State of Georgia Final Composite Status Sheet, Mar. 12, 2001.
 16. See 2001 Ga. Laws 327, § 3, at 328.

50-18-72(13.1).¹⁷ The amended code section exempts teachers and other public school employees from having to disclose records which include their home address, phone number, social security number, insurance, or medical information.¹⁸ The Act also defines “public school” as any school conducted within Georgia under the supervision of a county or independent board of education.¹⁹

Misty M. Speake

17. Compare 1998 Ga. Laws 1652, § 1, at 1653 (formerly found at O.C.G.A. § 50-18-72 (Supp. 2000)), with O.C.G.A. § 50-18-72 (Supp. 2001).

18. Compare 1998 Ga. Laws 1652, § 1, at 1653 (formerly found at O.C.G.A. § 50-18-72 (Supp. 2000)), with O.C.G.A. § 50-18-72 (Supp. 2001).

19. Compare 1998 Ga. Laws 1652, § 1, at 1653 (formerly found at O.C.G.A. § 50-18-72 (Supp. 2000)), with O.C.G.A. § 50-18-72 (Supp. 2001).