

Senate Bill 138

By: Senators Wiles of the 37th, Pearson of the 51st and Hill of the 32nd

AS PASSED

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 1 of Chapter 2 of Title 9 of the Official Code of Georgia Annotated,
2 relating to general provisions applicable to actions, so as to provide that legislative
3 enactments do not create a private right of action unless expressly stated therein; to provide
4 for a short title; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **SECTION 1.**

7 This Act shall be known and may be cited as the "Transparency in Lawsuits Protection Act."

8 **SECTION 2.**

9 Article 1 of Chapter 2 of Title 9 of the Official Code of Georgia Annotated, relating to
10 general provisions applicable to actions, is amended by adding a new Code section to read
11 as follows:

12 "9-2-8.

13 (a) No private right of action shall arise from any Act enacted after the effective date of
14 this Code section unless such right is expressly provided therein.

15 (b) Nothing in subsection (a) of this Code section shall be construed to prevent the breach
16 of any duty imposed by law from being used as the basis for a cause of action under any
17 theory of recovery otherwise recognized by law, including, but not limited to, theories of
18 recovery under the law of torts or contract or for breach of legal or private duties as set
19 forth in Code Sections 51-1-6 and 51-1-8 or in Title 13."

20 **SECTION 3.**

21 All laws and parts of laws in conflict with this Act are repealed.