

The House Committee on Education offers the following substitute to HB 161:

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 27 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated,
2 relating to loitering at or disrupting schools, so as to provide that certain persons entering an
3 elementary or secondary school building shall promptly register at the office; to provide for
4 exceptions; to provide for the effect of failure to register; to provide for applicability; to
5 provide for the effect of certain signs; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

7 Article 27 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to
8 loitering at or disrupting schools, is amended by striking Code Section 20-2-1180, relating
9 to loitering upon school premises, and inserting in lieu thereof the following:
10

11 "20-2-1180.

12 (a) It shall be unlawful for any person to remain upon the premises or within the school
13 safety zone as defined in paragraph (1) of subsection (a) of Code Section 16-11-127.1 of
14 any public or private school in this state or to remain upon such premises or within such
15 school safety zone when that person does not have a legitimate cause or need to be present
16 thereon. Each principal or designee of each public or private school in this state shall have
17 the authority to exercise such control over the buildings and grounds upon which a school
18 is located so as to prohibit any person who does not have a legitimate need or cause to be
19 present thereon from loitering upon such premises. Each principal or designee of each
20 public or private school in this state shall notify the appropriate law enforcement agency
21 to prohibit any person who does not have a legitimate need or cause to be present therein
22 from loitering within the school safety zone.

23 (b) Any person who shall not have any legitimate cause or need to be present upon the
24 premises or within the school safety zone of any public or private school in this state who
25 shall willfully fail to remove himself or herself from such premises after the principal or

1 designee of such school shall request him or her to do so shall be guilty of a misdemeanor
2 of a high and aggravated nature.

3 (c) Upon entering any elementary or secondary school building between the official
4 starting time and the official dismissal time, any person who is not a student at such school,
5 an employee of the school or school system, a school board member, an approved
6 volunteer at the school, or a person who has been invited to or otherwise authorized to be
7 at the school by a principal, teacher, counselor, or other authorized employee of the school
8 shall register with the office and provide a reason for his or her presence at the school.
9 Failure to register at the office as provided in this subsection shall be prima-facie evidence
10 that such person is in violation of subsection (b) of this Code section. This subsection shall
11 not apply to law enforcement officers, firefighters, emergency medical technicians or
12 paramedics, or any public safety or emergency management officials in the performance
13 of an emergency call, or other persons making authorized deliveries to the school. This
14 subsection shall not apply to any person entering a school which serves as an official
15 polling place for the purpose of voting on election day.

16 (d) A school administrator or his or her designee may ask any visitor to explain his or her
17 presence in the school building at any time when the school is in official session.

18 (e) If the school posts signs on entrances to the school requiring visitors to sign in at the
19 office, such signs shall be deemed prima-facie evidence that persons entering the school
20 were on notice of the requirements of this Code section."

21 SECTION 2.

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