

House Bill 161 (FLOOR SUBSTITUTE)(AM)

By: Representatives Jamieson of the 22nd, Porter of the 143rd, Buckner of the 95th, Cox of the 105th and Seay of the 93rd

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 check in at a designated location;
 4 to provide for exceptions; to provide for the effect of failure to register; to provide for
 5 applicability; to provide for the effect of certain signs; to repeal conflicting laws; and for
 6 other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

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

12 "20-2-1180.

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

24 (b) Any person who shall not have any legitimate cause or need to be present upon the
 25 premises or within the school safety zone of any public or private school in this state who
 26 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)(1) As used in this subsection, the term:

4 (A) 'Approved grandparent' means a grandparent who has written permission from a
5 child's custodial parent to pick up the child at school.

6 (B) 'Approved parent' means a parent who is on the child's pick-up list at the school,
7 or of a child attending the school and who has not been asked to leave the school
8 previously by the principal or the principal's designee.

9 (2) Upon entering any elementary or secondary school building between the official
10 starting time and the official dismissal time, any person who is not a student at such
11 school, an employee of the school or school system, a school board member, an approved
12 volunteer at the school, or a person who has been invited to or otherwise authorized to
13 be at the school by a principal, teacher, counselor, or other authorized employee of the
14 school shall check in at the designated location as stated on posted signs and provide a
15 reason for his or her presence at the school. Failure to check in at the designated location
16 as provided in this paragraph shall be prima-facie evidence that such person is in
17 violation of subsection (b) of this Code section. This paragraph shall not apply to law
18 enforcement officers, firefighters, emergency medical technicians or paramedics, or any
19 public safety or emergency management officials in the performance of an emergency
20 call, or other persons making authorized deliveries to the school. This paragraph shall
21 not apply to any person entering a school which serves as an official polling place for the
22 purpose of voting on election day or attending or participating in an academic or athletic
23 event. An approved parent or approved grandparent of a student who fails to check in
24 when entering a school for the purpose of delivering books, school supplies, food, or
25 articles of clothing or for similar legitimate business shall not be guilty of violating
26 subsection (b) of this Code section.

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

29 (e) If the school posts signs on entrances to the school requiring visitors to check in at the
30 designated location, such signs shall be deemed prima-facie evidence that persons entering
31 the school were on notice of the requirements of this Code section."

32 SECTION 2.

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