

House Bill 1620

By: Representative Parham of the 122nd

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 9 of Chapter 3 of Title 20 of the Official Code of Georgia Annotated,
2 relating to Georgia Military College, so as to change certain provisions relating to powers
3 of the board of trustees; to change certain provisions relating to management vested in the
4 board of trustees; to amend Part 5 of Article 2 of Chapter 2 of Title 38 of the Official Code
5 of Georgia Annotated, relating to armories and other facilities, so as to provide for the duty
6 of the Department of Defense to provide for operation of a military junior college and an
7 affiliated college preparatory academy; to provide for contracts between the Department of
8 Defense and the Board of Trustees of the Georgia Military College for such purposes; to
9 provide for funding; to repeal conflicting laws; and for other purposes.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

11 **SECTION 1.**

12 Article 9 of Chapter 3 of Title 20 of the Official Code of Georgia Annotated, relating to
13 Georgia Military College, is amended by striking paragraph (6) of Code Section 20-3-546,
14 relating to powers of the board of trustees, and inserting in lieu thereof the following:

15 "(6) To execute and deliver in the name of the college all contracts that may be needed
16 or necessary or convenient, including without limitation contracts for the provision of
17 services to the Department of Defense pursuant to Code Section 38-2-196;"

18 **SECTION 2.**

19 Said article is further amended by striking Code Section 20-3-561, relating to management
20 vested in the board of trustees, and inserting in lieu thereof the following:

21 "20-3-561.

22 (a) The government, control, and management of the Georgia Military College shall be
23 vested in the Board of Trustees of the Georgia Military College.

24 (b) ~~The Georgia Military College shall receive any designated funds appropriated by the~~
25 ~~General Assembly through the Board of Regents of the University System of Georgia or~~

1 ~~the Department of Technical and Adult Education. In the budgeting and expenditure of~~
 2 ~~such designated funds, the Board of Trustees of the Georgia Military College shall provide~~
 3 ~~annually to the Board of Regents of the University System of Georgia or the Department~~
 4 ~~of Technical and Adult Education copies of budgetary requests submitted by the Georgia~~
 5 ~~Military College to the Office of Planning and Budget and copies of audit reports~~
 6 ~~concerning the expenditure of such funds. The Board of Trustees of the Georgia Military~~
 7 ~~College shall be assigned to the Department of Defense for administrative purposes only,~~
 8 ~~in accordance with Code Section 50-4-3.~~ Nothing in this Code section subsection shall be
 9 construed to diminish the authority of the elected Board of Trustees of the Georgia Military
 10 College over budgetary management and expenditure of ~~such designated funds~~ in
 11 compliance with other provisions of state law."

12 SECTION 3.

13 Part 5 of Article 2 of Chapter 2 of Title 38 of the Official Code of Georgia Annotated,
 14 relating to armories and other facilities, is amended by adding a new Code Section 38-2-196
 15 to read as follows:

16 "38-2-196.

17 (a) As used in this Code section, the term 'military junior college' means a civilian
 18 postsecondary educational institution which does not confer baccalaureate degrees but
 19 which offers a military program through which qualified participating enrollees may
 20 become eligible to receive an early commission as a reserve officer in the United States
 21 Army pursuant to 10 U.S.C.A. Section 2107a.

22 (b) Subject to appropriation by the General Assembly, the Military Division of the
 23 Department of Defense shall provide for the operation of:

24 (1) A military junior college, including all military programs, liberal arts and science
 25 academic programs, and nonmilitary career training programs thereof;

26 (2) A college preparatory academy affiliated with such military junior college, wherein
 27 students are provided a program of character development and ethics suited to members
 28 of a military force and which may be stricter than that applied to a general student body
 29 attending a local public school under the jurisdiction of a county or independent board
 30 of education; and

31 (3) Such extracurricular and interscholastic activities as are an integral part of a total
 32 school program.

33 (c) In compliance with Article VIII, Section IV, Paragraph I of the Constitution which
 34 provides the Board of Regents of the University System of Georgia with the exclusive
 35 authority to create new junior colleges and vests the government, control, and management
 36 of institutions of the University System of Georgia in said Board of Regents, the adjutant

1 general on behalf of the Department of Defense shall contract with the Board of Trustees
2 of the Georgia Military College for all purposes of subsection (b) of this Code section so
3 as to utilize such existing college which is not a unit of the University System of Georgia.
4 (d) Estimates of the financial requirements of the Department of Defense submitted under
5 Code Section 45-12-78 shall reflect a request for funds for all purposes of subsection (b)
6 of this Code section pursuant to an enrollment driven formula that reflects funds for direct
7 instructional costs to include salaries and instructional supplies and equipment, funds for
8 indirect support, maintenance and operation, staff and professional development, and media
9 services. The amounts requested for purposes of the college preparatory academy provided
10 by paragraph (2) of subsection (b) of this Code section shall include without limitation a
11 line item in an amount equivalent to that which would be allotted for comparable
12 instructional programs in a local school system funded under the provisions of Article 6 of
13 Chapter 2 of Title 20.
14 (e) The provisions of this Code section shall not diminish either the authority of the Board
15 of Trustees of the Georgia Military College under Article 9 of Chapter 3 of Title 20 or the
16 authority of any political subdivision of this state to appropriate funds in support of the
17 Georgia Military College pursuant to local Act.
18 (f) The provisions of this Code section applicable to support and maintenance of the
19 college preparatory academy operated by the Board of Trustees of the Georgia Military
20 College are enacted pursuant to Article VIII, Section V, Paragraph VII(b) of the
21 Constitution."

22 **SECTION 4.**

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