

House Bill 380

By: Representatives Walker of the 87th and Martin of the 47th

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 prohibitions against loitering at or disrupting schools, so as to provide that it shall
3 be unlawful for any person to remain upon the premises or within the school safety zone of
4 any public or private school in this state when that person does not have a legitimate cause
5 or need to be present thereon and when that person's conduct impairs a school function or
6 materially and substantially interferes with the requirements of appropriate discipline in the
7 operation of the school; to provide for enforcement; to provide that any person who shall not
8 have any legitimate cause or need to be present upon the premises or within the school safety
9 zone of any public or private school in this state and whose conduct impairs a school function
10 or materially and substantially interferes with the requirements of appropriate discipline in
11 the operation of the school and who shall willfully fail to remove himself or herself from
12 such premises after the principal or designee of such school shall request him or her to do so
13 shall be guilty of a misdemeanor of a high and aggravated nature; to provide an effective
14 date; to repeal conflicting laws; and for other purposes.

15 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

16 **SECTION 1.**

17 Article 27 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to
18 prohibitions against loitering at or disrupting schools, is amended by striking in its entirety
19 Code Section 20-2-1180, relating to the prohibition against loitering upon school premises
20 or within a school safety zone, and inserting in lieu thereof a new Code Section 20-2-1180
21 to read as follows:

22 "20-2-1180.

23 (a) It shall be unlawful for any person to remain upon the premises or within the school
24 safety zone as defined in paragraph (1) of subsection (a) of Code Section 16-11-127.1 of
25 any public or private school in this state ~~or to remain upon such premises or within such~~
26 ~~school safety zone~~ when that person does not have a legitimate cause or need to be present

1 thereon and when that person's conduct impairs a school function or materially and
 2 substantially interferes with the requirements of appropriate discipline in the operation of
 3 the school. Each principal or designee of each public or private school in this state shall
 4 have the authority to exercise such control over the buildings and grounds upon which a
 5 school is located so as to prohibit any person who does not have a legitimate need or cause
 6 to be present thereon from ~~loitering~~ engaging in conduct which impairs a school function
 7 or interferes with the requirements of appropriate discipline in the operation of the school
 8 upon such premises. Each principal or designee of each public or private school in this state
 9 shall notify the appropriate law enforcement agency to prohibit any person who does not
 10 have a legitimate need or cause to be present ~~therein~~ thereon from ~~loitering~~ engaging in
 11 conduct which impairs a school function or interferes with the requirements of appropriate
 12 discipline in the operation of the school within the school safety zone.

13 (b) Any person who shall not have any legitimate cause or need to be present upon the
 14 premises or within the school safety zone of any public or private school in this state and
 15 whose conduct impairs a school function or materially and substantially interferes with the
 16 requirements of appropriate discipline in the operation of the school and who shall willfully
 17 fail to remove himself or herself from such premises after the principal or designee of such
 18 school shall request him or her to do so shall be guilty of a misdemeanor of a high and
 19 aggravated nature."

20 SECTION 2.

21 This Act shall become effective upon its approval by the Governor or upon its becoming law
 22 without such approval.

23 SECTION 3.

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