

House Bill 161 (AS PASSED HOUSE AND SENATE)

By: Representatives Buckner of the 95th, Jordan of the 96th, Dodson of the 94th, Seay of the 93rd, Barnes of the 97th and others

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 provide for construction; to repeal
6 conflicting laws; and for 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) 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 following the established guidelines of the school, or a person who has been
7 invited to or otherwise authorized to be at the school by a principal, teacher, counselor, or
8 other authorized employee of the school shall check in at the designated location as stated
9 on posted signs and provide a reason for his or her presence at the school. Failure to check
10 in at the designated location as provided in this subsection shall be prima-facie evidence
11 that such person is in violation of subsection (b) of this Code section. This subsection shall
12 not apply to law enforcement officers, firefighters, emergency medical technicians or
13 paramedics, or any public safety or emergency management officials in the performance
14 of an emergency call or to other persons making authorized deliveries to the school. This
15 subsection shall not apply to any person entering a school which serves as an official
16 polling place for the purpose of voting on election day or attending or participating in an
17 academic or athletic event while remaining in the authorized area or parent, grandparent
18 or guardian listed on a child's pick-up list who fails to sign-in while delivering school
19 supplies, food, clothing, or other legitimate business and who has not previously been
20 sanctioned by school officials for disrupting a school.

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

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

26 (f) Nothing in this Code section shall be construed to prohibit school administrators from
27 prohibiting the admission of any person who has violated school policy or state law."

28 SECTION 2.

29 All laws and parts of laws in conflict with this Act are repealed.