

The Senate Education Committee offered the following substitute to HB 79:

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to
2 elementary and secondary education, so as to revise the prohibition against sales to a local
3 school board by a member; to provide for an exception; to require each local school board
4 to adopt a policy and procedures for purchasing; to provide for model policies and
5 procedures; to provide for an effective date; to repeal conflicting laws; and for other
6 purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to elementary and
10 secondary education, is amended by striking Code Section 20-2-505, relating to the
11 prohibition of a school board member from selling school supplies or equipment to county
12 board and a penalty, and inserting in lieu thereof the following:

13 "20-2-505.

14 (a) ~~No member~~ Members of any county board local boards of education in this state shall
15 not sell to ~~any county~~ their own board any supplies or equipment used, consumed, or
16 necessary in the operation of ~~any the public school in this state~~ schools managed by such
17 local board of education.

18 (b) Any member of any ~~county~~ local board violating subsection (a) of this Code section
19 shall be guilty of a misdemeanor.

20 (c) This Code section shall not apply to purchases of supplies or equipment that do not
21 exceed \$1,000.00 or \$1,500.00 per quarter or \$6,000.00 annually if there are fewer than
22 three sources for such supplies or equipment within the county."

23 **SECTION 2.**

24 Said chapter is further amended by inserting a new Code section to be designated Code
25 Section 20-2-507 to read as follows:

1 "20-2-507.

2 No later than July 1, 2005, each local board of education shall adopt a policy concerning
3 purchases of goods on behalf of students of the public elementary and secondary schools
4 under its management if such purchases are made wholly or partially with public funds.
5 Such policy shall include written procedures for purchasing. The policy and procedures
6 shall be available for public review. No later than January 1, 2005, the State Board of
7 Education shall provide model purchasing policies and procedures for use by local boards
8 of education."

9 **SECTION 3.**

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

12 **SECTION 4.**

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