

House Bill 395

By: Representatives Mosley of the 129th, Post 1, Smith of the 129th, Post 2, Williams of the 128th, Coleman of the 118th, Porter of the 119th, and others

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 change the authority of attendance officers; to
3 provide for duties of peace officers assigned to schools; to repeal conflicting laws; and for
4 other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 style="text-align:center">**SECTION 1.**

7 Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to elementary and
8 secondary education, is amended by striking Code Section 20-2-695, relating to attendance
9 officers, and inserting in lieu thereof the following:

10 "20-2-695.

11 (a) A local board of education may employ an attendance officer or attendance officers in
12 addition to a visiting teacher or visiting teachers. Such an attendance officer must be paid
13 wholly from local funds of the local board unless state funds are specifically appropriated
14 for purposes of employment of attendance officers, in which case state funds may be used
15 to the extent so appropriated. Attendance officers shall not be required to qualify under
16 rules and regulations promulgated by the Professional Standards Commission for the
17 certification of visiting teachers.

18 (b) The authority and duties of any attendance officer so appointed by a local board of
19 education shall include:

20 (1) The duty to cooperate with state agencies, make monthly reports to that officer's
21 school superintendent, and comply with state and local rules as provided in Code Section
22 20-2-696;

23 (2) The authority to receive cooperation and attendance reports from that officer's school
24 system as provided for in Code Section 20-2-697;

25 (3) ~~When specifically authorized by the appointing local board of education, the~~ The
26 authority to assume temporary custody of children absent from school in the same

1 manner as authorized for peace officers under Code Sections 20-2-698 through 20-2-700;
2 and any attendance officer ~~so authorized by the appointing local board of education~~ shall,
3 when engaged in such function, have the same duties, authority, rights, privileges, and
4 immunities as applicable to a peace officer engaged in such function, provided that the
5 same shall not extend to the carrying of a weapon unless the attendance officer holds a
6 valid certification as a peace officer from the Georgia Peace Officer Standards and
7 Training Council;

8 (4) The duty to report children absent from school to the juvenile court or other court
9 having jurisdiction as provided for in Code Section 20-2-701; and

10 (5) Such other authority and duties as may be provided by law or as may be provided by
11 the appointing local board of education in conformity with law.

12 (c) Any peace officer assigned to a school on a full-time or part-time basis shall have the
13 authority and duties of an attendance officer in addition to any other duties."

14 **SECTION 2.**

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