

Senate Bill 194

By: Senators Seay of the 34th and Starr of the 44th

A BILL TO BE ENTITLED  
AN ACT

1 To amend Article 3 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated,  
2 relating to local boards of education, so as to provide that it shall be a conflict of interest and  
3 unlawful for a member of a local board of education to perform certain acts with respect to  
4 certain employee representation organizations; to define a term; to state legislative findings;  
5 to define criminal offenses and prescribe the punishment for such offenses; to provide for  
6 related matters; to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

**SECTION 1.**

8 Article 3 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to local  
9 boards of education, is amended by adding immediately after Code Section 20-2-58.1 a new  
10 Code section to read as follows:  
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12 "20-2-58.2.

13 (a) As used in this Code section, the term 'employee representation organization' means  
14 any organization which has or carries out as a principal function of the organization  
15 representation of or advocacy for school teachers or other employees of a local school  
16 system in employment disciplinary proceedings or other proceedings related to the  
17 employment rights and duties of individual teachers or employees.

18 (b) The General Assembly finds that there exists a potential for inherent conflict of interest  
19 if a member of a local board of education also functions as a member of or advocate for an  
20 employee representation organization.

21 (c) It shall be unlawful for any member of a local board of education to do any of the  
22 following:

23 (1) Recruit members for an employee representation organization; or

24 (2) Give permission for his or her likeness or name to be used in materials promoting an  
25 employee representation organization.

1 (d) It shall be unlawful for a member of a local board of education who is also a member  
2 of an employee representation organization to vote on any matter before the local board of  
3 education which involves the discipline of or employment rights or duties of a member of  
4 the same employee representation organization.

5 (e) Violation of this Code section shall constitute a violation of the oath of office of the  
6 member of the local board of education and upon conviction such member shall be guilty  
7 of a misdemeanor."

8 **SECTION 2.**

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