

Senate Bill 536

By: Senators Thompson of the 33rd and Price of the 56th

A BILL TO BE ENTITLED  
AN ACT

1 To amend Chapter 9 of Title 12 of the Official Code of Georgia Annotated, relating to air  
2 pollution control and prevention, so as to provide for rules and regulations for certain local  
3 boards of education with the goal of reducing air pollution caused by public schools; to  
4 authorize assistance by employees of the Environmental Protection Division to certain local  
5 boards of education; to authorize rules prohibiting the use of school buses in certain  
6 circumstances; to amend Chapter 2 of Title 20 of the Official Code of Georgia Annotated,  
7 relating to elementary and secondary education, so as to provide for the development and  
8 implementation of plans by local boards of education to reduce air pollution caused by public  
9 schools and to mitigate the negative impact of poor air quality on the health of students and  
10 employees; to repeal conflicting laws; and for other purposes.

11 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

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

13 (a) The General Assembly finds that dangerous and excessive levels of air contaminants,  
14 including but not limited to ozone, carbon monoxide, and smog, have resulted in the  
15 extended Atlanta metropolitan area being designated as a severe nonattainment area as  
16 prescribed by the federal Clean Air Act.

17 (b) The General Assembly further finds the month of August typically represents statistically  
18 the largest number of nonattainment days.

19 (c) The General Assembly finds that the transportation of students to and from public  
20 schools creates and contributes to the poor air quality and represents a serious threat to the  
21 health of students and school employees.

22 style="text-align:center">**SECTION 2.**

23 Chapter 9 of Title 12 of the Official Code of Georgia Annotated, relating to air pollution  
24 control and prevention, is amended by inserting a new article to be designated Article 3 to  
25 read as follows:

1 "ARTICLE 3

2 12-9-70.

3 (a) The Board of Natural Resources, in conjunction with the director of the Environmental  
4 Protection Division, and after consultation with officials and employees of the local boards  
5 of education in designated counties or areas of nonattainment under federal air quality  
6 standards, shall promulgate rules and regulations for such counties or areas with the goal  
7 of achieving reduction in levels of pollutants in the ambient air caused by operation of the  
8 public schools.

9 (b) Rules promulgated in accordance with this Code section may provide for assistance of  
10 employees of the Environmental Protection Division to local boards of education in  
11 designated counties or areas of nonattainment in reducing levels of pollutants in ambient  
12 air caused by operation of public schools and in eliminating, mediating, and mitigating the  
13 negative impact of poor air quality on the health of students and employees of public  
14 school systems.

15 (c) Rules promulgated in accordance with this Code section may require local boards of  
16 education to refrain from transporting children to and from school on bus routes traveling  
17 in and through designated counties or areas of nonattainment under hazardous conditions  
18 specified and described in the rules."

19 **SECTION 3.**

20 Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to elementary and  
21 secondary education, is amended in Article 3, relating to local boards of education, by  
22 inserting a new Code section to be designated Code Section 20-2-71 to read as follows:

23 "20-2-71.

24 Local boards of education shall develop and implement plans to reduce levels of pollutants  
25 in ambient air caused by operation of public schools and to eliminate, mediate, and mitigate  
26 the negative impact of poor air quality on the health of students and employees of public  
27 school systems."

28 **SECTION 4.**

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