

Senate Bill 73

By: Senators Thompson of the 33rd, Stoner of the 6th, Powell of the 23rd and Thompson of the 5th

A BILL TO BE ENTITLED  
AN ACT

1 To amend Part 4 of Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia  
2 Annotated, relating to state funds for local school systems under the "Quality Basic  
3 Education Act," so as to delete special financing and expenditure provisions for school years  
4 2003-2004 and 2004-2005; to restore the applicability of financing and expenditure  
5 provisions previously enacted; to provide an effective date; to repeal conflicting laws; and  
6 for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Part 4 of Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated,  
10 relating to state funds for local school systems under the "Quality Basic Education Act," is  
11 amended by striking Code Section 20-2-167.1, relating to special financing provisions for  
12 school years 2003-2004 and 2004-2005, and inserting in lieu thereof the following:

13 "20-2-167.1.

14 ~~(a) For the purposes of the 2003-2004 and 2004-2005 school years only, the following~~  
15 ~~changes to Code Section 20-2-167 shall apply:~~

16 ~~(1) Except as otherwise provided in paragraph (2) of this subsection, for each program~~  
17 ~~identified in Code Section 20-2-161, each local school system shall spend 100 percent of~~  
18 ~~funds designated for direct instructional costs on the direct instructional costs of such~~  
19 ~~program on one or more of the programs identified in Code Section 20-2-161 at the~~  
20 ~~system level, with no requirement that the school system spend any specific portion of~~  
21 ~~such funds at the site where such funds were earned;~~

22 ~~(2) Direct instruction funds for the kindergarten-early intervention program, the primary~~  
23 ~~grades-early intervention program, the upper elementary-grades-early intervention~~  
24 ~~program, the remedial education program, and the alternative education program shall be~~  
25 ~~expended on one or more of these programs at the system level, with no requirement that~~  
26 ~~the school system spend any specific portion of such funds at the site where such funds~~  
27 ~~were earned;~~

1 ~~(3) Each local school system shall spend 100 percent of the funds designated for media~~  
 2 ~~center costs for such costs at the system level, and 100 percent of the funds designated~~  
 3 ~~for media materials at the system level;~~

4 ~~(4) During the 2003-2004 school year, funds allocated for staff development may be~~  
 5 ~~spent for any program approved under the 'Quality Basic Education Act.' During the~~  
 6 ~~2004-2005 school year, each school system shall spend 90 percent of funds allocated for~~  
 7 ~~professional development for such costs at the system level; and~~

8 ~~(5) Each local school system shall report to the Department of Education its budgets and~~  
 9 ~~expenditures in accordance with this Code section with expenditures based in the~~  
 10 ~~preceding school year for each school site as a part of its report in October for the FTE~~  
 11 ~~count and on March 15.~~

12 ~~(b) Except as otherwise provided by subsection (a) of this Code section, Code Section~~  
 13 ~~20-2-167 shall apply during the 2003-2004 and 2004-2005 school years.~~

14 ~~(c) No penalty shall apply for failure to comply with expenditure controls set out in Code~~  
 15 ~~Section 20-2-167 that are contrary to this Code section, notwithstanding any law to the~~  
 16 ~~contrary, as long as the local school system complies with this Code section.~~

17 ~~(d) Nothing in this Code section shall be construed to repeal any other provision of Code~~  
 18 ~~Section 20-2-167 or this chapter, or to apply to any time period other than the two fiscal~~  
 19 ~~years beginning July 1, 2003, and ending June 30, 2005.~~

20 ~~(e) This Code section shall be automatically repealed July 1, 2005.~~

21 All provisions of Code Section 20-2-167 shall apply to the school year 2005-2006 and  
 22 following school years."

## 23 SECTION 2.

24 This Act shall become effective on July 1, 2005.

## 25 SECTION 3.

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