

House Bill 1239

By: Representatives Setzler of the 35th, Keen of the 179th, Thomas of the 55th, Maxwell of the 17th, May of the 111th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Part 2 of Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia
2 Annotated, relating to competencies and core curriculum for elementary and secondary
3 students under the "Quality Basic Education Act," so as to require annual instruction in
4 certain grades in criminal law in Georgia as it relates to school-aged children; to provide for
5 legislative findings; to provide for a minimum course of study established by the State Board
6 of Education; to provide for a manual; to provide for rules and regulations; to provide for
7 time frames; to provide for construction; to provide for related matters; to repeal conflicting
8 laws; and for other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

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

11 Part 2 of Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated,
12 relating to competencies and core curriculum for elementary and secondary students under
13 the "Quality Basic Education Act," is amended by adding at the end thereof a new Code
14 section to read as follows:

15 "20-2-148.

16 (a) The General Assembly finds that society is changing and that our youth are more
17 frequently committing crimes of a serious nature. The General Assembly further finds that
18 young people who commit crimes are often unable to turn their lives around into their
19 adulthood resulting in unfavorable situations, such as prison. The General Assembly
20 further finds that our youth are the future of our state and that it is in the best interests of
21 the youth and of society as a whole to discourage, to the greatest extent possible, criminal
22 behavior of youth. The General Assembly further finds that it would be beneficial to
23 educate the youth of this state on the repercussions of engaging in criminal behavior and
24 the devastating impact it can have on the life of the individual, on the individual's family,
25 and on society as a whole.

1 (b) Each local board of education shall prescribe mandatory instruction in the criminal law
2 of Georgia as it relates to school-aged children for students in grades six, eight, and ten.
3 Such mandatory instruction shall include the minimum course of study provided for in
4 subsection (c) of this Code section or its equivalent, as approved by the State Board of
5 Education. Each local board of education may supplement the exact approach of content
6 areas of such minimum course of study with such curriculum standards as it may deem
7 appropriate.

8 (c) The State Board of Education shall prescribe a minimum course of study which shall
9 include the criminal code in Georgia as it affects minors, an emphasis on sexual offenses
10 and on crimes for which a minor can be charged with a felony and tried as an adult, and
11 potential criminal penalties for committing crimes. The minimum course of study shall
12 be included as a portion of an appropriate course, as determined by the State Board of
13 Education, and the instruction shall be delivered in a classroom setting. The instruction
14 required under this Code section may not be delivered in an assembly-type setting. The
15 minimum course of study shall include an assessment on the material at the conclusion of
16 the instruction and the results of the assessment shall be included as a part of the student's
17 grade in the course. The state board shall establish minimum time requirements for the
18 course of study. Any changes made by the General Assembly to the criminal code as it
19 affects minors shall be included in a revised course of study for the following school year.

20 (d) A manual setting out the details of such course of study shall be prepared by or
21 approved by the State Board of Education in cooperation with the Attorney General, and
22 such expert advisers as they may choose.

23 (e) The State Board of Education shall be authorized to promulgate rules and regulations
24 to implement the requirements of this Code section.

25 (f) The minimum course of study to be prescribed by the State Board of Education
26 pursuant to subsection (c) of this Code section shall be ready for implementation not later
27 than July 1, 2007. Each local board shall implement either such minimum course of study
28 or its equivalent not later than December 31, 2007. Any local board of education which
29 fails to comply with this subsection shall not be eligible to receive any state funding under
30 this article until such minimum course of study or its equivalent has been implemented.

31 (g) In no way shall this Code section be construed to require any private school to include
32 any mandated instruction."

33 SECTION 2.

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