

House Bill 1181

By: Representative Benton of the 31<sup>st</sup>

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 revise provisions relating to acceptance of  
3 donations, grants, and federal aid for vocational or other educational purposes by the State  
4 Board of Education; to provide that the State School Superintendent is authorized to enter  
5 into contracts for \$100,000.00 or less; to provide for related matters; to repeal conflicting  
6 laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to elementary and  
10 secondary education, is amended in Code Section 20-2-14, relating to acceptance of  
11 donations, grants, and federal aid for vocational or other educational purposes by the State  
12 Board of Education, as follows:

13 "20-2-14.

14 The State Board of Education is authorized to solicit, receive, accept, hold, and operate, on  
15 behalf of the state, donations, grants, gifts, devises, and bequests of real, personal, and  
16 mixed property of every kind and character; to lease, sell, manage, and otherwise  
17 administer such property for the use, benefit, and behalf of the public school system of  
18 Georgia; and to accept on behalf of the state any funds which may be now or hereafter  
19 provided for, or be, or hereafter become available or allotted to the state by virtue of any  
20 appropriation by Congress or under any governmental regulation, order, or declaration of  
21 policy for either vocational or other educational purposes conducted either in or out of  
22 school, in connection with, or as an incident of, any program of vocational education now  
23 or hereafter established as essential to national defense either for industrial or agricultural  
24 occupations, and whether as part of a federal or a state program or a combination of both,  
25 in furtherance of vocational educational objectives generally. The state board is authorized  
26 to acquire, dispose of, and hold title ~~for and~~ on behalf of the state for the benefit of the

1 public school system thereof any equipment or supplies, both permanent and expendable,  
 2 that may be necessary for such purposes; to act as the contracting agent therefor and the  
 3 custodian thereof; to delegate, in whole or in part, any function or activity enumerated or  
 4 contemplated under this Code section; to contract with and cooperate with any department,  
 5 agency, or instrumentality, either of the state or of the United States in any manner which  
 6 shall be requisite or incident to this Code section and which in the judgment of the state  
 7 board may be deemed proper for the carrying into effect of the purposes of this article; and  
 8 to use so much of the public school fund or other funds appropriated by the General  
 9 Assembly as may be necessary to match any such federal aid or to meet the terms of any  
 10 past, present, or future grant to the state or any local school unit whereby the state or any  
 11 local school unit, respectively, may be enabled to derive full advantage of the benefits  
 12 thereof to the state as contemplated under the terms and provisions of any such grant for  
 13 educational purposes."

14 **SECTION 2.**

15 Said chapter is further amended in Code Section 20-2-241, relating to the State School  
 16 Superintendent, as follows:

17 "20-2-241.

18 (a) The State School Superintendent shall be the executive officer of the State Board of  
 19 Education and the administrative chief executive officer of the Department of Education.  
 20 The State School Superintendent is authorized to organize and reorganize the Department  
 21 of Education and the various offices, divisions, sections, and units thereof and to prescribe  
 22 the duties, functions, and operations of each at such times and in such manner as the State  
 23 School Superintendent deems necessary or desirable for the more economical or effective  
 24 organization, administration, or functioning of the department, including the authority to  
 25 establish policies and procedures for the internal operations of the department. He or she  
 26 shall also be responsible for the administration and enforcement of this article and other  
 27 school laws in accordance with such laws and with rules, regulations, policies, and  
 28 standards adopted or prescribed by the state board for the implementation, administration,  
 29 or enforcement of such laws.

30 (b) The State School Superintendent shall have the authority to employ persons to serve  
 31 in the five senior staff positions within the Department of Education.

32 (c) The State School Superintendent shall have the authority to enter into contracts and to  
 33 issue grants for the amount of ~~\$50,000.00~~ \$100,000.00 or less on behalf of the Department  
 34 of Education. The State Board of Education may delegate to the State School  
 35 Superintendent the authority to enter into contracts in amounts greater than \$100,000.00  
 36 or to issue grants in any amount, at its discretion."

- 1 **SECTION 3.**
- 2 All laws and parts of laws in conflict with this Act are repealed.