

House Bill 1428

By: Representatives Marin of the 96<sup>th</sup> and Drenner of the 86<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend of Part 10 of Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia  
2 Annotated, relating to capital outlay funds under the "Quality Basic Education Act," so as  
3 to prohibit a school from being constructed within 500 feet of a freeway or other busy traffic  
4 corridor; to provide for definitions; to provide for related matters; to repeal conflicting laws;  
5 and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Part 10 of Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated,  
9 relating to capital outlay funds under the "Quality Basic Education Act," is amended by  
10 adding a new Code section to read as follows:

11 "20-2-263.

12 (a) A school shall not be constructed by a local board of education if the school site  
13 boundary is within 500 feet of the edge of the closest traffic lane of a freeway or other busy  
14 traffic corridor, unless the local board of education determines, through an analysis based  
15 on appropriate air dispersion modeling, and after considering any potential mitigation  
16 measures, that the air quality at the proposed site is such that neither short-term nor  
17 long-term exposure poses significant health risks to students.

18 (b) As used in this Code section, the term:

19 (1) 'Freeway or other busy traffic corridor' means those roadways that, on an average  
20 day, have traffic in excess of 50,000 vehicles in a rural county and 100,000 vehicles in  
21 an urban county.

22 (2) 'Rural county' means a county having a population of less than 35,000 according to  
23 the most recent official United States census.

24 (3) 'Urban county' means a county having a population equal to or greater than 35,000  
25 according to the most recent official United States census."

26

**SECTION 2.**

27 All laws and parts of laws in conflict with this Act are repealed.