

ADOPTED

Senators Weber of the 40th and Moody of the 56th offered the following amendment:

1 *Amend the Senate Education and Youth Committee substitute to HB 278 (LC 33 3199S) by*
 2 *inserting after "scheduling;" on line 8 the following:*

3 to amend Part 10 of Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia
 4 Annotated, relating to capital outlay funds under the "Quality Basic Education Act," so as
 5 to embed and extend a sunset date of June 30, 2011, for provisions relating to advance
 6 funding, exceptional growth, and low-wealth capital outlay grants; to amend an Act approved
 7 May 6, 2008 (Ga. L. 2008, p. 288), an Act approved April 9, 2001 (Ga. L. 2001, p. 148), and
 8 an Act approved April 22, 1999 (Ga. L. 1999, p. 400), relating to the automatic repeal of
 9 provisions relating to advance funding, exceptional growth, and low-wealth capital outlay
 10 grants;

11 *By inserting between lines 183 and 184 the following:*

SECTION 5A.

13 Part 10 of Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated,
 14 relating to capital outlay funds under the "Quality Basic Education Act," is amended by
 15 revising subsection (h) of Code Section 20-2-260, relating to capital outlay funds generally,
 16 as follows:

17 "(h) A local school system may receive state capital outlay funds for one construction
 18 project under the advance funding category to meet educational facilities needs due to the
 19 following:

- 20 (1) Extraordinary growth of student population in excess of the capacity of existing
 21 facilities;
- 22 (2) Destruction of or damage to educational facilities by fire or natural disaster, limited
 23 by the provisions of paragraph (2) of subsection (f) of this Code section;
- 24 (3) Replacement of educational facilities which have been certified as hazards to health
 25 or safety;
- 26 (4) Projects, in priority order, which would otherwise require more than three years of
 27 the combined annual entitlement and required local participation amounts, estimated in
 28 accordance with the total entitlement intended for authorization by the State Board of
 29 Education; and
- 30 (5) Projects for consolidation of schools across local school system lines which have
 31 costs that exceed the combined annual entitlements of the participating local school

32 systems. Such projects shall meet, with the exception of paragraph (2) of this subsection,
33 the following conditions to qualify for advanced funding:

34 (A) The local school systems have specifically requested funding under this subsection
35 prior to submission of the annual budget request for the state board to the General
36 Assembly;

37 (B) Annual entitlements accrued under subsection (g) of this Code section have offset
38 any advanced funding previously granted, except that no more than three years of
39 combined entitlements of the participating local school systems shall be required to
40 offset advance funding for consolidation projects pursuant to paragraph (5) of
41 subsection (e) of this Code section;

42 (C) The projects to be funded are not in addition to projects funded for local school
43 systems under the provisions of subsection (g) of this Code section in a given year; and

44 (D) The required local participation and all other procedural requirements of this Code
45 section are met.

46 This subsection shall be automatically repealed on June 30, 2011."

47 **SECTION 5B.**

48 Said part is further amended in Code Section 20-2-260, relating to capital outlay funds
49 generally, by adding a new paragraph to subsection (j) to read as follows:

50 "(7) This subsection shall be automatically repealed on June 30, 2011."

51 **SECTION 5C.**

52 Said part is further amended in Code Section 20-2-262, relating to low-wealth capital outlay
53 grants to local school systems, by adding a new subsection to read as follows:

54 "(e) This Code section shall be automatically repealed on June 30, 2011."

55 **SECTION 5D.**

56 (1) An Act approved May 6, 2008 (Ga. L. 2008, p. 288), is amended by repealing Section
57 1 of such Act in its entirety.

58 (2) An Act approved April 9, 2001 (Ga. L. 2001, p. 148), is amended by repealing Section
59 21 of such Act in its entirety.

60 **SECTION 5E.**

61 (1) An Act approved May 6, 2008 (Ga. L. 2008, p. 288), is amended by repealing Section
62 2 of such Act in its entirety.

63 (2) An Act approved April 9, 2001 (Ga. L. 2001, p. 148), is amended by repealing Section
64 23 of such Act in its entirety.

65 (3) An Act approved April 22, 1999 (Ga. L. 1999, p. 400), is amended by striking in its
66 entirety Section 2 and inserting in lieu thereof a new Section 2 to read as follows:

67 "SECTION 2.

68 This Act shall become effective upon its approval by the Governor or upon its becoming law
69 without such approval ~~and shall be automatically repealed on June 30, 2002.~~"