

Senate Bill 439

By: Senators Miller of the 49th, Jackson of the 24th, Wilkinson of the 50th, Gooch of the 51st, James of the 35th and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 20-2A-1 of the Official Code of Georgia Annotated, relating to
2 definitions relative to student scholarship organizations, so as to authorize qualified nonprofit
3 preschool programs which serve disabled children to participate in student scholarship
4 programs; to provide for related matters; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

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

7 Code Section 20-2A-1 of the Official Code of Georgia Annotated, relating to definitions
8 relative to student scholarship organizations, is amended by revising paragraphs (1) and (2)
9 as follows:

10 "(1) 'Eligible student' means a student who is a Georgia resident enrolled in a Georgia
11 secondary or primary public school or eligible to enroll in a qualified first grade,
12 kindergarten program, ~~or pre-kindergarten program, or preschool program~~; provided,
13 however, that if a student is deemed an eligible student pursuant to this paragraph, he or
14 she shall continue to qualify as such until he or she graduates, reaches the age of 20, or
15 returns to a public school, whichever occurs first.

16 (2) 'Qualified school or program' means:

17 ~~(A)~~ A nonpublic pre-kindergarten program, primary school, or secondary school that:
18 ~~(A)~~ (i) Is accredited or in the process of becoming accredited by one or more entities
19 listed in subparagraph (A) of paragraph (6) of Code Section 20-3-519; and
20 ~~(B)~~ (ii) Is located in this state, adheres to the provisions of the federal Civil Rights Act
21 of 1964, and satisfies the requirements prescribed by law for private schools in this
22 state; or

23 (B) A nonprofit preschool program that:

24 (i) Serves at least 50 percent disabled children who have been diagnosed by a
25 physician as having a disability;

26 (ii) Is accredited by the Southern Association of Colleges and Schools; and

27 (iii) Is located in this state, adheres to the provisions of the federal Civil Rights Act of
28 1964, and satisfies the requirements prescribed by law for private schools in this state."

29 **SECTION 2.**

30 All laws and parts of laws in conflict with this Act are repealed.