

The Senate Education and Youth Committee offered the following substitute to SB 405:

A BILL TO BE ENTITLED

AN ACT

To amend Part 2 of Article 2 of Chapter 14 of Title 20 of the Official Code of Georgia Annotated, relating to the Office of Student Achievement, so as to provide that a private college that submits confidential student data and records to the Office of Student Achievement shall not be liable for the breach of the confidentiality of such data and records by the Office of Student Achievement; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Part 2 of Article 2 of Chapter 14 of Title 20 of the Official Code of Georgia Annotated, relating to the Office of Student Achievement, is amended by adding a new Code section to read as follows:

"20-14-29.

(a) When private colleges and universities in this state provide the Office of Student Achievement with confidential student data or records concerning students enrolled in such private colleges and universities, such private colleges and universities shall not be held liable in any court in this state for any breach of confidentiality, disclosure, use, retention, or destruction of such information if such breach, disclosure, use, retention, or destruction resulted from actions of the Office of Student Achievement or its staff and not from the transmission of the information by the private college or university before such information reached the Office of Student Achievement.

(b) This Code section shall apply to any student data or records that are confidential under any law of this state or any federal law, including, but not limited to, the federal Family Educational Rights and Privacy Act, 20 U.S.C. Section 1232g."

SECTION 2.

This Act shall become effective upon its approval by the Governor or upon its becoming law without such approval.

SECTION 3.

All laws and parts of laws in conflict with this Act are repealed.