

Senate Bill 166

By: Senators Jones of the 10th, Henson of the 41st, Harbison of the 15th, Seay of the 34th and Davenport of the 44th

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 increase the maximum fine for parents who
3 violate compulsory attendance laws; to provide for related matters; to repeal conflicting laws;
4 and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

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

7 Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to elementary and
8 secondary education, is amended in Code Section 20-2-690.1, relating to mandatory
9 education for children between ages six and 16, by revising subsection (c) as follows:
10 "(c) Any parent, guardian, or other person residing in this state who has control or charge
11 of a child or children and who violates this Code section shall be guilty of a misdemeanor
12 and, upon conviction thereof, shall be subject to a fine ~~of not less than \$25.00 and not~~
13 ~~greater than \$100.00~~ not to exceed \$500.00, imprisonment not to exceed 30 days,
14 community service, or any combination of such penalties, at the discretion of the court
15 having jurisdiction. Each day's absence from school in violation of this part after the
16 child's school system notifies the parent, guardian, or other person who has control or
17 charge of a child of five unexcused days of absence for a child shall constitute a separate
18 offense. After two reasonable attempts to notify the parent, guardian, or other person who
19 has control or charge of a child of five unexcused days of absence without response, the
20 school system shall send a notice to such parent, guardian, or other person by certified
21 mail, return receipt requested, ~~or first-class mail~~. Prior to any action to commence judicial
22 proceedings to impose a penalty for violating this subsection on a parent, guardian, or other
23 person residing in this state who has control or charge of a child or children, a school
24 system shall send a notice to such parent, guardian, or other person by certified mail, return
25 receipt requested. Public schools shall provide to the parent, guardian, or other person
26 having control or charge of each child enrolled in public school a written summary of
27 possible consequences and penalties for failing to comply with compulsory attendance

28 under this Code section for children and their parents, guardians, or other persons having
29 control or charge of children. The parent, guardian, or other person who has control or
30 charge of a child or children shall sign a statement indicating receipt of such written
31 statement of possible consequences and penalties; children who are age ten years or older
32 by September 1 shall sign a statement indicating receipt of such written statement of
33 possible consequences and penalties. After two reasonable attempts by the school to secure
34 such signature or signatures, the school shall be considered to be in compliance with this
35 subsection if it sends a copy of the statement, via certified mail, return receipt requested,
36 ~~or first-class mail~~, to such parent, guardian, or other person who has control or charge of
37 a child or children. Public schools shall retain signed copies of statements through the end
38 of the school year."

39

SECTION 2.

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