

House Bill 423

By: Representatives Stovall of the 74<sup>th</sup>, Belton of the 112<sup>th</sup>, Casas of the 107<sup>th</sup>, Brockway of the 102<sup>nd</sup>, and Dickey of the 140<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Code Section 20-2-2068.2 of the Official Code of Georgia Annotated, relating to  
2 a facilities fund for charter schools, so as to provide for the use of unused facilities available  
3 to state charter schools within the boundaries of the local school system that are not used for  
4 local charter schools in the local school system; to provide for related matters; to repeal  
5 conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Code Section 20-2-2068.2 of the Official Code of Georgia Annotated, relating to a facilities  
9 fund for charter schools, is amended by revising subsection (h) as follows:

10 "(h)(1) Each local board of education shall make its unused facilities available to local  
11 charter schools. The terms of the use of such a facility by the charter school shall be  
12 subject to negotiation between the board and the local charter school and shall be  
13 memorialized as a separate agreement. A local charter school that is allowed to use such  
14 a facility under such an agreement shall not sell or dispose of any interest in such  
15 property without the written permission of the local board. A local charter school may  
16 not be charged a rental or leasing fee for the existing facility or for property normally  
17 used by the public school which became the local charter school. A local charter school  
18 that receives property from a local board may not sell or dispose of such property without  
19 the written permission of the local board.

20 (2) Each local board of education shall make its unused facilities that are not being  
21 utilized by any of its local charter schools available to any state charter schools that are  
22 located within the local school system boundaries. The terms of the use of such a facility  
23 by a state charter school shall be subject to negotiation between the board and the state  
24 charter school and shall be memorialized as a separate agreement. A state charter school  
25 that is allowed to use such a facility under such an agreement shall not sell or dispose of  
26 any interest in such property without the written permission of the local board. A state

27 charter school may not be charged a rental or leasing fee for the existing facility or for  
28 property normally used by the public school which became the state charter school. If  
29 the local board of education sells an unused facility to a state charter school, it shall be  
30 for a nominal amount of \$1.00."

31 **SECTION 2.**

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