

The House Committee on Governmental Affairs offers the following substitute to HB 194:

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 36-66-5 of the Official Code of Georgia Annotated, relating to
2 adoption of hearing policies and procedures and standards for exercise of zoning power, so
3 as to require counties and municipalities to consider the effect of a proposed zoning action
4 on local school systems and the potential overcrowding of schools within such local school
5 systems; to amend Code Section 20-2-520 of the Official Code of Georgia Annotated,
6 relating to acquiring and disposing of school sites and building, repairing, renting, and
7 furnishing schoolhouses, so as to provide that certain impacts upon the county and municipal
8 infrastructure shall be considered by boards of education prior to any final siting decision for
9 a school; to provide for related matters; to repeal conflicting laws; and for other purposes.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

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

12 Code Section 36-66-5 of the Official Code of Georgia Annotated, relating to adoption of
13 hearing policies and procedures and standards for exercise of zoning power, is amended by
14 revising subsection (b) as follows:

15 "(b) In addition to policies and procedures required by subsection (a) of this Code section,
16 each local government shall adopt standards governing the exercise of the zoning power,
17 and such standards may include any factors which the local government finds relevant in
18 balancing the interest in promoting the public health, safety, morality, or general welfare
19 against the right to the unrestricted use of property. Such standards shall include the
20 consideration of the effect of the proposed zoning action on local school systems and the
21 potential overcrowding of schools within such local school systems if such local school
22 systems provide the local government with information and data on such effects on the
23 local school system after a request for such information and data by the local government.
24 Such standards shall be printed and copies thereof shall be available for distribution to the
25 general public."

26 **SECTION 2.**

27 Code Section 20-2-520 of the Official Code of Georgia Annotated, relating to acquiring and
28 disposing of school sites and building, repairing, renting, and furnishing schoolhouses, is
29 amended by adding a new subsection to read as follows:

30 "(d) Prior to making any final decision on the proposed siting of a new schoolhouse, the
31 board of education of a county or independent school system shall consider the impact of
32 such siting decision on the infrastructure of the county and any municipality located wholly
33 or partially within such school district."

34 **SECTION 3.**

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