Senate Bill 15
By: Senators Albers of the 56th, Mullis of the 53rd, Dugan of the 30th, Miller of the 49th, Gooch of the 51st and others

A BILL TO BE ENTITLED
AN ACT

To amend Article 27 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to loitering at or disrupting schools, so as to require public and private schools to have performed certain threat assessments; to provide for definitions; to require every public and private school to prepare a school safety plan; to revise requirements for the contents of school safety plans; to require drills upon school safety plans by public and private schools; to require the officer or agent in charge of the Georgia Information Sharing and Analysis Center to establish a task force within the center relating to preventing, discovering, responding to, and recovering from threats, warnings, and developing situations regarding any public or private school; to provide for the development and maintenance of a program for training and certifying persons to act as school safety coaches; to amend Article 9 of Chapter 3 of Title 35 of the Official Code of Georgia Annotated, relating to the Georgia Information Sharing and Analysis Center, so as to provide for the center's role in preventing, discovering, responding to, and recovering from threats, warnings, and developing situations regarding any public or private school; to amend Part 1 of Article 2 of Chapter 5 of Title 48 of the Official Code of Georgia Annotated, relating to property tax exemptions, so as to provide for qualifications for a homestead exemption for persons who serve as school safety coaches; to provide for a short title; to provide for related matters; to provide for an effective date, a contingent effective date, and automatic repeal; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

This Act shall be known and may be cited as the "Keeping Georgia's Schools Safe Act."

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Article 27 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to loitering at or disrupting schools, is amended by revising Code Section 20-2-1185, relating to school safety plans and drills, as follows:

“20-2-1185.

(a) As used in this Code section, the term:

(1) ‘Private school’ means a nonpublic institution instructing children at any level or levels, kindergarten through twelfth grade, or children of ages five through 19 if grade divisions are not used and which is accredited by one or more of the entities listed in subparagraph (A) of paragraph (6) of Code Section 20-3-519.

(2) ‘Threat assessment’ means conducting an evaluation for purposes of most effectively responding to, or preventing or reducing, the threat of violence, mass casualty incidents and other acts of terrorism, natural disasters, and hazardous materials or radiological accidents.

(b)(1) The Georgia Emergency Management and Homeland Security Agency shall maintain a list of private persons or agencies approved for purposes of this Code section to provide threat assessments to public and private schools.

(2) By August 1, 2019, or prior to its opening for use by students, and every two years thereafter, every public school and private school shall have performed a threat assessment of its buildings, facilities, and campuses by a person or agency approved pursuant to paragraph (1) of this subsection. Such threat assessment shall inform the preparation and maintenance of a school safety plan as provided for in subsection (c) of this Code section.

(c) Every public school and private school shall prepare a school safety plan to help curb the growing incidence of violence in schools, to respond effectively to such incidents, and to provide a safe learning environment for Georgia's children, teachers, and other school personnel. Such plan shall also address preparedness for natural disasters, hazardous materials or radiological accidents, acts of violence, and acts of terrorism. School safety plans of public schools and private schools shall be prepared with input from students enrolled in that school, parents or legal guardians of such students, teachers in that school, community leaders, other school employees and school district employees, and local law enforcement, juvenile court, fire service, public safety, and emergency management agencies. As part of such plans, public schools and private schools shall provide for the coordination with local law enforcement agencies and the local juvenile court system. School safety plans shall include, at a minimum, the following strategy areas:

(1) Training school administrators, teachers, and support staff, including, but not limited to, school resource officers, security officers, secretaries, custodians, and bus drivers, on...
school violence prevention, school security, school threat assessment, mental health awareness, and school emergency planning best practices;

(2) Evaluating and refining school security measures;

(3) Updating and exercising school emergency preparedness plans;

(4) Strengthening partnerships with public safety officials; and

(5) Creating enhanced crisis communications plans and social media strategies;

(6) Addressing security issues in school safety zones as defined in Code Section 16-11-127.1;

(7) Addressing security issues involving school functions held during noninstructional hours; and

(8) Addressing security issues involving the transportation of pupils to and from school and school functions when such transportation is furnished by the school or school system.

School safety plans of private schools may be prepared with input from students enrolled in that school, parents or legal guardians of such students, teachers in that school, other school employees, and local law enforcement, fire service, public safety, and emergency management agencies. Such plans shall be reviewed and, if necessary, updated annually. Such plans of public schools shall be submitted to the local emergency management agency and the local law enforcement agency for approval.

(b)(d) A public school may request funding assistance from the state for facilities, technology, or other safety improvements or initiatives, such as the installation of safety equipment, including, but not limited to, video surveillance cameras, metal detectors, alarms, communications systems, building access controls, and other similar security devices. The Department of Education shall establish criteria that will be applied in reviewing funding requests pursuant to this subsection which shall take into consideration the physical security needs of the public school in evaluating how the school safety plan and funding request will support such physical security needs. Funding may be provided to a public school in accordance with a school safety plan prepared by the school and approved by the local board of education, the local law enforcement agency, the Department of Education, and the Georgia Emergency Management and Homeland Security Agency; provided, however, that a public school shall be required to match the state funding with local funds unless the school can demonstrate a substantial hardship.

(e) School safety plans prepared by public schools shall address security issues in school safety zones as defined in Code Section 16-11-127.1. School safety plans should also address security issues involving the transportation of pupils to and from school and school functions when such transportation is furnished by the school or school system and school functions held during noninstructional hours.
The Georgia Emergency Management and Homeland Security Agency shall provide training and technical assistance to public school systems and may provide this same training and technical assistance to private school systems and independent private schools throughout this state in the area of emergency management and safe school operations. This training and technical assistance shall include, but not be limited to, crisis response team development, site surveys and safety audits, crisis management planning, exercise design, safe school planning, emergency operations planning, search and seizure, bomb threat management, and model school safety plans.

Every public school and private school shall conduct drills with students, teachers, and other school personnel on the execution of school safety plans in such form and at such intervals based upon guidance from the Georgia Emergency Management and Homeland Security Agency; provided, however, that drills with students, teachers, and other school personnel for responses to fire, weather, acts of violence, and acts of terrorism shall each occur at intervals of at least once per school year."

SECTION 3.

Said article is further amended by adding two new Code sections to read as follows:

"20-2-1186.

(a) The officer or agent charged with operating the Georgia Information Sharing and Analysis Center as provided for in Article 9 of Chapter 3 of Title 35 shall establish a task force within the center for the purposes of sharing and providing homeland security activity information to the director of emergency management and homeland security relating to threats, warnings, and developing situations regarding public and private schools in this state.

(b) To the extent permissible by law, including, but not limited to, the Family Educational Rights and Privacy Act of 1974, 20 U.S.C. Section 1232g, such task force shall be authorized to curate individual student profiles from school records and records of the Department of Human Services and law enforcement agencies for the purpose of evaluating potential threats to public and private schools.

20-2-1187.

(a) The Georgia Emergency Management and Homeland Security Agency shall develop and maintain a program for training and certifying persons to act as school safety coaches within public and private schools. Such school safety coaches shall serve as a resource in executing the school safety plan and as a presence in identifying safety concerns and potential imminent threats for notification of school personnel and any local law enforcement agency. Persons certified pursuant to this subsection shall be members or
former members of the armed forces of the United States, a law enforcement agency, or a
fire department or shall be licensed or certified pursuant to Article 3 of Chapter 11 of Title
31.
(b) Public and private schools shall use persons trained or certified pursuant to subsection
(a) of this Code section to serve as school safety coaches."

SECTION 4.

Article 9 of Chapter 3 of Title 35 of the Official Code of Georgia Annotated, relating to the
Georgia Information Sharing and Analysis Center, is amended by revising Code Section
35-3-200, relating to definitions, as follows:
"35-3-200.
As used in this article, the term:
(1) 'Center' means the Georgia Information Sharing and Analysis Center.
(2) 'Fusion center' means collaborative effort which combines resources, expertise,
intelligence, and other information from various agencies of state and local governments
with the goal of maximizing the ability of this state to detect, prevent, and respond to
criminal activities or to otherwise engage in homeland security activities.
(3) 'Homeland security activity' means any activity related to the prevention or discovery
of, response to, or recovery from:
(A) A terrorist attack;
(B) A hostile military or paramilitary action; or
(C) An extraordinary law enforcement emergency, as designated by the Governor;
provided, however, that such emergency shall include the prevention or discovery of,
response to, or recovery from mass casualty incidents at any public or private
elementary school, secondary school, or local board of education."
(b) In order to qualify for the exemption provided for in this Code section, the person serving as a school safety coach shall furnish to the tax commissioner of the county of residence documents from the Georgia Emergency Management and Homeland Security Agency and school evidencing that such person serves as a school safety coach.

(c) Once filed, the homestead exemption granted by this Code section shall automatically be renewed from year to year, except that the county board of tax assessors may require annually that the holder of an exemption substantiate his or her continuing eligibility for the exemption. It shall be the duty of any person granted the homestead exemption under this Code section to notify the tax commissioner in the event that person for any reason becomes ineligible for such exemption.

(d) The exemptions granted by this Code section shall apply to the tax year beginning on January 1, 2020, and all tax years thereafter.

SECTION 6.

(a) Except as provided for in subsection (b) of this section, this Act shall become effective on July 1, 2019.

(b) Section 5 of this Act shall become effective on January 1, 2020, only if an amendment to the Constitution of Georgia is ratified at the November, 2019, general election providing for a homestead exemption from all ad valorem taxation for school purposes for persons who serve as school safety coaches. If such an amendment to the Constitution is not so ratified, such section of this Act shall not become effective and shall stand repealed by operation of law on January 1, 2020.

SECTION 7.

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