

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

**AS PASSED SENATE**

**A BILL TO BE ENTITLED  
AN ACT**

1 To amend Article 27 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated,  
2 relating to loitering at or disrupting schools, so as to require public schools to have performed  
3 certain site threat assessments; to provide for definitions; to require every public school to  
4 prepare a school safety plan; to revise requirements for the contents of school safety plans;  
5 to require drills upon school safety plans by public schools; to require the officer or agent in  
6 charge of the Georgia Information Sharing and Analysis Center to establish a task force  
7 within the center relating to preventing, discovering, responding to, and recovering from  
8 threats, warnings, and developing situations regarding any public school; to provide for  
9 school safety coordinators; to provide for the development and maintenance of a program for  
10 training and certifying persons to act as school safety coaches; to amend Chapter 3 of  
11 Title 35 of the Official Code of Georgia Annotated, relating to the Georgia Bureau of  
12 Investigation, so as to establish that the bureau shall have limited jurisdiction throughout this  
13 state for identifying and investigating threats, warnings, and developing situations regarding  
14 public school safety; to provide for powers of agents of the bureau for such purposes; to  
15 provide for subpoena powers for such purposes; to provide for the center's role in preventing,  
16 discovering, responding to, and recovering from threats, warnings, and developing situations  
17 regarding any public school; to provide for a short title; to provide for related matters; to  
18 repeal conflicting laws; and for other purposes.

19 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

20 **SECTION 1.**

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

22 **SECTION 2.**

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

26 "20-2-1185.

27 (a) As used in this Code section, the term 'site threat assessment' means conducting an  
28 evaluation for purposes of most effectively responding to, or preventing or reducing, the  
29 threat of violence, mass casualty incidents and other acts of terrorism, natural disasters, and  
30 hazardous materials or radiological accidents.

31 (b)(1) Trained and approved private individuals and entities or government agencies may  
32 provide site threat assessments to public schools. After July 1, 2019, such individuals or  
33 entities shall be certified prior to providing a site threat assessment to a public school;  
34 provided, however, that no government agency shall be required to obtain a certification  
35 for purposes of this Code section in conducting such site threat assessments. The Georgia  
36 Emergency Management and Homeland Security Agency shall certify and maintain a list  
37 of individuals and entities approved for purposes of this Code section to provide site  
38 threat assessments to public schools.

39 (2) By January 1, 2021, or prior to its opening for use by students, and every four years  
40 thereafter, every public school shall have performed a site threat assessment of its  
41 buildings, facilities, and campuses by an individual or entity approved pursuant to  
42 paragraph (1) of this subsection or by a government agency. Such site threat assessment  
43 shall inform the preparation and maintenance of a school safety plan as provided for in  
44 subsection (c) of this Code section.

45 (a)(c) Every public school shall prepare, and review and update annually as necessary, a  
46 school safety plan to help curb the growing incidence of violence in schools, to respond  
47 effectively to such incidents, and to provide a safe learning environment for Georgia's  
48 children, teachers, and other school personnel. Such plan shall also address preparedness  
49 for natural disasters, hazardous materials or radiological accidents, acts of violence, and  
50 acts of terrorism. School safety plans of public schools shall be prepared with input from  
51 students enrolled in that school, parents or legal guardians of such students, teachers in that  
52 school, community leaders, other school employees and school district employees, and  
53 local law enforcement, juvenile court, fire service, public safety, and emergency  
54 management agencies. Such plans of public schools shall be submitted to the Georgia  
55 Department of Education after the approval of such plans by a local law enforcement  
56 agency designated as having approval authority by the local board of education. As part  
57 of such plans, public schools shall provide for the coordination with local law enforcement  
58 agencies and the local juvenile court system. School safety plans shall include, at a  
59 minimum, the following strategy areas:

60 (1) Training school administrators, teachers, and support staff, including, but not limited  
61 to, school resource officers, security officers, secretaries, custodians, and bus drivers, on

62 school violence prevention, school security, school threat assessment, mental health  
 63 awareness, and school emergency planning best practices;

64 (2) Evaluating and refining school security measures;

65 (3) Updating and exercising school emergency preparedness plans;

66 (4) Strengthening partnerships with public safety officials; ~~and~~

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

68 (6) Addressing security issues in school safety zones as defined in Code Section  
 69 16-11-127.1;

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

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

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

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

95 ~~(c)~~ School safety plans prepared by public schools shall address security issues in school  
 96 safety zones as defined in Code Section 16-11-127.1. ~~School safety plans should also~~  
 97 ~~address security issues involving the transportation of pupils to and from school and school~~

98 ~~functions when such transportation is furnished by the school or school system and school~~  
 99 ~~functions held during noninstructional hours.~~

100 ~~(d)~~(f) The Georgia Emergency Management and Homeland Security Agency shall provide  
 101 training and technical assistance to public school systems, and may provide this same  
 102 training and technical assistance to private school systems and independent private schools  
 103 throughout this state in the area of emergency management and safe school operations.  
 104 This training and technical assistance shall include, but not be limited to, crisis response  
 105 team development, site surveys and ~~safety audits~~ site threat assessments, crisis management  
 106 planning, exercise design, safe school planning, emergency operations planning, search and  
 107 seizure, bomb threat management, and model school safety plans.

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

114 (h) Each principal of each public school shall serve as the school safety coordinator or  
 115 shall designate a school safety coordinator from among such school's administrative,  
 116 teaching, or counseling staff. Such school safety coordinator shall:

117 (1) At least annually beginning on June 1, 2020, and within 15 days of June 1 in every  
 118 year thereafter, issue a report to the local board of education on a form provided by the  
 119 local board of education regarding the fulfillment of the requirements provided for under  
 120 this Code section;

121 (2) Coordinate with the Georgia Bureau of Investigation, the Georgia Emergency  
 122 Management and Homeland Security Agency, the Georgia Information Sharing and  
 123 Analysis Center, and the Department of Education concerning consideration and  
 124 distribution of school security best practices;

125 (3) When reasonable suspicion of student criminal activity exists, report such suspicion  
 126 to any local law enforcement agency having jurisdiction over the geographical area of the  
 127 school; and

128 (4) Work with all levels of law enforcement and mental health and social services  
 129 providers whenever information from student profiles or student behavior warrants."

130

### SECTION 3.

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

132 "20-2-1186.

133 (a) The Department of Education shall work with all state and local governmental entities  
134 having a role in school safety to ensure proper communication and sharing of pertinent  
135 information relating to threats, warnings, and developing situations regarding public  
136 schools in this state. The Department of Education shall study, evaluate, develop, and  
137 share best practices to keep such schools and students safe from internal and external  
138 manmade threats. The Department of Education is authorized to apply for, receive, and use  
139 federal or state grant funding relating to school safety.

140 (b) The officer or agent charged with operating the Georgia Information Sharing and  
141 Analysis Center as provided for in Article 9 of Chapter 3 of Title 35 shall track, share, and  
142 provide homeland security activity information to the director of emergency management  
143 and homeland security, the state school superintendent, and the local law enforcement  
144 agency with jurisdiction relating to threats, warnings, and developing situations regarding  
145 public schools in this state.

146 20-2-1187.

147 (a) The Georgia Emergency Management and Homeland Security Agency, in conjunction  
148 with the Department of Education, shall develop and maintain a program for training and  
149 certifying persons to act as school safety coaches within public schools. Such school safety  
150 coaches shall serve as a resource in executing the school safety plan and as a presence in  
151 identifying safety concerns and potential imminent threats for notification of school  
152 personnel and any local law enforcement agency. Persons certified pursuant to this  
153 subsection shall be members or former members of the armed forces of the United States,  
154 a law enforcement agency, or a fire department or shall be licensed or certified pursuant  
155 to Article 3 of Chapter 11 of Title 31.

156 (b) Public schools may use persons trained or certified pursuant to subsection (a) of this  
157 Code section to serve as school safety coaches. Each local board of education may  
158 determine the terms of service of such school safety coaches and whether such school  
159 safety coaches shall serve with compensation or without compensation on a voluntary  
160 basis.

161 20-2-1188.

162 The Georgia Information Sharing and Analysis Center shall maintain a smartphone or other  
163 digital application whereby persons may report observations of what such persons believe  
164 to be suspicious, unsafe, or unlawful activity. Such information submitted through such  
165 application shall be submitted directly to the Georgia Information Sharing and Analysis  
166 Center in a manner that does not intentionally identify through the application the name,

167 home address, email address, telephone number, or other identifying information of such  
 168 person who submits such reports."

169 **SECTION 4.**

170 Chapter 3 of Title 35 of the Official Code of Georgia Annotated, relating to the Georgia  
 171 Bureau of Investigation, is amended in subsection (a) of Code Section 35-3-4, relating to  
 172 powers and duties of bureau generally, by revising paragraphs (14) and (15) and by adding  
 173 a new paragraph to read as follows:

174 "(14) Identify and investigate violations of Article 8 of Chapter 5 of Title 16; ~~and~~  
 175 (15)(A) Acquire, collect, analyze, and provide to the board any information which will  
 176 assist the board in determining a sexual offender's risk assessment classification in  
 177 accordance with the board's duties as specified in Code Section 42-1-14, including, but  
 178 not limited to, obtaining:

179 (i) Incident, investigative, supplemental, and arrest reports from law enforcement  
 180 agencies;

181 (ii) Records from clerks of court;

182 (iii) Records and information maintained by prosecuting attorneys;

183 (iv) Records maintained by state agencies, provided that any records provided by the  
 184 State Board of Pardons and Paroles that are classified as confidential state secrets  
 185 pursuant to Code Section 42-9-53 shall remain confidential and shall not be made  
 186 available to any other person or entity or be subject to subpoena unless declassified  
 187 by the State Board of Pardons and Paroles; and

188 (v) Other documents or information as requested by the board.

189 (B) As used in this paragraph, the term:

190 (i) 'Board' means the Sexual Offender Registration Review Board.

191 (ii) 'Risk assessment classification' means the level into which a sexual offender is  
 192 placed based on the board's assessment.

193 (iii) 'Sexual offender' has the same meaning as set forth in Code Section 42-1-12; ~~and~~

194 (16) Act as the primary state law enforcement agency with limited jurisdiction  
 195 throughout this state for identifying and investigating threats, warnings, and developing  
 196 situations involving homeland security activity as defined by Code Section 35-3-200."

197 **SECTION 5.**

198 Said chapter is further amended by adding a new Code section to read as follows:

199 "35-3-4.5.

200 (a) In any investigation involving paragraph (2) of subsection (a) of Code Section 35-3-8,  
 201 the director, assistant director, or deputy director for investigations shall be authorized to

202 issue a subpoena, with the consent of the Attorney General, to compel the production of  
 203 books, papers, documents, or other tangible things, including records and documents  
 204 contained within, or generated by, a computer or any other electronic device.

205 (b) A provider of electronic communication service or remote computing service shall not  
 206 provide notification of the subpoena issued pursuant to subsection (a) of this Code section  
 207 to the subscriber or customer of such service.

208 (c) Upon the failure of a person without lawful excuse to obey a subpoena, the director,  
 209 assistant director, or deputy director for investigations, through the Attorney General or  
 210 district attorney, may apply to a superior court having jurisdiction for an order compelling  
 211 compliance. Such person may object to the subpoena on grounds that it fails to comply  
 212 with this Code section or upon any constitutional or other legal right or privilege of such  
 213 person. The court may issue an order modifying or setting aside such subpoena or  
 214 directing compliance with the original subpoena. Failure to obey a subpoena issued under  
 215 this Code section may be punished by the court as contempt of court."

216 **SECTION 6.**

217 Said chapter is further amended by revising Code Section 35-3-8, relating to powers of  
 218 agents of bureau generally, as follows:

219 "35-3-8.

220 (a) All properly appointed agents of the bureau shall have the powers, including the power  
 221 of making arrests and appearing in court, for ~~the~~:

222 (1) The enforcement of all criminal statutes pertaining to the manufacture, transportation,  
 223 distribution, sale, or possession of liquor, wine, beer, alcoholic beverages, cigars,  
 224 cigarettes, little cigars, cheroots, stogies, and loose or smokeless tobacco and shall  
 225 concurrently with agents and enforcement officers appointed by the state revenue  
 226 commissioner have the authority throughout the state as provided for under subsection (b)  
 227 of this Code section; and

228 (2) Identifying and investigating threats, warnings, and developing situations involving  
 229 homeland security activity as defined by Code Section 35-3-200.

230 (b) In exercising the powers provided for under subsection (a) of this Code section, agents  
 231 of the bureau shall have the authority to:

232 (1) Obtain and execute warrants for the arrest of persons charged with violations of such  
 233 laws;

234 (2) Obtain and execute search warrants in the enforcement of such laws;

235 (3) Arrest without warrant any person found in violation of such laws, or endeavoring  
 236 to escape, or if for other cause there is likely to be a failure of enforcement of such laws  
 237 for want of an officer to issue a warrant;

238 (4) Make investigations in the enforcement of such laws and in connection therewith to  
 239 go upon any property outside of buildings, posted or otherwise, in the performance of  
 240 such duties;

241 (5) Seize and take possession of all property which is declared contraband under such  
 242 laws; and

243 (6) Carry firearms while performing their duties.

244 ~~(b)~~(c) The enforcement powers conferred in paragraph (1) of subsection (a) of this Code  
 245 section upon agents of the bureau shall relate only to the enforcement of the criminal  
 246 provisions relating to the manufacture, transportation, distribution, sale, or possession of  
 247 liquor, wine, beer, alcoholic beverages, cigars, cigarettes, little cigars, cheroots, stogies,  
 248 and loose or smokeless tobacco and shall not extend to regulatory matters with respect to  
 249 such products under the jurisdiction of the state revenue commissioner.

250 (d)(1) For the purposes of consistent reporting and to avoid conflict, upon discovery of  
 251 information or events relevant to paragraph (2) of subsection (a) of this Code section, a  
 252 local law enforcement agency shall notify the bureau of such discovery and, upon actual  
 253 receipt, the bureau shall immediately acknowledge receipt of such information.

254 (2) Upon discovery of information or events relevant to paragraph (2) of subsection (a)  
 255 of this Code section that is not provided for in paragraph (1) of this subsection, the bureau  
 256 shall notify any local law enforcement agency having jurisdiction over the geographical  
 257 area pertaining to such information or events prior to dispatching agents of the bureau to  
 258 such area for purposes of responding to or investigating such information or events."

259

#### SECTION 7.

260 Said chapter is further amended by revising Code Section 35-3-200, relating to definitions,  
 261 as follows:

262 "35-3-200.

263 As used in this article, the term:

264 (1) 'Center' means the Georgia Information Sharing and Analysis Center.

265 (2) 'Fusion center' means collaborative effort which combines resources, expertise,  
 266 intelligence, and other information from various agencies of state and local governments  
 267 with the goal of maximizing the ability of this state to detect, prevent, and respond to  
 268 criminal activities or to otherwise engage in homeland security activities.

269 (3) 'Homeland security activity' means any activity related to the prevention or discovery  
 270 of, response to, or recovery from:

271 (A) A terrorist attack;

272 (B) A hostile military or paramilitary action; or



273 (C) An extraordinary law enforcement emergency, as designated by the Governor;  
274 provided, however, that such emergency shall include the prevention or discovery of,  
275 response to, or recovery from mass casualty threats, warnings, and developing  
276 situations at any public elementary school, secondary school, or local board of  
277 education."

278

**SECTION 8.**

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