

Senate Bill 465

By: Senators Harrell of the 40th, Butler of the 55th, Williams of the 39th and Parent of the 42nd

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 require the State Board of Education to  
3 establish facility requirements for temporary classrooms; to provide for plans for converting  
4 temporary classroom space to permanent classroom space within five years; to provide for  
5 required plans of actions to address certain deficiencies; to provide for a limitation on  
6 exemptions; to provide for a short title; to provide for a definition; to provide for related  
7 matters; to repeal conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

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

10 This Act shall be known and may be cited as the "Permanent Classroom Act."

11 style="text-align:center">**SECTION 2.**

12 Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to elementary and  
13 secondary education, is amended by revising Code Section 20-2-261, relating to common  
14 minimum facility requirements, as follows:

15 "20-2-261.

16 (a)(1) The State Board of Education shall establish common ~~minimum~~ facility  
17 requirements which each public school facility must meet in order to be certified for use  
18 in any component of the educational or recreational program of that school. Such  
19 ~~minimum~~ requirements shall include those provisions of law or state board policy on  
20 matters that relate to ~~fire and the physical health and safety of school students,~~  
21 ~~employees, and visitors; fire; sanitation; plumbing; electrical; and health, including~~  
22 ~~temperature, heating, and ventilation, and air conditioning;~~ minimum space, size, and  
23 configuration for the various components of the instructional program; and construction  
24 stability, quality, and suitability for intended uses. ~~Such minimum requirements shall not~~  
25 ~~prohibit wood construction that is otherwise in compliance with state minimum standard~~  
26 ~~codes as they existed on January 1, 2014. As used in this subsection, the term 'state~~

27 ~~minimum standard codes' shall have the same meaning as in paragraph (9) of Code~~  
 28 ~~Section 8-2-20.~~

29 (2) As used in this Code section, the term 'temporary classroom' means any classroom  
 30 space that does not meet the requirement for a permanent classroom space, as determined  
 31 by the State Board of Education, including but not limited to portable classrooms and  
 32 modular classrooms designed to be moved from place to place. The requirements  
 33 provided for in paragraph (1) of this subsection relating to temporary classrooms shall  
 34 specify the following:

35 (A) Maximum useful life of such classrooms;

36 (B) Maximum allowable distance between such classrooms and a fire hydrant or other  
 37 suitable source of water sufficient to extinguish fire;

38 (C) Minimum required number of fire and evacuation exits;

39 (D) The location, materials, and configuration of the foundation and installation of  
 40 such classrooms, including specifications which address severe weather events and  
 41 setback distances from roadways;

42 (E) Requirements for hard surface pathways leading from such classrooms to the  
 43 school's main facility;

44 (F) Requirements for coverings, such as an awning, at the entrance of such classrooms;

45 (G) Minimum required number of windows or similar features which allow natural  
 46 sunlight into the learning space; and

47 (H) Minimum required maintenance schedules for each system related to the physical  
 48 health and safety of school students, employees, and visitors; fire; sanitation; plumbing;  
 49 electrical; temperature, heating, ventilation, and air conditioning.

50 (3) The requirements provided for in paragraph (1) of this subsection shall not prohibit  
 51 wood construction that is otherwise in compliance with state minimum standard codes  
 52 as they existed on January 1, 2014. As used in this paragraph, the term 'state minimum  
 53 standard codes' shall have the same meaning as in paragraph (9) of Code Section 8-2-20.

54 (b)(1) The State Board of Education shall adopt policies and procedures to ensure that  
 55 each school facility meets the requirements provided for in subsection (a) of this Code  
 56 section and any other minimum standards as determined by state board policy.

57 (2) The State Board of Education shall adopt policies and procedures to ensure that for  
 58 each temporary classroom that is in use at any public school of this state as of July 1,  
 59 2020, there shall be a written plan for converting the classroom space provided by the  
 60 temporary classroom into a permanent classroom within five years. The failure to so  
 61 convert the classroom space within the specified time period shall be deemed a deficiency  
 62 which must be included in a plan of action as provided for in subsection (c) of this Code  
 63 section.

64 (c) A proposed plan of action which includes a list and description of each deficiency and  
65 time limits within which such deficiencies are to be corrected must be submitted to the  
66 State Board of Education for review and approval. Further, the ~~state board~~ State Board of  
67 Education shall have the authority, in accordance with Code Section 20-2-243, to withhold  
68 all or part of the state funds in support of this part from any local unit of administration  
69 refusing or failing to implement the plan of action for deficiency remediation approved by  
70 the state board.

71 (d) A ~~local board of education~~ local unit of administration shall be exempt from county  
72 and municipal assessments and fees for county and municipal building permits and  
73 inspections and exempt from county and municipal impact fees. On or after July 1, 2021,  
74 any local unit of administration refusing or failing to implement the plan of action for  
75 deficiency remediation approved by the State Board of Education shall not qualify for the  
76 exemptions provided for in this subsection."

77

### SECTION 3.

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