

Senate Bill 617

By: Senator Mullis of the 53rd

A BILL TO BE ENTITLED  
AN ACT

1 To amend an Act to continue the existence of the Atlanta Independent School System under  
2 the management and control of the Atlanta Board of Education, approved June 3, 2003  
3 (Ga. L. 2003, p. 4154), as amended, so as to maintain the boundaries and service area of said  
4 school system; to provide that said school system shall provide educational services to both  
5 the City of Atlanta and the City of Buckhead City; to provide definitions; to change  
6 references to the "City of Atlanta" to "the city"; to provide for the certification of school tax  
7 rates to the governing authorities of both of said municipalities; to update provisions relating  
8 to loans for operating expenses; to provide that copies of approved school board budgets are  
9 submitted to the governing authorities of both of said municipalities; to provide a contingent  
10 effective date and automatic repeal; to provide for related matters; to repeal conflicting laws;  
11 and for other purposes.

12 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

13 **SECTION 1.**

14 An Act to continue the existence of the Atlanta Independent School System under the  
15 management and control of the Atlanta Board of Education, approved June 3, 2003  
16 (Ga. L. 2003, p. 4154), as amended, is amended by adding a new section to read as follows:

17 "SECTION 1-102.

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18 Service areas; boundaries; definitions.

19 (a) As of June 30, 2023, the Atlanta Independent School System shall continue to provide  
20 educational services to all geographic areas that it provided educational services to on the  
21 day immediately preceding such date. The Atlanta Independent School System shall  
22 continue to exist as an independent school system pursuant to Article VIII, Section V,  
23 Paragraph I of the Constitution of the State of Georgia, and shall be the school system  
24 serving both the City of Atlanta and the City of Buckhead City.

25 (b) Except as otherwise provided by law, including any local acts governing the  
26 boundaries of neighboring county or independent school systems, the boundaries of the  
27 Atlanta Independent School System shall be coterminous with the combined municipal  
28 limits of the City of Atlanta and the City of Buckhead City.

29 (c) As used in this Act, the term:

30 (1) 'Atlanta Board of Education' or 'Board of Education of the City of Atlanta' means the  
31 board of education governing the Atlanta Independent School System elected as herein  
32 provided by the residents of the City of Atlanta and the City of Buckhead City.

33 (2) 'Atlanta school system' or 'school system' means the independent school system  
34 provided for herein providing educational services to the City of Atlanta and the City of  
35 Buckhead City.

36 (3) 'City' or 'the city' means both the City of Atlanta and the City of Buckhead City.

37 (4) 'City of Atlanta School District' means the independent school system provided for  
38 herein providing educational services to the City of Atlanta and the City of Buckhead  
39 City."

40 **SECTION 2.**

41 Said Act is further amended by revising subsection (b) of Section 2-111 as follows:

42 "(b) The general counsel shall be an active member of the State Bar of Georgia and shall

43 have had at least ten years' experience in the active practice of law. Within six months of  
44 the commencement of the term and during the remainder of his or her term of employment,  
45 the general counsel shall be a resident of the city. The number of years experience required  
46 by this subsection may be waived by the board upon a three-fourths' vote of its  
47 membership."

48 **SECTION 3.**

49 Said Act is further amended by revising subsection (b) of Section 2-112 as follows:

50 "(b) Within six months of the commencement of the term and during the remainder of his  
51 or her term of employment, the executive assistant shall be a resident of the city."

52 **SECTION 4.**

53 Said Act is further amended by revising subsection (d) of Section 2-113 as follows:

54 "(d) The board shall have published annually in a newspaper of general circulation in the  
55 city the total expenditures per student in each school and the performance of each school  
56 as provided in this section."

57 **SECTION 5.**

58 Said Act is further amended by revising subsection (a) of Section 4-103 as follows:

59 "(a) Each year the board shall certify in writing to the governing authorities of both the  
60 City of Atlanta and the City of Buckhead City a school tax, in the amount of a millage rate  
61 as determined by the board, for the support and maintenance of the school system. In  
62 addition, the board shall provide the governing authorities with certified copies of its  
63 approved budget related to the requested school tax and minutes of any board meeting  
64 approving or establishing the millage rate signed by the chairperson and executive  
65 assistant. Upon the filing of the request and budget, the governing authorities of the City  
66 of Atlanta and the City of Buckhead City shall assess, levy, and cause to be collected a

67 school tax at the millage rate as determined by the board upon the assessed value of all  
68 taxable property with the city."

69 **SECTION 6.**

70 Said Act is further amended by revising subsection (b) of Section 4-105 as follows:

71 "(b) The board may request the governing authorities of the City of Atlanta and the City  
72 of Buckhead City to negotiate loans to supply deficiencies in yearly operating expenses of  
73 the school system, during any year, in such amounts as may be determined by the board.  
74 However, any such loan requested by the board and negotiated by the city shall not  
75 exceed 50 percent of the anticipated tax revenue for the year levied for educational  
76 purposes. In lieu of borrowing money on behalf of the board, the city may advance to the  
77 board such amounts as may be required for such purposes. At the discretion of the  
78 governing authorities, the City of Atlanta and the City of Buckhead City may act under this  
79 section either jointly and severally or independently."

80 **SECTION 7.**

81 Said Act is further amended by revising subsection (a) of Section 4-106 as follows:

82 "(a) The board shall cause an annual independent audit to be conducted of the books,  
83 accounts, records, fiscal procedures, and other evidences of financial transactions of the  
84 school system, including its offices, departments, and other agencies. The audit shall be  
85 made by a certified public accountant or certified public accounting firm whose members  
86 have no pecuniary, financial, or personal interest, directly or indirectly, in the fiscal affairs  
87 of the school system or any other governmental agency of the city."

88 **SECTION 8.**

89 Said Act is further amended by revising Section 4-203 as follows:

90 "SECTION 4-203.

91 Budget hearings; adoption; publication; certification.

92 The board shall hold at least one public hearing to receive public input on the proposed  
93 budget. Following such hearing, the board may review and revise the proposed budget and  
94 shall tentatively adopt a budget for the fiscal year. After its tentative adoption, a budget  
95 summary shall be advertised for two consecutive weeks prior to its final adoption in a  
96 newspaper of general circulation in the city, and a copy of the tentatively adopted budget as  
97 certified by the budget commission shall be filed in the offices of the superintendent and  
98 chief financial officer. At its next regular meeting or special meeting, the board shall review  
99 the tentatively adopted budget, make any necessary changes, and adopt a final budget. A  
100 copy of the budget as finally adopted shall be submitted to the grand juries of Fulton County  
101 and DeKalb County then in session, the governing authorities of the City of Atlanta and the  
102 City of Buckhead City, the Atlanta-Fulton Public Library, and the state auditor."

103 **SECTION 9.**

104 This Act shall become effective on June 30, 2023, provided that an Act to incorporate the  
105 City of Buckhead City is enacted in the 2022 regular session of the General Assembly and  
106 approved in a referendum held on the Tuesday after the first Monday in November, 2022;  
107 if such incorporation Act is not so enacted and approved, this Act shall not become effective  
108 and shall be automatically repealed on January 1, 2023.

109 **SECTION 10.**

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