House Bill 372 (AS PASSED HOUSE AND SENATE)

By: Representatives Coan of the 101st, Brooks of the 63rd, Keen of the 179th, Richardson of the 19th, Porter of the 143rd, and others

A BILL TO BE ENTITLED

AN ACT

To amend Code Section 20-2-553 of the Official Code of Georgia Annotated, relating to the powers of the Georgia Education Authority (schools), so as to remove a provision that allows the authority to lease public property to private schools; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Code Section 20-2-553 of the Official Code of Georgia Annotated, relating to the powers of the Georgia Education Authority (schools), is amended by striking paragraph (5) of subsection (a) and inserting in lieu thereof the following:

"(5) To make contracts and leases and to execute all instruments necessary or convenient, including contracts for construction of projects and leases of projects or contracts with respect to the use of projects which the authority causes to be erected or acquired; and any and all political subdivisions, departments, institutions, or agencies of the state are authorized to enter into contracts, leases, or agreements with the authority upon such terms and for such purposes as they deem advisable. Without limiting the generality of the above, authority is specifically granted to the county boards of education, city boards of education, or governing bodies of independent districts or systems, for and on behalf of the units and institutions within their respective counties, cities, or districts, and to the authority to enter into contracts and lease agreements for the use of any structure, building, or facilities of the authority for a term not exceeding 50 years, and the board of education or equivalent governing body for and on behalf of the respective political subdivision may obligate itself and its successors to use only such structure, building, or facility and none other and so long as such property is used by such political subdivision to pay an amount to be determined from year to year for the use of such property so leased and also to obligate itself and its successors as a part of the lease contract to pay the cost of maintaining, repairing, and operating the property so leased from the authority.

~~Nothing contained in this part shall prevent such political subdivisions, departments, institutions, agencies, county boards of education, city boards of education, or governing bodies of independent school districts or systems from subleasing any structure, building, or facility of the authority for private educational purposes to any person, group of persons, or corporation which is or will be bona fide engaged in the operation of a private school~~;"

SECTION 2.

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