House Bill 905 (AS PASSED HOUSE AND SENATE)

By: Representatives Dickson of the 6th, Coleman of the 97th, Neal of the 1st, England of the 108th, Lindsey of the 54th, and others

A BILL TO BE ENTITLED

AN ACT

To amend Part 10 of Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to capital outlay funds under the "Quality Basic Education Act," so as to embed and extend a sunset date of June 30, 2015, for provisions relating to advance funding, exceptional growth, and low-wealth capital outlay grants; to amend an Act approved May 6, 2008 (Ga. L. 2008, p. 288), an Act approved April 9, 2001 (Ga. L. 2001, p. 148), and an Act approved April 22, 1999 (Ga. L. 1999, p. 400), relating to the automatic repeal of provisions relating to advance funding, exceptional growth, and low-wealth capital outlay grants; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Part 10 of Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to capital outlay funds under the "Quality Basic Education Act," is amended by revising subsection (h) of Code Section 20-2-260, relating to capital outlay funds generally, as follows:

"(h) A local school system may receive state capital outlay funds for one construction project under the advance funding category to meet educational facilities needs due to the following:

(1) Extraordinary growth of student population in excess of the capacity of existing facilities;

(2) Destruction of or damage to educational facilities by fire or natural disaster, limited by the provisions of paragraph (2) of subsection (f) of this Code section;

(3) Replacement of educational facilities which have been certified as hazards to health or safety;

(4) Projects, in priority order, which would otherwise require more than three years of the combined annual entitlement and required local participation amounts, estimated in accordance with the total entitlement intended for authorization by the State Board of Education; and

(5) Projects for consolidation of schools across local school system lines which have costs that exceed the combined annual entitlements of the participating local school systems. Such projects shall meet, with the exception of paragraph (2) of this subsection, the following conditions to qualify for advanced funding:

(A) The local school systems have specifically requested funding under this subsection prior to submission of the annual budget request for the state board to the General Assembly;

(B) Annual entitlements accrued under subsection (g) of this Code section have offset any advanced funding previously granted, except that no more than three years of combined entitlements of the participating local school systems shall be required to offset advance funding for consolidation projects pursuant to paragraph (5) of subsection (e) of this Code section;

(C) The projects to be funded are not in addition to projects funded for local school systems under the provisions of subsection (g) of this Code section in a given year; and

(D) The required local participation and all other procedural requirements of this Code section are met.

This subsection shall be automatically repealed on June 30, 2015."

SECTION 2.

Said part is further amended in Code Section 20-2-260, relating to capital outlay funds generally, by adding a new paragraph to subsection (j) to read as follows:

"(7) This subsection shall be automatically repealed on June 30, 2015."

SECTION 3.

Said part is further amended in Code Section 20-2-262, relating to low-wealth capital outlay grants to local school systems, by adding a new subsection to read as follows:

"(e) This Code section shall be automatically repealed on June 30, 2015."

SECTION 4.

(1) An Act approved May 6, 2008 (Ga. L. 2008, p. 288), is amended by repealing Section 1 of such Act in its entirety.

(2) An Act approved April 9, 2001 (Ga. L. 2001, p. 148), is amended by repealing Section 21 of such Act in its entirety.

SECTION 5.

(1) An Act approved May 6, 2008 (Ga. L. 2008, p. 288), is amended by repealing Section 2 of such Act in its entirety.

(2) An Act approved April 9, 2001 (Ga. L. 2001, p. 148), is amended by repealing Section 23 of such Act in its entirety.

(3) An Act approved April 22, 1999 (Ga. L. 1999, p. 400), is amended by revising Section 2 as follows:

"SECTION 2.

This Act shall become effective upon its approval by the Governor or upon its becoming law without such approval ~~and shall be automatically repealed on June 30, 2002~~."

SECTION 6.

This Act shall become effective upon its approval by the Governor or upon its becoming law without such approval.

SECTION 7.

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