

The House Committee on Rules offers the following substitute to SB 81:

A BILL TO BE ENTITLED

AN ACT

1 To amend Title 20 of the Official Code of Georgia Annotated, relating to education, so as to
2 extend automatic repeals of certain provisions regarding nonlapsing revenue of institutions
3 in the University System of Georgia and the Technical College System of Georgia; to
4 provide for annual reports regarding nonlapsing revenue; to change the name of the Office
5 of College and Career Transitions to the Office of College and Career Academies; to provide
6 for increased technical skills; to provide for collaboration between the Technical College
7 System of Georgia and certain entities to support efforts to recruit new industries and expand
8 existing industries; to amend Article 1 of Chapter 16 of Title 50 of the Official Code of
9 Georgia Annotated, relating to general provisions relative to public property, so as to extend
10 automatic repeals of certain provisions regarding writing off small amounts due to the state;
11 to provide for related matters; to provide for an effective date; to repeal conflicting laws; and
12 for other purposes.

13 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

S. B. 81 (SUB)

- 1 -

PART I**SECTION 1-1.**

Title 20 of the Official Code of Georgia Annotated, relating to education, is amended by revising Code Section 20-3-86, relating to nonlapsing revenue of institutions in the university system, as follows:

"20-3-86.

Revenue collected by any or all institutions in the university system from tuition, departmental sales or services, continuing education fees, technology fees, or indirect cost recoveries shall not lapse. The amount of revenue from tuition that shall not lapse under this Code section shall not exceed 3 percent of the tuition collected. This Code section shall stand repealed on ~~June 30, 2021~~ July 1, 2026. Not later than October 15 each year, the board of regents shall provide to the Governor, the chairperson of the House Committee on Appropriations, and the chairperson of the Senate Appropriations Committee a report of all nonlapsing revenue provided for in this Code section from the preceding fiscal year, the anticipated plans for the use of such nonlapsing revenue, the actual expenses paid for from nonlapsing revenue from the previous fiscal year, and the cumulative balance of nonlapsed revenue."

SECTION 1-2.

Said title is further amended by revising Code Section 20-4-21.1, relating to nonlapsing revenue of institutions under the Technical College System of Georgia, as follows:

"20-4-21.1.

Revenue collected by any or all institutions under the Technical College System of Georgia from tuition, departmental sales or services, continuing education fees, technology fees, or indirect cost recoveries shall not lapse. The amount of revenue from tuition that shall not lapse under this Code section shall not exceed 15 percent of the tuition collected. This

Code section shall stand repealed on ~~June 30, 2021~~ July 1, 2026. Not later than October 15 each year, the State Board of the Technical College System of Georgia shall provide to the Governor, the chairperson of the House Committee on Appropriations, and the chairperson of the Senate Appropriations Committee a report of all nonlapsing revenue provided for in this Code section from the preceding fiscal year, the anticipated plans for the use of such nonlapsing revenue, the actual expenses paid for from nonlapsing revenue from the previous fiscal year, and the cumulative balance of nonlapsed revenue."

SECTION 1-3.

Said title is further amended in Code Section 20-4-37, relating to the Office of College and Career Transitions and powers and duties, by revising subsections (b), (c), and (g) and by adding a new subsection to read as follows:

"(b) As used in this Code section, the term:

(1) 'Board' means the State Board of the Technical College System of Georgia.

(2) 'Certification' means a formal process established by the Office of College and Career Transitions Academies, and approved by the board, in which college and career academies successfully demonstrate appropriate levels of student achievement and technical skill development, community sustainability, work force development, and school level governance.

(3) 'Charter petitioner' means a local board of education, group of local boards of education, private individual, private organization, state or local public entity, or any group of these that submits a petition for a charter in cooperation with one or more postsecondary institutions which have petitioned to establish a college and career academy as a charter school pursuant to Article 31 or Article 31A of Chapter 2 of this title.

(4) 'Charter school' shall mean the schools included in paragraph (3) of Code Section 20-2-2062 and in paragraph (5) of Code Section 20-2-2081.

(5) 'College and career academy' means a specialized school established as a charter school or pursuant to a contract for a strategic waivers school system or charter system, which formalizes a partnership that demonstrates a collaboration between business, industry, and community stakeholders to advance the technical skills needed for work force development between one or more local boards of education, a private individual, a private organization, or a state or local public entity in cooperation with one or more postsecondary institutions. A charter school, charter system, or strategic waivers school system contract establishing a college and career academy shall include provisions requiring that the college and career academy have a governing board reflective of the school community and the partnership with decision-making authority and requiring that governing board members complete initial and annual governance training, including, but not limited to, best practices on school governance, the constitutional and statutory requirements relating to public records and meetings, and the requirements of applicable statutes and rules and regulations.

(6) 'Office' means the Office of College and Career ~~Transitions~~ Academies established pursuant to subsection (c) of this Code section.

(7) 'Postsecondary institution' means a local technical college, community college, university, or other postsecondary institution operating under the authority of the Technical College System of Georgia or the University System of Georgia or other not for profit postsecondary institution accredited by the Southern Association of Colleges and Schools.

(8) 'Start-up costs' means initial operating or capital costs, including, but not limited to, costs of improving real property.

(9) 'Supplemental funding' means funding for purposes other than start-up costs which are related to the establishment and operation of college and career academies.

(c) The Office of College and Career ~~Transitions~~ Academies shall be established within the Technical College System of Georgia to coordinate the efforts by the State Board of

Education, the University System of Georgia, the Technical College System of Georgia, and other not for profit postsecondary institutions accredited by the Southern Association of Colleges and Schools in the professional development, curriculum support, and development and establishment of college and career academies.”

“(g)(1) The office shall establish a certification process, in collaboration with the Department of Education, for approval by the board. The office shall be authorized to certify college and career academies. The State Board of Education shall accept certification by the office as one component of determining compliance with charter and strategic waivers school system or charter system contract requirements. The State Board of Education may request supplemental information from charter petitioners, strategic waivers school systems, or charter systems.

(2) Any certification process established pursuant to paragraph (1) of this subsection shall require that the applicant demonstrates how the proposed college and career academy will increase student achievement and technical skill attainment, provide for dual credit and dual enrollment opportunities, increase work based learning opportunities, and address work force development needs; articulates how the collaboration between business, industry, and community stakeholders will advance work force development; demonstrates local governance and autonomy; and shows other benefits that meet the needs of the students and community.

(3) Certification by the office shall constitute a positive recommendation to the State Board of Education for renewal of a charter school or charter system pursuant to Code Section 20-2-2064.1 or an extension of a strategic waivers school system contract pursuant to Article 4 of Chapter 2 of this title.”

“(l) The Technical College System of Georgia shall collaborate with the Workforce Development Board and the Department of Economic Development to support the efforts of College and Career Academies and local economic development partners to assist in the recruitment of new industries and to expand existing industries by, but not limited to,

119 demonstrating the preparation of technically skilled high school graduates to be ready to
120 work within existing industries or industries being recruited to the state."

121 **PART II**

122 **SECTION 2-1.**

123 Article 1 of Chapter 16 of Title 50 of the Official Code of Georgia Annotated, relating to
124 general provisions relative to public property, is amended in Code Section 50-16-18, relating
125 to writing off small amounts due to the state, by revising subsection (b) as follows:

126 "(b)(1) All state agencies and departments, in order to preserve public funds, shall be
127 authorized to develop appropriate standards that comply with the policies prescribed by
128 the state accounting officer which will provide a mechanism to consider administratively
129 discharging any obligation or charge in favor of such agency or department when such
130 obligation or charge is \$100.00 or any lesser amount unless the agency or department
131 belongs to the Board of Regents of the University System of Georgia or the Technical
132 College System of Georgia in which case the obligation or charge in favor of the
133 institution under the Board of Regents of the University System of Georgia or the
134 institution of the Technical College System of Georgia may be \$3,000.00 or any lesser
135 amount. This procedure shall not be available to such agency or department in those
136 instances where the obligor has more than one such debt or obligation in any given fiscal
137 year, and this provision shall be construed in favor of the state agency or department so
138 as not to alter the unquestioned ability of such state agency or department to pursue any
139 debt, obligation, or claim in any amount whatsoever. In those instances where a debt or
140 obligation of \$100.00 or less, or \$3,000.00 or less for the institutions of the Board of
141 Regents of the University System of Georgia or the Technical College System of
142 Georgia, has been deemed to be uncollectable, the proper individual making such
143 determination shall transmit a recapitulation of the efforts made to collect the debt

144 together with all other appropriate information, which shall include a reasonable estimate
145 of the cost to pursue administratively or judicially the account, together with a
146 recommendation to the commissioner of such state agency or department. In those
147 instances where the commissioner makes a determination that further collection efforts
148 would be detrimental to the public's financial interest, a certificate reflecting this
149 determination shall be executed, and this certificate shall serve as the authority to remove
150 such uncollectable accounts from the financial records of such state agency or
151 department. Such certificates shall be forwarded to the state accounting officer in a
152 manner and at such times as are reflected in the standards developed by the state
153 accounting officer and the state agency or department. This paragraph shall stand
154 repealed and reserved effective July 1, ~~2021~~ 2026.

155 (2) On and after July 1, ~~2021~~ 2026, all state agencies and departments, in order to
156 preserve public funds, shall be authorized to develop appropriate standards that comply
157 with the policies prescribed by the state accounting officer which will provide a
158 mechanism to consider administratively discharging any obligation or charge in favor of
159 such agency or department when such obligation or charge is \$100.00 or any lesser
160 amount. This procedure shall not be available to such agency or department in those
161 instances where the obligor has more than one such debt or obligation in any given fiscal
162 year, and this provision shall be construed in favor of the state agency or department so
163 as not to alter the unquestioned ability of such state agency or department to pursue any
164 debt, obligation, or claim in any amount whatsoever. In those instances where a debt or
165 obligation of \$100.00 or less has been deemed to be uncollectable, the proper individual
166 making such determination shall transmit a recapitulation of the efforts made to collect
167 the debt together with all other appropriate information, which shall include a reasonable
168 estimate of the cost to pursue administratively or judicially the account, together with a
169 recommendation to the commissioner of such state agency or department. In those
170 instances where the commissioner makes a determination that further collection efforts

171 would be detrimental to the public's financial interest, a certificate reflecting this
172 determination shall be executed, and this certificate shall serve as the authority to remove
173 such uncollectable accounts from the financial records of such state agency or
174 department. Such certificates shall be forwarded to the state accounting officer in a
175 manner and at such times as are reflected in the standards developed by the state
176 accounting officer and the state agency or department."

177 **PART III**
178 **SECTION 3-1.**

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

181 **SECTION 3-2.**
182 All laws and parts of laws in conflict with this Act are repealed.