

The Senate Committee on Higher Education offered the following substitute to SB 120:

MOOT

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 1 of Chapter 1 of Title 20 of the Official Code of Georgia Annotated,
2 relating to general provisions relative to education, so as to provide that local education
3 agencies and postsecondary institutions shall not promote, support, or maintain any programs
4 or activities that advocate for diversity, equity, and inclusion; to provide for sanctions; to
5 provide for definitions; to provide for related matters; to provide for an effective date and
6 applicability; to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Article 1 of Chapter 1 of Title 20 of the Official Code of Georgia Annotated, relating to
10 general provisions relative to education, is amended by adding a new Code section to read
11 as follows:

12 "20-1-12.

13 (a) As used in this Code section, the term:

14 (1) 'Local education agency' shall have the same meaning as set forth in Code
15 Section 20-2-167.1.

16 (2) 'Postsecondary institution' means a school which is:

17 (A) An institution of the University System of Georgia; or

18 (B) A unit of the Technical College System of Georgia.

19 (b) No local education agency or postsecondary institution shall promote, support, or
20 maintain any programs or activities that advocate for diversity, equity, and inclusion.

21 Diversity, equity, and inclusion includes:

22 (1) Any effort to promote the different treatment of, or provide special benefits to,
23 individuals on the basis of race, color, sex, ethnicity, national origin, gender identity, or
24 sexual orientation;

25 (2) Any effort to promote or promulgate policies and procedures designed or
26 implemented with reference to race, color, sex, ethnicity, national origin, gender identity,
27 or sexual orientation;

28 (3) Any effort to promote or promulgate any training, programming, recruitment,
29 retention, or activities designed or implemented with preferential treatment of any race,
30 color, sex, ethnicity, national origin, gender identity, or sexual orientation over another;

31 (4) Any effort to promote or promulgate any training, programming, or activities
32 designed or implemented with reference to race, color, ethnicity, gender identity, or
33 sexual orientation; and

34 (5) With respect to a postsecondary institution, any effort to promote, as the official
35 position of the postsecondary institution, a particular, widely contested opinion
36 referencing unconscious or implicit bias, cultural appropriation, allyship, gender ideology
37 or theory, microaggressions, group marginalization, antiracism, systemic oppression,
38 social justice, intersectionality, neopronouns, heteronormativity, disparate impact, racial
39 privilege, sexual privilege, or any similar or related formulation of these concepts.

40 (c) Any postsecondary institution that violates subsection (b) of this Code section shall be
41 subject to the withholding of state funding or state administered federal funding. Such
42 withholding of state funding or state administered federal funding shall include funds

43 provided to the postsecondary institution directly as well as funding for scholarships, loans,
44 and grants pursuant to Chapter 3 of this title for students of such postsecondary institution.

45 (d) The State Board of Education shall be authorized to withhold a portion of state funding
46 to a local education agency pursuant to Code Section 20-2-243 if such local education
47 agency violates subsection (b) of this Code section.

48 (e) This Code section shall not be subject to waiver pursuant to Code Section 20-2-82 for
49 a strategic waivers school system, Code Section 20-2-2063.2 or 20-2-2065 for a charter
50 system, Code Section 20-2-2065 for a charter school, Code Section 20-2-2096.3 for a
51 completion special school, or Code Section 20-2-244.

52 (f) Nothing in this Code section shall be construed so as to prohibit compliance with any
53 applicable state or federal antidiscrimination law."

54 **SECTION 2.**

55 This Act shall become effective on July 1, 2025, and shall apply beginning with the
56 2025-2026 school year with respect to local education agencies and the 2025-2026 academic
57 year with respect to postsecondary institutions.

58 **SECTION 3.**

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