

Senate Bill 212

By: Senators Still of the 48th, Burns of the 23rd, Albers of the 56th, Hodges of the 3rd and
Hickman of the 4th

AS PASSED SENATE

A BILL TO BE ENTITLED

AN ACT

1 To amend Part 14 of Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia
2 Annotated, relating to other educational programs under the "Quality Basic Education Act,"
3 so as to prohibit the disclosure of public student directory information to political candidates,
4 campaign committees, political action committees, political organizations, or persons or
5 groups acting on their behalf; to require written attestations under certain circumstances; to
6 amend Article 15 of Chapter 2 of Title 21 of the Official Code of Georgia Annotated, relating
7 to miscellaneous offenses relative to elections and primaries, so as to prohibit the disclosure
8 of confidential voter registration information to unauthorized persons; to amend Article 1 of
9 Chapter 5 of Title 21 of the Official Code of Georgia Annotated, relating to general
10 provisions for government transparency and campaign finance, so as to prohibit political
11 candidates, campaign committees, or political action committees from soliciting minors to
12 fraudulently organize campaign events on school property when such events are otherwise
13 prohibited; to provide for related matters; to provide an effective date; to repeal conflicting
14 laws; and for other purposes.

15 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

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SECTION 1.

Part 14 of Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to other educational programs under the "Quality Basic Education Act," is amended by revising Code Section 20-2-310, relating to student directory information, registering to vote and with selective service, and pledge of allegiance, as follows:

"20-2-310.

(a) Any local school system or public school at the secondary level which provides access to ~~the campus~~ school property or to student directory information to persons or groups which make students aware of occupational or educational options shall provide access to ~~the campus~~ school property and student directory information on at least the same basis to official recruiting representatives of the military forces of the state and the United States for the purpose of informing students of educational and career opportunities available in the military.

(b) No local school system, public school, or any person acting on behalf of a local school system or public school shall disclose or otherwise provide access to student directory information to any candidate or campaign committee, as such terms are defined in Code Section 21-5-3, any political action committee or political organization, as such terms are defined in Code Section 21-5-30.2, or any person or group acting on behalf of such candidate, campaign committee, political action committee, or political organization.

(c) Each eligible student in the public schools of this state shall be apprised of his or her right to register as an elector and to vote in elections and of any obligation to register with the Selective Service System. Each eligible student shall be given an opportunity, arranged by the school administration, to register to vote at his or her school during the month of April of each year. ~~The State Board of Education shall promulgate rules and regulations to carry out this Code section.~~ An excused absence of a student to register or vote, at the discretion of the local unit of administration, shall not exceed one school day.

(d) Each person who, while located on public school property in this state, apprises one or more public school students of their right to register as an elector and to vote in elections or of their obligation to register with the Selective Service System or who arranges for or assists one or more public school students to register to vote shall attest in writing that he or she is not acting directly or indirectly on behalf of and will not provide any student directory information to any candidate or campaign committee, as such terms are defined in Code Section 21-5-3, any political action committee or political organization, as such terms are defined in Code Section 21-5-30.2, or any person or group acting on behalf of such candidate, campaign committee, political action committee, or political organization. The requirements of this subsection shall not apply to a public school administrator, teacher, or other school personnel while engaged in the performance of official duties.

~~(c)~~(e)(1) Each student in the public schools of this state shall be afforded the opportunity to recite the Pledge of Allegiance to the flag of the United States of America during each school day. It shall be the duty of each local board of education to establish a policy setting the time and manner for recitation of the Pledge of Allegiance. Such policy shall be established in writing and shall be distributed to each teacher within the school.

(2) The State School Superintendent shall prepare for the use of the public schools of this state a program of instruction, subject to the approval of the State Board of Education, in the correct use and display of the flag of the United States of America which shall include, as a minimum, specific instruction regarding respect for such flag and its display and use as provided by federal law and regulation, and under such regulations and instructions as may best meet the varied requirements of the different grades in such schools. However, such instruction shall include, as a minimum, the provisions of 36 U.S.C. Sections 170 through 177.

(f) The State Board of Education shall promulgate rules and regulations to carry out this Code section."

SECTION 2.

Article 15 of Chapter 2 of Title 21 of the Official Code of Georgia Annotated, relating to miscellaneous offenses relating to elections and primaries, is amended by revising Code Section 21-2-561, relating to false registration, as follows:

"21-2-561.

Any person who:

(1) Registers as an elector knowing that such elector does not possess the qualifications required by law;

(2) Registers as an elector under any other name than the elector's own name; ~~or~~

(3) Knowingly gives false information when registering as an elector; or

(4) Discloses to an unauthorized person any information that is exempted from public inspection pursuant to Code Section 21-2-225 or is confidential pursuant to Code Section 21-2-225.1

shall be guilty of a felony and, upon conviction thereof, shall be sentenced to imprisonment for not less than one nor more than ten years or to pay a fine not to exceed \$100,000.00, or both."

SECTION 3.

Article 1 of Chapter 5 of Title 21 of the Official Code of Georgia Annotated, relating to general provisions for government transparency and campaign finance, is amended by adding a new Code section to read as follows:

"21-5-16.

No candidate, campaign committee, or political action committee shall solicit any individual under the age of 18 years to fraudulently organize an event on the property of any local school system when the purpose of such event is influencing the nomination for election or election of any person for office, bringing about the recall of a public officer holding elective office or opposing the recall of a public officer holding elective office, or

94 the influencing of voter approval or rejection of a proposed constitutional amendment, a
95 state-wide referendum, or a proposed question which is to appear on the ballot in this state
96 or in a county or a municipal election in this state when such event is otherwise prohibited
97 by law or by policy of the local school system or an individual school thereof."

98 **SECTION 4.**

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

101 **SECTION 5.**

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