

The Senate Committee on Education and Youth offered the following substitute to HB 371:

A BILL TO BE ENTITLED
AN ACT

1 To amend Part 10 of Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia
2 Annotated, relating to capital outlay funds under the "Quality Basic Education Act," so as
3 to provide for an increase of the state's maximum authorization of capital outlay funding
4 from \$300 million to \$375 million annually; to require that for each new elementary school
5 constructed on or after July 1, 2027, which includes a playground, such playground shall
6 meet certain standards; to provide for an effective date; to provide for related matters; to
7 repeal conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 Part 10 of Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated,
11 relating to capital outlay funds under the "Quality Basic Education Act," is amended in Code
12 Section 20-2-260, relating to capital outlay funds generally, by revising paragraph (1) of
13 subsection (g) as follows:

14 "(g)(1) In order to determine a reasonable total funding level for the purposes stated in
15 subsection (e) of this Code section and to establish a fair and equitable distribution of
16 funds to local school systems, the State Board of Education shall annually determine a

level of authorization. Starting with fiscal year ~~2014~~ 2027 applications for funds and for each fiscal year thereafter, the new authorization level may equal zero but shall not exceed ~~\$300~~ \$375 million, adjusted annually to reflect the changes in the current annual construction cost data maintained by the Department of Education pursuant to paragraph (4) of subsection (c) of this Code section. For purposes of deliberations with the Governor and the General Assembly regarding the amount of state funds to be appropriated, calculations shall be made for at least three levels below the ~~\$300~~ \$375 million maximum authorization, adjusted as specified in this paragraph."

SECTION 2.

Said part is further amended in Code Section 20-2-261, relating to common minimum facility requirements, by revising subsection (a) as follows:

"(a) The State Board of Education shall establish common minimum facility requirements which each public school facility ~~must~~ shall meet in order to be certified for use in any component of the educational or recreational program of ~~that~~ such school. Such minimum requirements shall:

(1) Include such ~~include those~~ provisions of law or state board policy on matters that relate to;

(A) Fire ~~fire~~ and physical safety;

(B) Sanitation ~~sanitation~~ and health, including temperature and ventilation;

(C) Minimum ~~minimum~~ space, size, and configuration for the various components of the instructional program; and

(D) Construction ~~construction~~ stability, quality, and suitability for intended uses; ~~Such minimum requirements shall not~~

(2) Not prohibit wood construction that is otherwise in compliance with state minimum standard codes as they existed on January 1, 2014. ~~As used in this subsection, the term~~

~~'state minimum standard codes' shall have the same meaning as in paragraph (9) of Code Section 8-2-20; and~~

(3) Provide that for each new elementary school constructed on or after July 1, 2027, which includes a playground, such playground shall meet the following design standards:

(A) Provides a sensory-diverse environment that enables children of all abilities to develop physically, socially, and emotionally;

(B) Provides an engaging play space with age and ability-appropriate levels of challenge and offers opportunities for children of all abilities to succeed, regardless of physical and intellectual attributes;

(C) Enables all students to benefit from state mandated recess time for elementary students;

(D) Capable for use as an outdoor classroom that is open to all students; and

(E) Meets the following minimum guidelines:

(i) Playground is accessible via a sidewalk or pathway from the school;

(ii) Playground is a minimum of 10,000 square feet in area;

(iii) Fencing surrounds and encloses the entire playground area;

(iv) A minimum of 20 percent of the total playground area shall be shaded; provided, however, that such shaded area may comprise more than one area so long as the total shaded area meets or exceeds 20 percent of the total playground area; and, provided, further, that such shading may be provided by natural means, such as existing mature trees, or man-made means, such as sun canopies;

(v) Unitary surfacing shall be used throughout at least 80 percent of the playground area. Examples of unitary surfacing include, but are not limited to, turf, bonded rubber, and poured in place rubber; and

(vi) Multiple components that are installed on a portion of the playground with the unitary surfacing and are accessible for all users that address the physical, sensory,

cognitive, social, emotional, imaginative, and communication needs of those who will visit the playground, such as:

(I) Communication boards;

(II) Learning American Sign Language (ASL) alphabet panels;

(III) Learning Braille alphabet panels;

(IV) Roller slides;

(V) Pieces of equipment that make music, such as chimes, drums, and bells;

(VI) Adaptive or accessible swings;

(VII) Play pieces that are accessible to a child remaining in a wheelchair that allows such child to play with other children;

(VIII) Sensory panels;

(IX) Wheelchair accessible raised structures; and

(X) Wheelchair accessible slides."

SECTION 3.

This Act shall become effective on July 1, 2025.

SECTION 4.

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