

The House Committee on Education offers the following substitute to SB 212:

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:

S. B. 212 (SUB)

- 1 -

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.

42 (d) Each person who, while located on public school property in this state apprises one or
43 more public school students of their:

44 (1) Right to register as an elector and to vote in elections and who arranges for or assists
45 one or more public school students to register to vote; or

46 (2) Obligation to register with the Selective Service System and who arranges for or
47 assists one or more public school students with such registration;

48 shall attest in writing that he or she will not provide any student directory information to
49 any candidate or campaign committee, as such terms are defined in Code Section 21-5-3,
50 any political action committee or political organization, as such terms are defined in Code
51 Section 21-5-30.2, or any person or group acting on behalf of such candidate, campaign
52 committee, political action committee, or political organization. The requirements of this
53 subsection shall not apply to a public school administrator, teacher, or other school
54 personnel while engaged in the performance of official duties, or to persons on public
55 school property to attend or participate in an event that is open to the general public.

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

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

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

71 **SECTION 2.**

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

75 "21-2-561.

76 Any person who:

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

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

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

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

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

87 **SECTION 3.**

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

91 "21-5-16.

92 No candidate, campaign committee, or political action committee shall solicit any
93 individual under the age of 18 years to fraudulently organize an event on the property of

94 any local school system when the purpose of such event is influencing the nomination for
95 election or election of any person for office, bringing about the recall of a public officer
96 holding elective office or opposing the recall of a public officer holding elective office, or
97 the influencing of voter approval or rejection of a proposed constitutional amendment, a
98 state-wide referendum, or a proposed question which is to appear on the ballot in this state
99 or in a county or a municipal election in this state when such event is otherwise prohibited
100 by law or by policy of the local school system or an individual school thereof."

101 **SECTION 4.**

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

104 **SECTION 5.**

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