

House Bill 989

By: Representatives Wilkerson of the 38<sup>th</sup>, McQueen of the 61<sup>st</sup>, Adesanya of the 43<sup>rd</sup>,  
Williams of the 37<sup>th</sup>, Ridley of the 22<sup>nd</sup>, and others

A BILL TO BE ENTITLED

AN ACT

1 To amend Article 3 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated,  
2 relating to local boards of education, so as to provide for public comment periods during  
3 meetings of local boards of education; to provide for public broadcasts of such meetings and  
4 public comment periods; to require local boards of education to record or broadcast public  
5 comment periods in the same manner and to the same extent as the remainder of the public  
6 portions of meetings; to provide for notice; to provide for limitations; to provide for agenda;  
7 to provide for related matters; to repeal conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 Article 3 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to local  
11 boards of education, is amended by revising Code Section 20-2-58, relating to regular  
12 monthly meeting of local boards with public comment, adjournment, temporary presiding  
13 officer, notice of date, template for financial review, and open meetings, as follows:

14 "20-2-58.

15 (a) It shall be the duty of each local board of education to hold a regular meeting during  
16 each calendar month for the transaction of business pertaining to the public schools and to  
17 review the financial status of the local school system. ~~The local board of education shall~~  
18 ~~provide a public comment period during such regular monthly meetings. Such public~~  
19 ~~comment period shall be included on the agenda required to be made available and posted~~  
20 ~~prior to the meeting pursuant to paragraph (1) of subsection (c) of Code Section 50-14-1.~~  
21 ~~A local board of education shall not require notice by an individual more than 24 hours~~  
22 ~~prior to the meeting as a condition of addressing the local board during such public~~  
23 ~~comment period. The chairperson of the local board of education shall have the discretion~~  
24 ~~to limit the length of time for individual comments and the number of individuals speaking~~  
25 ~~for or against a specific issue. Any such regular monthly meeting may be adjourned from~~  
26 ~~time to time, and, in the absence of the president or secretary, the members of the local~~  
27 ~~board may appoint one of their own number to serve temporarily. The local board of~~  
28 education shall annually determine the dates of its regular monthly meetings and shall  
29 publish such dates either in the official county organ or, at the option of the local board of  
30 education, in a newspaper having a general circulation in said county at least equal to that  
31 of the official county organ for two consecutive weeks following the setting of the dates;  
32 provided, however, that the dates shall not be changed more often than once in 12 months  
33 and, if changed, the new date or dates shall also be published as provided in this Code  
34 section. The local board of education shall also publish notice of such regular monthly  
35 meetings in a prominent manner on its principal public website.

36 (b) The State Board of Education shall create a template for local boards of education to  
37 use to review the financial status of their local school systems, which shall include, at a  
38 minimum, a statement of revenues, expenditures, and encumbrances.

39 (c)(1) Except as otherwise provided by law, including, but not limited to, the provisions  
40 of subsection (b) of Code Section 50-14-3, all meetings of a local board of education,

41 including, but not limited to, regular monthly meetings provided for in subsection (a) of  
42 this Code section, shall be open to the public. ~~The local board of education shall publish~~  
43 ~~notice of each such public meeting in a prominent manner on its principal public website.~~

44 (2) Visual and sound recording and broadcasting, including, but not limited to  
45 webcasting, shall be permitted at all ~~such~~ public meetings of the local board of education,  
46 including, but not limited to, during public comment periods; provided, however, that any  
47 person engaged in such recording or broadcasting who causes an actual disruption of the  
48 proceedings, as determined according to the rules of conduct for meetings open to the  
49 public adopted and published by the local board of education, may be removed from such  
50 meeting as provided for in paragraph (5) of this subsection.

51 (3)(A) The local board of education shall provide a public comment period during all  
52 regular monthly meetings provided for in subsection (a) of this Code section. The local  
53 board of education may provide a public comment period during any other meeting of  
54 the local board of education.

55 (B) Any public comment period provided for in this subsection shall be recorded or  
56 broadcast by the local board of education in the same manner and to the same extent as  
57 the remainder of the public portions of the meeting are recorded or broadcast.

58 (C) A local board of education shall not require notice by an individual more than 24  
59 hours prior to any meeting as a condition of addressing the local board during such  
60 public comment period.

61 (D) The chairperson of the local board of education shall have the discretion to limit  
62 the length of time for individual comments and the number of individuals speaking for  
63 or against a specific issue during any public comment period provided for in this  
64 subsection.

65 (E) Public comment periods for regular monthly meetings shall be included on the  
66 agenda for each regular monthly meeting required to be made available and posted prior  
67 to the meeting pursuant to paragraph (1) of subsection (e) of Code Section 50-14-1.

68 (4) By October 1, 2022, and by August 1 each year thereafter, each local board of  
69 education shall adopt rules of conduct for public meetings of the local board of education  
70 and shall publish such rules of conduct in a prominent manner on its principal public  
71 website. Such rules shall include provisions for the removal of ~~members of the public~~  
72 persons for actual disruption of a public meeting of the local board of education.

73 ~~(4)(5)~~ A ~~member of the public~~ person may be removed from a public meeting of a local  
74 board of education for an actual disruption of the proceedings, as determined according  
75 to the rules of conduct for meetings open to the public adopted and published by the local  
76 board of education.

77 ~~(5)(6)~~ Nothing in this subsection shall be construed to limit the authority of any law  
78 enforcement officer or the application or enforcement of Chapter 14 of Title 50."

79 **SECTION 2.**

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