

House Bill 1123 (AS PASSED HOUSE AND SENATE)

By: Representatives Jones of the 47<sup>th</sup>, Erwin of the 32<sup>nd</sup>, Hilton of the 48<sup>th</sup>, Ballard of the 147<sup>th</sup>, Donatucci of the 105<sup>th</sup>, and others

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 require certain schools that offer after-school programs to make such programs  
4 available to pre-kindergarten students on the same basis as the school's other students; to  
5 provide for limited waivers of such requirement; to provide for definitions; to provide for  
6 related matters; to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Part 14 of Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated,  
10 relating to other educational programs under the "Quality Basic Education Act," is amended  
11 by revising Code Section 20-2-308, which is reserved, as follows:

12 "20-2-308.

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

14 (1) 'After-school program' means any program conducted after regular school hours.

15 (2) 'Qualifying school' means a public school that:

- 16 (A) Has students enrolled in any of the following programs identified in subsection (b)  
17 of Code Section 20-2-161:  
18 (i) Kindergarten program;  
19 (ii) Primary grades program; or  
20 (iii) Upper elementary grades program; and  
21 (B) Provides for and operates one or more pre-kindergarten programs as part of  
22 Georgia's Pre-K Program.
- 23 (b) Beginning with the 2026-2027 school year, each qualifying school that offers one or  
24 more after-school programs shall make such after-school programs available to students  
25 enrolled in such school's pre-kindergarten programs on the same basis as other students  
26 enrolled in such school.
- 27 (c) Upon receiving a written request from a qualifying school that includes an explanation  
28 detailing the extenuating circumstances which support such request, the Department of  
29 Early Care and Learning shall be authorized to waive the requirements of subsection (b)  
30 of this Code section for such qualifying school for a period not to exceed one school year  
31 per written request. A qualifying school seeking such a waiver for more than one school  
32 year shall be required to submit a new request to the Department of Early Care and  
33 Learning for each school year. Reserved."

34 **SECTION 2.**

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