

House Bill 65 (AS PASSED HOUSE AND SENATE)

By: Representatives Caldwell of the 20<sup>th</sup>, Ramsey of the 72<sup>nd</sup>, Teasley of the 37<sup>th</sup>, Turner of the 21<sup>st</sup>, Dudgeon of the 25<sup>th</sup>, and others

A BILL TO BE ENTITLED  
AN ACT

1 To amend Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to  
2 elementary and secondary education, so as to require local boards of education and certain  
3 charter schools to hold at least two public meetings on the proposed annual operating budget;  
4 to require that a summary of the proposed and adopted annual operating budget be posted on  
5 the Internet; to require that the detailed annual operating budget be made available upon  
6 request; to provide for related matters; to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to elementary and  
10 secondary education, is amended by adding a new Code section to read as follows:

11 "20-2-167.1.

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

13 (1) 'Governing body' means the local board of education, governing council, governing  
14 board, or other entity by whatever name responsible for creating and implementing the  
15 budget of a local education agency.

16 (2) 'Local education agency' means any local school system and any charter school  
17 subject to the provisions of Article 31 or 31A of this chapter, except this shall not include  
18 college and career academies that are charter schools; conversion charter schools, as  
19 defined in Code Section 20-2-2062, whose charter is not held by a nonprofit corporation;  
20 or system charter schools, as defined in Code Section 20-2-2062.

21 (b) Each governing body shall hold at least two public meetings, which shall not occur  
22 within the same week, for the purpose of providing an opportunity for public input on its  
23 proposed annual operating budget before adopting any budget; provided, however, that any  
24 other public meeting or hearing held that is related to the budget as required by law shall  
25 satisfy all or a portion of such requirement. The governing body of a charter school with  
26 a state-wide attendance zone and students residing in 25 percent or more of Georgia's

27 counties or in three or more counties which are not geographically contiguous shall conduct  
28 one such public meeting virtually and one such public meeting in the county in which its  
29 primary business office is located. The public meetings shall be advertised in a local  
30 newspaper of general circulation which shall be the same newspaper in which other legal  
31 announcements of the board of education are advertised.

32 (c) A summary of the annual operating budget proposed by the governing board and the  
33 annual operating budget adopted by the governing board shall be posted on a publicly  
34 available area of such governing body's website. The summary of the annual operating  
35 budget adopted by the governing body shall be maintained on such publicly available area  
36 of the website until the annual operating budget for the next fiscal year is adopted by the  
37 governing body. In the event a governing body elects to post the line item detailed  
38 proposed and adopted annual operating budgets on a publicly available area of its website,  
39 it shall be deemed in compliance with this subsection.

40 (d) Upon request, each governing body shall provide to any person an electronic copy of  
41 the line item detailed adopted annual operating budget in a format suitable for analysis at  
42 no cost within three business days of such request, and the summary of the budget required  
43 by subsection (c) of this Code section shall give notice of such right.

44 (e) The provisions of this Code section shall not be construed to apply to the operating  
45 budget or accounting records of a nonprofit corporation itself that operates a charter  
46 school."

47 **SECTION 2.**

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