

Senate Bill 288

By: Senators Bethel of the 54th, Mullis of the 53rd, Tippins of the 37th, Harper of the 7th,
Chance of the 16th and others

AS PASSED

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 certain programs and activities under the "Quality Basic Education
3 Act," so as to provide that no high school which receives funding under the "Quality Basic
4 Education Act" shall participate in or sponsor interscholastic sports events conducted by any
5 athletic association unless the association releases annual financial reports; to amend Chapter
6 2 of Title 20 of the Official Code of Georgia Annotated, relating to elementary and secondary
7 education, so as to provide for the creation of the High School Athletics Overview
8 Committee; to provide for its composition, powers, and duties; to provide for reports; to
9 provide for performance criteria; to provide for expenditure of funds; to provide for related
10 matters; to repeal conflicting laws; and for other purposes.

11 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

12 **SECTION 1.**

13 Part 14 of Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated,
14 relating to certain programs and activities under the "Quality Basic Education Act," is
15 amended by adding a new Code section to read as follows:

16 "20-2-316.2.

17 (a) As used in this Code section, the term 'athletic association' means any association of
18 schools or any other similar organization which acts as an organizing, sanctioning,
19 scheduling, or rule-making body for interscholastic athletic events in which public schools
20 in this state participate.

21 (b) No high school which receives funding under this article shall participate in, sponsor,
22 or provide coaching staff for interscholastic sports events which are conducted under the
23 authority of, conducted under the rules of, or scheduled by any athletic association unless
24 such athletic association annually publishes and provides to its members a financial report
25 of its activities for the preceding calendar year or fiscal year, if different from the calendar
26 year, within 90 days after the end of such calendar year or fiscal year. Such report shall

27 include a complete financial statement setting forth its assets, liabilities, income, and
 28 operating expenses for such calendar year or fiscal year."

29 **SECTION 1A.**

30 Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to elementary and
 31 secondary education, is amended by revising Article 32, which was formerly reserved, to
 32 read as follows:

33 "ARTICLE 32

34 20-2-2100.

35 (a) There is created as a joint committee of the General Assembly the High School
 36 Athletics Overview Committee to be composed of five members of the House of
 37 Representatives appointed by the Speaker of the House, one of whom shall be a member
 38 of the minority party; five members of the Senate appointed by the Lieutenant Governor,
 39 one of whom shall be a member of the minority party; the chairperson of the House
 40 Committee on Education or his or her designee; and the chairperson of the Senate
 41 Education and Youth Committee or his or her designee. The members of the committee
 42 shall serve two-year terms concurrent with their terms as members of the General
 43 Assembly. The Speaker of the House of Representatives and the Lieutenant Governor shall
 44 each designate a cochairperson from among the appointees of their respective houses. The
 45 cochairpersons shall serve terms of two years concurrent with their terms as members of
 46 the General Assembly. Vacancies in an appointed member's position or in the offices of
 47 cochairperson of the committee shall be filled for the unexpired term in the same manner
 48 as the original appointment. The committee shall periodically inquire into and review the
 49 operations of high school athletic associations, as defined in subsection (c) of this Code
 50 section.

51 (b) No high school which receives funding under Article 6 of this chapter shall participate
 52 in, sponsor, or provide coaching staff for interscholastic sports events which are conducted
 53 under the authority of, conducted under the rules of, or scheduled by any high school
 54 athletics association unless such association complies with the provisions of this article.

55 (c) As used in this Code section, the term 'committee' means the High School Athletics
 56 Overview Committee, and the term 'high school athletic association' means any association
 57 of schools or any other similar organization which acts as an organizing, sanctioning,
 58 scheduling, or rule-making body for interscholastic athletic events in which public high
 59 schools in this state participate.

60 20-2-2101.

61 The Department of Education, the Attorney General, and all other agencies of state
62 government, upon request by the committee, shall assist the committee in the discharge of
63 its duties set forth in this article. The committee may employ staff and may secure the
64 services of consultants as appropriate and subject to available funding. Upon authorization
65 by joint resolution of the General Assembly, the committee shall have the power while the
66 General Assembly is in session or during the interim between sessions to request the
67 attendance of witnesses and the production of documents in aid of its duties. In addition,
68 when the General Assembly is not in session, the committee shall have the power to
69 request the attendance of witnesses and the production of documents in aid of its duties,
70 upon application of the cochairpersons of the committee, with the concurrence of the
71 Speaker of the House and the Senate Committee on Assignments.

72 20-2-2102.

73 All high school athletic associations in this state shall cooperate with the committee, its
74 authorized personnel, the Attorney General, the Department of Education, and other state
75 agencies in order that the charges of the committee may be timely and efficiently
76 discharged. The associations shall submit to the committee such reports and data as the
77 committee shall reasonably require in order that the committee may adequately perform its
78 functions. The Attorney General is authorized to bring appropriate legal actions to enforce
79 any laws specifically or generally relating to the associations. The committee shall, on or
80 before the first day of January of each year, and at such other times as it deems necessary,
81 submit to the General Assembly a report of its findings and recommendations based upon
82 the review of the high school athletic associations, as set forth in this article.

83 20-2-2103.

84 In the discharge of its duties, the committee shall evaluate the performance of high school
85 athletic associations consistent with the following criteria:

- 86 (1) Fairness and equity in establishing and implementing its standards; and
87 (2) The promotion of academic achievement and good sportsmanship.

88 20-2-2104.

89 (a) The committee is authorized to expend state funds available to the committee for the
90 discharge of its duties. Said funds may be used for the purposes of compensating staff,
91 paying for services of consultants, and paying all other necessary expenses incurred by the
92 committee in performing its duties.

93 (b) The members of the committee shall receive the same compensation, per diem,
94 expenses, and allowances for their service on the committee as is authorized by law for
95 members of interim legislative study committees.

96 (c) The funds necessary for the purposes of the committee shall come from the funds
97 appropriated to and available to the legislative branch of government."

98 **SECTION 2.**

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