

Senate Bill 588

By: Senators Miller of the 49th, Albers of the 56th, Anavitarte of the 31st, Dixon of the 45th and Harbin of the 16th

AS PASSED

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 that meetings of local boards of
3 education shall be open to the public except as otherwise provided by law; to provide for
4 public notice of public meetings of local boards of education; to require local boards of
5 education to annually adopt rules of conduct for public meetings of the local board of
6 education; to provide for the removal of members of the public from public meetings of a
7 local board of education in accordance with rules adopted and published by the local board
8 of education; to provide that visual and sound recording shall be permitted at such public
9 meetings; to provide for construction; to provide for related matters; to repeal conflicting
10 laws; and for other purposes.

11 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

12 **SECTION 1.**

13 Article 3 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to local
14 boards of education, is amended by revising subsections (a) and (c) of Code Section 20-2-58,
15 relating to regular monthly meetings of local boards of education, adjournment, temporary

16 presiding officer, notice of date, template for financial review, and public comment period,
17 as follows:

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

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 shall be permitted at all such public meetings.

45 (3) By October 1, 2022, and by August 1 each year thereafter, each local board of
46 education shall adopt rules of conduct for public meetings of the local board of education
47 and shall publish such rules of conduct in a prominent manner on its principal public
48 website. Such rules shall include provisions for the removal of members of the public for
49 actual disruption of a public meeting of the local board of education.

50 (4) A member of the public may be removed from a public meeting of a local board of
51 education for an actual disruption of the proceedings, as determined according to the rules
52 of conduct for meetings open to the public adopted and published by the local board of
53 education.

54 (5) Nothing in this subsection shall be construed to limit the authority of any law
55 enforcement officer or the application or enforcement of Chapter 14 of Title 50.

56 ~~Each local board of education shall provide a public comment period during every regular~~
57 ~~monthly meeting. Such public comment period shall be included on the agenda required~~
58 ~~to be made available and posted prior to the meeting pursuant to paragraph (1) of~~
59 ~~subsection (c) of Code Section 50-14-1. A local board of education shall not require notice~~
60 ~~by an individual more than 24 hours prior to the meeting as a condition of addressing the~~
61 ~~local board during such public comment period. The chairperson of the local board of~~
62 ~~education shall have the discretion to limit the length of time for individual comments and~~
63 ~~the number of individuals speaking for or against a specific issue."~~

64

SECTION 2.

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