

House Bill 81

By: Representatives Corbett of the 174<sup>th</sup>, Erwin of the 32<sup>nd</sup>, Greene of the 154<sup>th</sup>, Pirkle of the 169<sup>th</sup>, and Meeks of the 178<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Code Section 20-2-262 of the Official Code of Georgia Annotated, relating to  
2 low-wealth capital outlay grants to local school systems and criteria for eligibility, so as to  
3 revise the eligibility criteria for certain capital outlay grants for low-wealth school systems;  
4 to provide for the authority of the State Board of Education to establish rules and regulations;  
5 to provide for related matters; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Code Section 20-2-262 of the Official Code of Georgia Annotated, relating to low-wealth  
9 capital outlay grants to local school systems and criteria for eligibility, is amended by  
10 revising subsection (d) and adding two new subsections to read as follows:

11 "~~Local~~ Except as provided for in subsection (d.1) of this Code section and subject to  
12 available funding, local school systems which meet the following criteria shall be eligible  
13 for a low-wealth capital outlay grant:

14 (1)(A)(i) The amount of sales tax revenues per unit in the full-time equivalent student  
15 count of the local school system is currently ranked in the bottom 25 percent of local

16 school systems for sales tax revenues per unit in the full-time equivalent student count  
17 or was so ranked during any of the three most recently completed school years; and

18 (ii) The value of property per unit in the full-time equivalent student count of the  
19 local school system is currently ranked in the bottom 25 percent of local school  
20 systems for value of property per unit in the full-time equivalent student count or was  
21 so ranked during any of the three most recently completed school years;

22 (B) For local school systems in which the amount of special purpose local option sales  
23 tax revenues is ranked in the bottom 25 percent of eligible local school systems  
24 receiving such sales tax revenues, such systems may submit a request to the department  
25 for consideration; provided, however, that the local school system shall be required to  
26 commit the equivalent of five years of such revenues for the project. The department  
27 shall consider factors such as the high cost of a project, the local school system's ability  
28 to manage the project on its own, and the needs of the local school system, in  
29 determining whether to approve a project pursuant to this subparagraph; or

30 (C) For local school systems that are consolidating educational facilities that are more  
31 than 35 years old in accordance with a local facilities plan, the amount of special  
32 purpose local option sales tax revenues for a local school system over a five-year period  
33 would not generate the required local contribution, as determined pursuant to  
34 subsection (c) of this Code section;

35 (2) The local school system's millage rate for maintenance and operation is at least 12  
36 mills or an equivalent millage thereof;

37 (3) A special purpose local option sales tax is in effect in the local school district or the  
38 local school system has in place a millage rate for debt service on bonds, or both; and

39 (4) The local school system uses prototypical specifications as defined by the State Board  
40 of Education for the project.

41 (d.1) If the Department of Education determines that a local school system's system-wide  
42 eligible need has been met as a result of such local school system having received a capital

43 outlay grant pursuant to subparagraph (d)(1)(B) or (d)(1)(C) of this Code section, then such  
44 local school system shall not be eligible to receive another capital outlay grant pursuant to  
45 subparagraph (d)(1)(B) or (d)(1)(C) of this Code section for a period of ten years from the  
46 date such grant was received."

47 "(g) The State Board of Education shall establish rules and regulations to implement the  
48 provisions of this Code section. Such rules shall provide for, but shall not be limited to,  
49 the following:

50 (1) The prioritization of eligible local school systems in the event that available funds are  
51 not sufficient to cover the full amount of capital outlay grants provided for in this Code  
52 section. In such event, eligible local school systems with lesser amounts of special  
53 purpose local option sales tax revenues shall be prioritized over eligible local school  
54 systems with higher amounts of such revenues; and

55 (2) The manner and method by which the Department of Education shall determine  
56 whether a local school system's system-wide eligible need has been met as a result of  
57 such local school system having received a capital outlay grant pursuant to  
58 subparagraph (d)(1)(B) or (d)(1)(C) of this Code section."

59 **SECTION 2.**

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