

The House Committee on Education offers the following substitute to HB 1221:

A BILL TO BE ENTITLED  
AN ACT

1 To amend Code Section 20-2-293 of the Official Code of Georgia Annotated, relating to  
2 student attending school in system other than system of student's residence, so as to require  
3 the State Board of Education to provide for policies, rules, regulations, and procedures for  
4 student transfers between local school systems; to provide that only the receiving local  
5 school system shall have the authority to grant or refuse permission for such transfers; to  
6 provide for caps on tuition that can be charged to a student by an enrolling local unit of  
7 administration; to provide for tuition exemptions; to provide for related matters; to provide  
8 for a short title; to repeal conflicting laws; and for other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

10 **SECTION 1.**

11 This Act shall be known and may be cited as the "Boundless Opportunities for Georgia  
12 Students Act."

13

**SECTION 2.**

14 Code Section 20-2-293 of the Official Code of Georgia Annotated, relating to student  
 15 attending school in system other than system of student's residence, is amended by revising  
 16 subsection (a) as follows:

17 "(a)(1) The provisions of this article and other statutes to the contrary notwithstanding,  
 18 the State Board of Education ~~is authorized to~~ shall provide a procedure whereby a student  
 19 ~~shall, for such compelling reasons and circumstances as may be specified by the state~~  
 20 ~~board,~~ be permitted to attend and to be included as an enrolled student in the public  
 21 schools of a local unit of administration other than the local unit of administration  
 22 wherein the student resides for the purpose of allotting state funds under this article,  
 23 notwithstanding absence of an agreement between the two local units and a refusal by the  
 24 board of education of the local unit wherein the student resides to approve voluntarily  
 25 such transfer of the student to the public schools of the other local unit; provided,  
 26 however, that the board of education of the local unit is willing to receive and to permit  
 27 such student to enroll in and to attend the public schools of such local unit. The state  
 28 board shall adopt such rules, regulations, and policies as may be necessary for  
 29 implementation of this Code section and which shall:

30 (A) Require that enrollment of any student under this Code section for the ensuing  
 31 school year shall be completed between April 15 and June 15 each year;

32 (B) Provide for how school capacity to enroll additional students shall be determined;

33 (C) Authorize local units of administration to decline to provide transportation to  
 34 students seeking to enroll under this Code section; and

35 (D) Assure nondiscrimination on the basis of sex, race, religion, or national origin.

36 (2) Grant or refusal of permission for students to attend such schools, for the purpose of  
 37 permitting state funds to follow such students, shall be ~~entirely discretionary with the~~  
 38 ~~state board and shall, in the absence of a clear abuse of discretion by the state board, be~~  
 39 ~~final and conclusive~~ subject only to approval of the enrolling student and the local unit

40 of administration in which the student seeks to enroll. Local units of administration may  
41 contract with each other for the care, education, and transportation of students and for  
42 such other activities as they may be authorized by law to perform.

43 (3) Beginning July 1, 2026, and continuing thereafter, if a local unit of administration  
44 enrolls a student pursuant to paragraph (1) of this subsection and requires the student to  
45 pay tuition, the amount of tuition such local unit of administration may charge to such  
46 student shall not exceed total revenues less federal revenues less state revenues per  
47 full-time equivalent student for the local unit of administration that enrolls such student;  
48 provided, however, that tuition shall not be required for a student if such student is  
49 eligible for free or reduced price lunch."

50

### SECTION 3.

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