

House Bill 173

By: Representatives Kennard of the 101<sup>st</sup>, Carter of the 93<sup>rd</sup>, Clark of the 108<sup>th</sup>, Evans of the 89<sup>th</sup>, Romman of the 97<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 provide for mandatory pre-kindergarten and  
3 kindergarten for all children prior to entering into first grade; to lower the age of compulsory  
4 school attendance from six years old to four years old; to provide for related matters; to  
5 provide for contingent effectiveness; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to elementary and  
9 secondary education, is amended in Code Section 20-2-150, relating to eligibility for  
10 enrollment for educational programs, by revising subsection (c) as follows:

11 "(c) All children enrolled for 20 school days or more in the public schools of this state  
12 prior to their ~~seventh~~ fifth birthday shall become subject to all of the provisions of this  
13 article, the provisions of Code Sections 20-2-690 through 20-2-701, and the rules and  
14 regulations of the State Board of Education relating to compulsory school attendance even  
15 though they have not attained ~~seven~~ five years of age."

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**SECTION 2.**

16

17 Said chapter is further amended in Code Section 20-2-151, relating to general and career  
18 education programs, by revising paragraph (1) of subsection (b) as follows:

19 "(1)(A) All local school systems ~~may~~ shall offer a full-day kindergarten program. For  
20 purposes of this subsection, the term 'full-day kindergarten program' means a student  
21 is provided classroom instruction for a minimum of four and one-half hours daily for  
22 a 180 day school year, or the equivalent thereof as determined in accordance with State  
23 Board of Education guidelines.

24 (B) It is the policy of this state that all children shall attend Georgia's Pre-K Program  
25 within the meaning of Article 1 of Chapter 1A of this title or a home school program  
26 within the meaning of Code Section 20-2-690 for one school year prior to enrolling in  
27 a full-day kindergarten program; that all children shall attend a full-day kindergarten  
28 program for one school year prior to enrolling in first grade; and that the purposes of  
29 Georgia's Pre-K Program and the kindergarten program programs shall be to provide  
30 all children with an equal opportunity to become prepared for a successful first grade  
31 experience and to acquire the foundation for academic progress throughout the students'  
32 educational careers. To be eligible for enrollment in a state-supported Georgia's Pre-K  
33 Program, a child must attain the age of four by September 1; and to be eligible for  
34 enrollment in a state supported kindergarten program, a child must attain the age of five  
35 by September 1, except as otherwise provided by subsection (b) of Code Section  
36 20-2-150;"

37

**SECTION 3.**

38 Said chapter is further amended in Code Section 20-2-690.1, relating to mandatory education  
39 for children between the ages of six and 16, by revising subsection (a) as follows:

40 "(a) Mandatory attendance in Georgia's Pre-K Program within the meaning of Article 1 of  
41 Chapter 1A of this title or a home school program as provided for in this subpart shall be

42 required for children who attain the age of four by September 1. Mandatory attendance in  
43 a public school, private school, or home school program shall be required for children  
44 between their sixth fifth and sixteenth birthdays, except that any child who attains the age  
45 of five while enrolled in Georgia's Pre-K Program shall not be required to attend a public  
46 school, private school, or home school program until the following school year. Such  
47 mandatory attendance shall not be required where the child has successfully completed all  
48 requirements for a high school diploma."

49 **SECTION 4.**

50 This Act shall become effective only upon the effective date of a specific appropriation of  
51 funds for purposes of this Act, as expressed in a line item making specific reference to such  
52 Act in a General Appropriations Act enacted by the General Assembly.

53 **SECTION 5.**

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