

House Bill 392 (COMMITTEE SUBSTITUTE)

By: Representatives Jasperse of the 11<sup>th</sup>, Bentley of the 150<sup>th</sup>, Erwin of the 32<sup>nd</sup>, Gaines of the 120<sup>th</sup>, and Martin of the 49<sup>th</sup>

A BILL TO BE ENTITLED

AN ACT

1 To amend Chapter 12 of Title 50 of the Official Code of Georgia Annotated, relating to  
2 commissions and other agencies, so as to provide for the creation of the Georgia Endowment  
3 for Teaching Professionals to foster a public-private partnership for support of postsecondary  
4 teaching professionals in high demand courses, subjects, and disciplines; to provide for a  
5 board of trustees; to provide for the membership, appointment, terms, and filling of vacancies  
6 of the board of trustees; to provide for the creation, appointment, terms, filling of vacancies,  
7 duties, and responsibilities of an advisory committee to the board of trustees; to provide for  
8 the purposes of the endowment; to provide for the duties and responsibilities of the board of  
9 trustees; to provide for discontinuation of the endowment under certain circumstances; to  
10 provide for certain reports and audits; to provide for related matters; to repeal conflicting  
11 laws; and for other purposes.

12 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

13 **SECTION 1.**

14 Chapter 12 of Title 50 of the Official Code of Georgia Annotated, relating to commissions  
15 and other agencies, is amended by revising Article 7, which is reserved, to read as follows:

H. B. 392 (SUB)

## "ARTICLE 7

17 50-12-110.

18 (a) In order to foster a public-private partnership for the support of postsecondary teaching  
19 professionals in high demand courses, subjects, and disciplines, there is created the Georgia  
20 Endowment for Teaching Professionals. Such endowment shall be for the purpose of  
21 receiving and distributing funds for the support of a program of endowments within the  
22 Technical College System of Georgia to support outstanding teaching professionals in high  
23 demand courses, subjects, and disciplines in order to improve education and provide for  
24 economic development. The Georgia Endowment for Teaching Professionals shall not be  
25 an entity or agency of government, but shall be a private entity operating under and in  
26 accordance with the laws of this state. It is the intent of the General Assembly that such  
27 private entity take all necessary steps to become a Section 501(c)(3) entity under the  
28 Internal Revenue Code.

29 (b)(1) The Georgia Endowment for Teaching Professionals shall be governed by a board  
30 of trustees consisting of 11 members. The members of the board of trustees shall include  
31 five members appointed by the Governor, including the commissioner of the Technical  
32 College System of Georgia and the commissioner of economic development; three  
33 members appointed by the President of the Senate; and three members appointed by  
34 Speaker of the House of Representatives.

35 (2) The Governor shall appoint one member to serve as chairperson of the board of  
36 trustees. The board of trustees may elect such other officers as it deems appropriate. The  
37 board of trustees shall meet at the call of the chairperson or the request of any three  
38 members.

39 (c) The members of the board of trustees shall serve terms of four years and until their  
40 successors are appointed and qualified; provided, however, that the initial terms of the three  
41 members appointed by the Governor other than the commissioner of the Technical College

42 System of Georgia and the commissioner of economic development shall be for two years  
43 and until their successors are appointed and qualified. Thereafter, such members shall  
44 serve four-year terms and until their successors are appointed and qualified. The members  
45 of the board of trustees shall serve without compensation but may be reimbursed for actual  
46 and reasonable expenses incurred while on the business of the endowment.

47 (d) The board of trustees shall appoint an advisory committee to assist the board members  
48 in their duties. Such advisory committee shall consist of not more than 30 members and  
49 shall be chaired by the executive director of the endowment. The advisory committee shall  
50 include at least two representatives from each of the state's congressional districts. In  
51 making its appointments, the board of trustees shall select members of the various boards  
52 of directors or trustees of postsecondary institutions, local business or industry associations,  
53 and economic development organizations; persons who have shown a commitment to  
54 education and workforce development in their communities; and persons who understand  
55 the needs of business and education. The members of the advisory committee shall serve  
56 for four-year terms and until their successors are selected and qualified; provided, however,  
57 that the board of trustees shall designate 15 of the initial appointees to serve terms of two  
58 years and until their successors are selected and qualified. Such 15 members shall  
59 thereafter serve four-year terms and until their successors are selected and qualified. The  
60 members of the advisory committee shall serve without compensation but may be  
61 reimbursed for actual and reasonable expenses incurred while on the business of the  
62 advisory committee.

63 50-12-111.

64 The Georgia Endowment for Teaching Professionals shall have the following purposes:

65 (1) To support through education the efforts of the Georgia Department of Economic  
66 Development;

- 67 (2) To support the improvement of public postsecondary education in Georgia through  
68 the identification of key courses, subjects, and disciplines in demand for the development  
69 of business and industry in this state;
- 70 (3) To provide annually to individual units of the Technical College System of Georgia  
71 grants in an amount and for a period of time to be determined by the board of trustees on  
72 a case-by-case basis to enable a teaching professional at such unit in one or more of the  
73 key courses, subjects, or disciplines identified, based on competitive evaluation by the  
74 advisory committee or subcommittee of the various proposals;
- 75 (4) To receive, invest, and administer funds received, including without limitation funds  
76 from the state, private donations, grants, and other sources to fulfill the purposes for  
77 which the endowment is created;
- 78 (5) To attract contributions and grants for the purposes of the endowment;
- 79 (6) To utilize funds of the endowment for matching dollars for foundation grants to  
80 fulfill the purposes of the endowment; and
- 81 (7) To engage in other activities designed to support Georgia's postsecondary education  
82 systems' contribution to economic development and tourism.

83 50-12-112.

84 The board of trustees shall have the following duties and responsibilities:

- 85 (1) To operate and manage the Georgia Endowment for Teaching Professionals,  
86 including the investment and reinvestment of the endowment's funds, the management  
87 of assets of the endowment, and the distribution of such funds and assets to fulfill the  
88 purpose of the endowment;
- 89 (2) To enter into contracts with public and private entities for services needed by the  
90 endowment and to fulfill the purposes of the endowment;
- 91 (3) To employ such staff and consultants as deemed necessary to fulfill the purposes of  
92 the endowment and to manage, invest, and administer funds and assets of the endowment;

- 93 (4) To receive, retain, and invest donations, state funding, grants, and other funds and  
94 assets; provided, however, that state funding and grants may not be expended for the  
95 purposes of paragraph (3) of Code Section 50-12-111 but may be expended for all other  
96 purposes of the endowment;
- 97 (5) To ensure that an annual independent audit is conducted of all funds and assets of the  
98 endowment;
- 99 (6) To apply for and administer grants from public and private entities to fulfill the  
100 purposes of the endowment, to assist branches of the Technical College System of  
101 Georgia in obtaining and administering grants for these purposes, and to partner with  
102 other organizations in order to obtain such grants;
- 103 (7) To institute and administer grant programs to fulfill the purposes of the endowment;
- 104 (8) To ensure that determinations of any public funding recipients shall be based not on  
105 political expediency but rather on the project's contribution to the general welfare of its  
106 intended audience and the project's demonstration of its relative ability to provide benefits  
107 to this state and its citizens as quantified as required by paragraph (10) of this Code  
108 section;
- 109 (9) To promote, fund, conduct, and assist in the development, provision, and expansion  
110 of educational courses, subjects, and disciplines identified by the board of trustees as in  
111 demand for the purpose of promoting the economic development of this state;
- 112 (10) To develop a measurement consistent with state or national standards that will  
113 ensure that information provided by the endowment in any report to the Governor and the  
114 General Assembly concerning the impact of the endowment on education and economic  
115 development have verifiable metrics in order to aid the General Assembly in determining  
116 whether any public money expended in support of the endowment provides quantifiable  
117 benefits to this state and its citizens; and
- 118 (11) To perform such other tasks as may be appropriate to fulfill its purposes not  
119 inconsistent with law.

120 50-12-113.  
121 (a) No funds shall be expended by the board of trustees under the provisions of paragraphs  
122 (7) and (9) of Code Section 50-12-112 until contributions to the endowment from private  
123 donors aggregate \$50,000.00 and funding and grants from public sources aggregate  
124 \$50,000.00. In the event that contributions to the endowment do not meet the minimum  
125 requirements of this subsection by December 31, 2025, then the endowment shall be  
126 discontinued effective July 1, 2026. In such event, during the period from January 1, 2026  
127 to June 30, 2026, the endowment shall take all reasonable and necessary steps to wind up  
128 its affairs and to return any contributions to the donors thereof, public or private. In the  
129 event that any contribution cannot be returned to the donor on or before June 30, 2026, the  
130 same shall escheat to the state on July 1, 2026.  
131 (b) The funds and assets of the endowment shall be independently audited annually, and  
132 the results of such audit shall be open to inspection at reasonable times by any person. A  
133 copy of the audit report shall be sent to the state auditor and the state accounting officer.  
134 (c) The board of trustees shall provide the Governor and the members of the General  
135 Assembly with a full report of its activities and funds distribution in December of each year  
136 with recommendations, if any, for legislation to assist the endowment in achieving its  
137 purposes. The report shall include information on the impact of the endowment on  
138 education and economic development, specifying the metric results using the measurement  
139 system developed by the endowment as required in paragraph (10) of Code Section  
140 50-12-112."

141 **SECTION 2.**

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