

The House Committee on Judiciary offers the following substitute to HB 468:

A BILL TO BE ENTITLED  
AN ACT

1 To amend Code Section 20-2-73 of the Official Code of Georgia Annotated, relating to  
2 suspension and removal of local school board members under certain circumstances, so as  
3 to prohibit the use of public funds for litigation expenses relating to removal proceedings;  
4 to provide for statutory construction; to provide for reimbursement of attorney's fees and  
5 related expenses under certain conditions; to provide for related matters; to provide for an  
6 effective date; to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Code Section 20-2-73 of the Official Code of Georgia Annotated, relating to suspension and  
10 removal of local school board members under certain circumstances, is amended by adding  
11 new subsections to read as follows:

12 "(f) A local board of education shall not expend any public funds for attorney's fees or  
13 expenses of litigation relating to proceedings initiated pursuant to this Code section except  
14 to the extent such fees and expenses are incurred prior to and through the recommendation  
15 of the state board as provided for in subsection (a) of this Code section; provided, however,  
16 that nothing in this subsection shall be construed to prohibit an insurance provider from  
17 covering attorney's fees or expenses of litigation under an insurance policy.

18 (g) Any suspended board member who is reinstated by the Governor pursuant to this Code  
19 section may be reimbursed by the local board of education his or her reasonable attorney's  
20 fees and related expenses incurred in pursuing such reinstatement."

21 **SECTION 2.**

22 This Act shall become effective upon its approval by the Governor or upon its becoming law  
23 without such approval.

24

**SECTION 3.**

25 All laws and parts of laws in conflict with this Act are repealed.