

Senate Bill 343

By: Senators Mullis of the 53rd, Unterman of the 45th, Bethel of the 54th, Miller of the 49th, Hill of the 4th and others

AS PASSED SENATE

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 that no high school which receives
3 funding under Article 6 of Chapter 2 of Title 20, the "Quality Basic Education Act," shall
4 participate in or sponsor interscholastic sports events conducted by any athletic association
5 unless the association meets certain conditions; to provide for the creation of the High School
6 Athletics Overview Committee; to provide for its composition, powers, and duties; to provide
7 for reports; to provide for performance criteria; to provide for expenditure of funds; to
8 provide for related matters; to repeal conflicting laws; and for other purposes.

9 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

10

SECTION 1.

11 Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to elementary and
12 secondary education, is amended in Part 14 of Article 6, relating to certain programs and
13 activities under the "Quality Basic Education Act," by adding a new Code section to read as
14 follows:

15 "20-2-316.2.

16 (a) As used in this Code section, the term 'athletic association' means any association of
17 schools or any other similar organization which acts as an organizing, sanctioning,
18 scheduling, or rule-making body for interscholastic athletic events in which public schools
19 in this state participate.

20 (b) No high school which receives funding under this article shall participate in, sponsor,
21 or provide coaching staff for interscholastic sports events which are conducted under the
22 authority of, conducted under the rules of, or scheduled by any athletic association unless
23 the athletic association:

24 (1) Requires that the members of its executive committee, board of trustees, or any
25 associated boards are employed by a local school system or private school for a minimum
26 of 100 school days per year; provided, however, that the executive committee:

- 27 (A) May include the State School Superintendent or his or her designee,
 28 representatives from associations representing local board of education members, local
 29 school superintendents, secondary school principals, athletic directors, and athletic
 30 coaches in this state;
- 31 (B) Shall include two female members appointed by such executive committee from
 32 nominees submitted by each region; and
- 33 (C) Shall authorize each member to vote on all matters pertaining to the operation of
 34 such athletic association;
- 35 (2) Limits the terms of members of its executive committee, board of trustees, or any
 36 associated boards to a total of four years;
- 37 (3) Provides that every school is allowed one vote to elect the executive director; and
- 38 (4) Annually publishes and provides to each member school a detailed financial report
 39 of its revenues and expenditures.
- 40 (c) This Code section shall not apply to any athletic association which organizes,
 41 sanctions, schedules, and establishes regulations for interscholastic sports events which
 42 exclusively involve disabled athletes."

43 SECTION 2.

44 Said chapter is further amended by revising Article 32, which was formerly reserved, to read
 45 as follows:

46 "ARTICLE 32

47 20-2-2100.

48 (a) There is created as a joint committee of the General Assembly the High School
 49 Athletics Overview Committee to be composed of five members of the House of
 50 Representatives appointed by the Speaker of the House, one of whom shall be a member
 51 of the minority party; five members of the Senate appointed by the Lieutenant Governor,
 52 one of whom shall be a member of the minority party; the chairperson of the House
 53 Committee on Education or his or her designee; and the chairperson of the Senate
 54 Education and Youth Committee or his or her designee. The members of the committee
 55 shall serve two-year terms concurrent with their terms as members of the General
 56 Assembly. The Speaker of the House of Representatives and the Lieutenant Governor shall
 57 each designate a cochairperson from among the appointees of their respective houses. The
 58 cochairpersons shall serve terms of two years concurrent with their terms as members of
 59 the General Assembly. Vacancies in an appointed member's position or in the offices of
 60 cochairperson of the committee shall be filled for the unexpired term in the same manner

61 as the original appointment. The committee shall periodically inquire into and review the
62 operations of high school athletic associations, as defined in subsection (c) of this Code
63 section.

64 (b) No high school which receives funding under Article 6 of this chapter shall participate
65 in, sponsor, or provide coaching staff for interscholastic sports events which are conducted
66 under the authority of, conducted under the rules of, or scheduled by any high school
67 athletics association unless such association complies with the provisions of this article.

68 (c) As used in this Code section, the term 'committee' means the High School Athletics
69 Overview Committee, and the term 'high school athletic association' means any association
70 of schools or any other similar organization which acts as an organizing, sanctioning,
71 scheduling, or rule-making body for interscholastic athletic events in which public high
72 schools in this state participate.

73 20-2-2101.

74 The Department of Education, the Attorney General, and all other agencies of state
75 government, upon request by the committee, shall assist the committee in the discharge of
76 its duties set forth in this article. The committee may employ staff and may secure the
77 services of consultants as appropriate and subject to available funding. Upon authorization
78 by joint resolution of the General Assembly, the committee shall have the power while the
79 General Assembly is in session or during the interim between sessions to request the
80 attendance of witnesses and the production of documents in aid of its duties. In addition,
81 when the General Assembly is not in session, the committee shall have the power to
82 request the attendance of witnesses and the production of documents in aid of its duties,
83 upon application of the cochairpersons of the committee, with the concurrence of the
84 Speaker of the House and the Lieutenant Governor.

85 20-2-2102.

86 All high school athletic associations in this state shall cooperate with the committee, its
87 authorized personnel, the Attorney General, the Department of Education, and other state
88 agencies in order that the charges of the committee may be timely and efficiently
89 discharged. The associations shall submit to the committee such reports and data as the
90 committee shall reasonably require in order that the committee may adequately perform its
91 functions. The Attorney General is authorized to bring appropriate legal actions to enforce
92 any laws specifically or generally relating to the associations. The committee shall, on or
93 before the first day of January of each year, and at such other times as it deems necessary,
94 submit to the General Assembly a report of its findings and recommendations based upon
95 the review of the high school athletic associations, as set forth in this article.

96 20-2-2103.

97 In the discharge of its duties, the committee shall evaluate the performance of high school
98 athletic associations consistent with the following criteria:

99 (1) Fairness and equity in establishing and implementing its standards; and

100 (2) The promotion of academic achievement and good sportsmanship.

101 20-2-2104.

102 (a) The committee is authorized to expend state funds available to the committee for the
103 discharge of its duties. Said funds may be used for the purposes of compensating staff,
104 paying for services of consultants, and paying all other necessary expenses incurred by the
105 committee in performing its duties.

106 (b) The members of the committee shall receive the same compensation, per diem,
107 expenses, and allowances for their service on the committee as is authorized by law for
108 members of interim legislative study committees.

109 (c) The funds necessary for the purposes of the committee shall come from the funds
110 appropriated to and available to the legislative branch of government."

111 **SECTION 3.**

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