

ADOPTED

Senators Hatchett of the 50th, Echols of the 49th, and Dolezal of the 27th offered the following amendment #1:

1 *Amend HB 217 (LC 61 0210S) by deleting "Chapter 4 of" on line 1.*

2 *By deleting "vocational, technical, and adult" on line 2 and inserting after "so as" the*
3 *following:*

4 to update provisions relating to ineligibility for election to a local board of education; to
5 provide for the education savings authority to make limited disclosures to the Department
6 of Revenue for purposes of verifying income as compared to income thresholds;

7 *By replacing lines 11 through 13 with the following:*

8 Title 20 of the Official Code of Georgia Annotated, relating to education, is amended in
9 Code Section 20-2-51, relating to election of local board of education members, persons
10 ineligible to be members of superintendent, ineligibility for local boards of education, and
11 ineligibility for other elective offices, by revising subparagraph (c)(4)(B) as follows:

12 "(B) Notwithstanding subsection (b) of Code Section 20-2-244, in local school systems
13 in which the ~~initial fall~~ current enrollment count conducted ~~in 2009~~ pursuant to Code
14 Section 20-2-160 does not exceed a full-time equivalent count of 2,800, the State Board
15 of Education shall be authorized to waive this paragraph upon the request of a local
16 board of education or an individual attempting to qualify to run for local board of
17 education member and in accordance with the provisions of subsections (d) and (e) of
18 Code Section 20-2-244; provided, however, that prior to submitting any such request,

the local board of education shall, upon its own initiative, or at the request of such individual attempting to qualify to run for local board of education member:

(i) Provide 30 days' notice of the individual's intent to run for office; and

(ii) Conduct a public hearing for the purpose of providing an opportunity for full discussion and public input on the issue of potential nepotism problems and other concerns with regard to such waiver. The public hearing shall be advertised at least seven days prior to the date of such hearing in a local newspaper of general circulation which shall be the same newspaper in which other legal announcements of the local board of education are advertised. The public hearing may be conducted in conjunction with a regular or called meeting of the local board or may be conducted independently, at the local board's discretion.

The cost of such notice and public hearing shall be borne by the local board. The State Board of Education shall approve or deny a waiver request no later than 45 days after receipt of such waiver request, taking into consideration whether the benefit to the public would justify approval of the waiver. An approved waiver must be received by the local election superintendent prior to an individual's filing of a declaration or notice of candidacy in accordance with Article 4 of Chapter 2 of Title 21."

SECTION 2.

Said title is further amended in Code Section 20-2B-5, relating to powers of the education savings authority, by revising subsection (b) and by adding a new subsection to read as follows:

~~"(b) Pursuant~~ Except as provided in subsection (d) of this Code section, pursuant to Code Section 50-18-70, the education savings authority shall not disclose and shall keep confidential, in each case unless identifying information has been redacted:

(1) Records that include information identifying a student or former student by name, address except for ZIP Code, telephone number, or emergency contact; and

(2) Records that reveal an individual's social security number, mother's birth name, credit card information, debit card information, bank account information, account number, utility account number, password used to access his or her account, financial data or information, insurance or medical information in all records, unlisted telephone number if so designated in a public record, personal email address or cellular telephone number, or month and day of birth."

"(d) As necessary to enforce the provisions of this chapter, the education savings authority or its duly authorized agents may submit to the state revenue commissioner the names of applicants for promise scholarship accounts or account funds or other benefits or payments provided under this chapter, as well as the relevant income threshold specified therein. If the education savings authority elects to contract with the state revenue commissioner for such purposes, the state revenue commissioner and his or her agents or employees shall notify the education savings authority whether each submitted applicant's income exceeds the relevant income threshold provided. The education savings authority shall pay the state revenue commissioner for all costs incurred by the Department of Revenue pursuant to this subsection. No information shall be provided by the Department of Revenue to the education savings authority without an executed cooperative agreement between the two entities. Any tax information secured from the federal government by the Department of Revenue pursuant to express provisions of Section 6103 of the Internal Revenue Code may not be disclosed by the Department of Revenue pursuant to this subsection. Any person receiving any tax information under the authority of this subsection is subject to the provisions of Code Section 48-7-60 and to all penalties provided under Code Section 48-7-61 for unlawful divulging of confidential tax information."

SECTION 3.

Said title is further amended in Chapter 4, relating to vocational, technical, and adult education, by revising Article 6, relating to the Dual Achievement Program, as follows:

71 *By redesignating Section 2 as Section 4.*