

House Bill 1082

By: Representative Mainor of the 56th

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 21 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated,
2 relating to brief period of quiet reflection, so as to repeal and reenact provisions relating to
3 the authority of public schools to permit students to engage in privately initiated religious
4 speech and activities, subject to certain conditions; to prohibit public schools from promoting
5 or favoring religion, in general, or any particular religious viewpoint, custom, practice,
6 expression, or activity or attempting to persuade public school students to participate in
7 religious speech or activities or to refrain from doing so; to provide for public school
8 personnel to participate in privately initiated religious speech and activities; to provide for
9 related matters; to repeal conflicting laws; and for other purposes.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

11 **SECTION 1.**

12 Article 21 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to
13 brief period of quiet reflection, is amended by repealing Code Section 20-2-1051, relating
14 to participation not to be regulated or required, and enacting a new Code Section 20-2-1051
15 to read as follows:

H. B. 1082

16 "20-2-1051.

17 (a) No local board of education or other public school governing body, public school
18 administrator, or other public school personnel shall, while acting in an official capacity:

19 (1) Prohibit any public school student from voluntarily praying at any time before,
20 during, or after the school day or otherwise engaging in privately initiated religious
21 speech and activities on the same terms and conditions and to the same extent that such
22 student may engage in other comparable private conversations or activities; provided,
23 however, that such privately initiated student religious speech and activities do not
24 materially disrupt classwork or involve substantial disorder or invasion of the rights of
25 others; and provided, further, that public school officials may impose and enforce
26 reasonable rules of order on student speech and activities that do not discriminate against
27 student speech or activities for being religiously motivated or reflecting a religious
28 perspective;

29 (2) Promote or favor religion, in general, or any particular religious viewpoint, custom,
30 practice, expression, or activity; or

31 (3) Attempt to compel, promote, invite, or otherwise persuade a public school student
32 to participate in religious speech or activities or refrain from doing so.

33 (b) While on duty, public school personnel shall be permitted to engage in privately
34 initiated religious speech and activities on the same terms and conditions and to the same
35 extent that such personnel may engage in other comparable private conversations or
36 activities; provided, however, that no public school personnel shall compel, promote,
37 invite, or otherwise persuade any public school student to join in the privately initiated
38 religious speech or activities of such personnel, of other public school personnel, or of
39 other students."

40 **SECTION 2.**

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