

The House Committee on Public Safety offers the following substitute to HB 72:

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 8 of Title 35 of the Official Code of Georgia Annotated, relating to
2 employment and training of peace officers, so as to provide that when a state agency rejects
3 an application for a law enforcement position from a certified peace officer as a result of such
4 applicant not meeting the qualifications for such position, the state agency, at the request of
5 the applicant, shall notify the applicant in writing of the qualifications which have not been
6 met; to provide that when a state agency rejects an application for a law enforcement position
7 from a certified peace officer who meets the qualifications for such position, the state agency,
8 at the request of the applicant, shall notify the applicant in writing of the reasons for rejecting
9 such application for employment; to provide for costs of certain psychiatric testing of
10 applicants for law enforcement officer positions; to define a certain term; to amend Code
11 Section 50-18-72 of the Official Code of Georgia Annotated, relating to exemption of records
12 from public disclosure, so as to provide such an exemption for certain notices of rejection of
13 applications for employment as a law enforcement officer; to repeal conflicting laws; and for
14 other purposes.

15 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

16 Chapter 8 of Title 35 of the Official Code of Georgia Annotated, relating to employment and
17 training of peace officers, is amended by inserting a new Code Section 35-8-8.1 to read as
18 follows:
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20 "35-8-8.1.

21 (a) As used in this Code section, the term 'state agency' means any state board, bureau,
22 commission, authority, or department which employs 200 or more certified peace officers
23 to perform law enforcement functions and duties.

24 (b) Whenever a state agency rejects an application for a law enforcement position from a
25 certified peace officer as a result of such applicant not meeting the qualifications for such
26 position, the state agency, at the request of the applicant, shall notify the applicant in

1 writing of the qualifications which have not been met. Whenever a state agency rejects an
2 application for a law enforcement position from a certified peace officer who meets the
3 qualifications for such position, the state agency, at the request of the applicant, shall notify
4 the applicant in writing of the reasons for rejecting such application for employment.

5 (c)(1) The cost of any initial psychiatric examination of an applicant for a law
6 enforcement position with a state agency for purposes of paragraph (8) of subsection (a)
7 of Code Section 35-8-8 shall be borne by the state agency.

8 (2) If a state agency rejects an application for a law enforcement position in whole or in
9 part on the basis of an initial psychiatric examination performed at the expense of the
10 state agency and the applicant has been given written notice of such reason pursuant to
11 subsection (b) of this Code section, the cost of any subsequent psychiatric examination
12 of the applicant for purposes of such application shall be borne by the applicant."

13 SECTION 2.

14 Code Section 50-18-72 of the Official Code of Georgia Annotated, relating to exemption of
15 records from public disclosure, is amended in subsection (a) by inserting a new paragraph
16 (5.1) to read as follows:

17 "(5.1) Notices of rejection of applications for employment as a law enforcement officer
18 given pursuant to subsection (b) of Code Section 35-8-8.1;"

19 SECTION 3.

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