

House Bill 341

By: Representative Richardson of the 26<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Code Section 35-8-20.1 of the Official Code of Georgia Annotated, relating to  
2 training for police chiefs and department heads, so as to provide that police chiefs and law  
3 enforcement unit department heads whose law enforcement unit operates under a state radar  
4 permit must receive certain training; to provide for certain presumptions with regard to  
5 waivers; to require that actions with regard to waivers must be by recorded written vote; to  
6 repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Code Section 35-8-20.1 of the Official Code of Georgia Annotated, relating to training for  
10 police chiefs and department heads, is amended by striking subsections (a) and (h) in their  
11 entirety and inserting in lieu thereof new subsections (a) and (h) to read as follows:

12 "(a) Any newly appointed chief of police or department head of a law enforcement unit  
13 whose term of employment commences after June 30, 1999, and which law enforcement  
14 unit operates under a state radar permit issued under Chapter 14 of Title 40 shall  
15 successfully complete a minimum of 60 hours of law enforcement chief executive training  
16 at the next scheduled law enforcement chief executive training class sponsored by the  
17 Georgia Association of Chiefs of Police following his or her appointment. Such training  
18 shall be in addition to the basic training required of peace officers in Code Section 35-8-9.  
19 A sworn employee acting in the capacity of a department head of a law enforcement unit  
20 for more than 60 days shall be required to attend training specified under this Code section  
21 and Code Section 35-8-20. The provisions of this subsection shall not apply to any sheriff  
22 or to any head of any law enforcement unit within the office of sheriff."

23 "(h) A waiver of the requirement of training provided in this Code section may be granted  
24 by the Georgia Peace Officer Standards and Training Council, in its discretion, upon the  
25 presentation of evidence by a newly appointed chief of police or department head of a law  
26 enforcement unit that he or she has served as an appointed chief of police or head of a law

1 enforcement unit since December 31, 1992, without more than a 60 day break in service,  
2 that he or she has satisfactorily completed training or education deemed by the council to  
3 be equivalent to the training required by this Code section, or that he or she was unable to  
4 complete such training due to medical disability, providential cause, or other reason  
5 deemed sufficient by the council. For the purposes of granting a waiver under this  
6 subsection, in determining whether a medical disability exists, a presumption shall arise  
7 that a person is medically disabled if a licensed physician certifies such disability to the  
8 council. Any action by the council on any matters contained in this Code section shall be  
9 made by recorded written vote."

10

**SECTION 2.**

11

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