

The House Committee on Special Judiciary offers the following substitute
to SB 206:

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 9-14-43 of the Official Code of Georgia Annotated, relating to
2 jurisdiction and venue of habeas corpus proceedings, so as to provide that if the petitioner
3 is not in custody or is being detained under the authority of the United States, any of the
4 several states other than Georgia, or any foreign state, the petition must be filed in the
5 superior court or court of equivalent jurisdiction of the county in which the conviction and
6 sentence which is being challenged was imposed; to provide for other matters relative to the
7 foregoing; to provide an effective date; to repeal conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 Code Section 9-14-43 of the Official Code of Georgia Annotated, relating to jurisdiction and
11 venue of habeas corpus proceedings, is amended by striking the Code section in its entirety
12 and inserting in lieu thereof the following:

13 "9-14-43.

14 A petition brought under this article must be filed in the superior court of the county in
15 which the petitioner is being detained. The superior courts of such counties shall have
16 exclusive jurisdiction of habeas corpus actions arising under this article. If the petitioner
17 is not in custody or is being detained under the authority of the United States, any of the
18 several states other than Georgia, or any foreign state, the petition must be filed in the
19 superior court or court of equivalent jurisdiction of the county in which the conviction and
20 sentence which is being challenged was imposed."

21 **SECTION 2.**

22 This Act shall become effective upon its approval by the Governor or upon its becoming law
23 without such approval.

SECTION 3.

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- 2 All laws and parts of laws in conflict with this Act are repealed.