

Senate Bill 389

By: Senators Jackson of the 50th, Smith of the 25th, Butler of the 55th, Marable of the 52nd  
and Tate of the 38th

**AS PASSED**

**A BILL TO BE ENTITLED**

**AN ACT**

To amend Title 42 of the Official Code of Georgia Annotated, relating to penal institutions,  
so as to enable the State of Georgia to transfer and exchange inmates with foreign countries  
that have entered into treaties with the United States for that purpose; to provide for an  
effective date; to repeal conflicting laws; and for other purposes.

**BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

**SECTION 1.**

Title 42 of the Official Code of Georgia Annotated, relating to penal institutions, is amended  
by inserting at the end thereof a new Chapter 13 to read as follows:

**"CHAPTER 13**

**42-13-1.**

This chapter shall be known and may be cited as the 'International Transfer of Prisoners  
Act.'

**42-13-2.**

When a treaty is in effect between the United States and a foreign country providing for the  
transfer of convicted criminal offenders to those foreign countries of which such offenders  
are citizens or nationals, the Governor or the Governor's designee is authorized, subject to  
the terms of the treaty, to act on behalf of the State of Georgia and to consent to the transfer  
of such convicted criminal offenders. The Governor or his or her designee is authorized  
to develop policies, procedures, and processes to implement the provisions of this Code  
section."

**SECTION 2.**

This Act shall become effective on July 1, 2002.

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- SECTION 3.
- All laws and parts of laws in conflict with this Act are repealed.