

Senate Bill 37

By: Senators Tanksley of the 32nd, Gingrey of the 37th and Lee of the 29th

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 1 of Chapter 16 of Title 15 of the Official Code of Georgia Annotated,
2 relating to general provisions applicable to sheriffs, so as to change the qualifications for the
3 office of sheriff; to make it unlawful for any sheriff in this state to engage either directly or
4 indirectly in the private security, private investigation, or wrecker towing business; to
5 provide a penalty; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Article 1 of Chapter 16 of Title 15 of the Official Code of Georgia Annotated, relating to
9 general provisions applicable to sheriffs, is amended by striking in its entirety subparagraph
10 (c)(1)(J) of Code Section 15-16-1, relating to qualifications and training of sheriffs, and
11 inserting in lieu thereof a new subparagraph (c)(1)(J) to read as follows:

12 ~~“(J) Is a registered peace officer as provided in Code Section 35-8-10 or is a certified~~
13 ~~peace officer as defined in Chapter 8 of Title 35 and such certification is current and in~~
14 ~~good standing at the time of qualifying as a candidate for the office of sheriff. Any~~
15 ~~person who is not a registered or certified peace officer at the time such person assumes~~
16 ~~the office of sheriff shall be required to complete satisfactorily the requirements for~~
17 ~~certification as a peace officer as provided in Chapter 8 of Title 35 within six months~~
18 ~~after such person takes office; provided, however, that an extension of the time to~~
19 ~~complete such requirements may be granted by the Georgia Peace Officer Standards~~
20 ~~and Training Council upon the presentation of evidence by a sheriff that he or she was~~
21 ~~unable to complete the basic training course and certification requirements due to~~
22 ~~illness, injury, military service, or other reasons deemed sufficient by such council. The~~
23 ~~Georgia Peace Officer Standards and Training Council shall make every effort to~~
24 ~~ensure that space is available for newly elected sheriffs who are not certified or~~
25 ~~registered peace officers to attend the course as soon as possible after such persons take~~
26 ~~office. Such council shall notify the appropriate judge of the probate court whenever~~

1 ~~a newly elected sheriff who is not certified fails to become certified as a peace officer~~
2 ~~pursuant to the requirements of this subparagraph."~~

3 **SECTION 2.**

4 Said article is further amended by adding at the end thereof a new Code Section 15-16-29 to
5 read as follows:

6 "15-16-29.

7 (a) It shall be unlawful for any sheriff in this state to engage either directly or indirectly in
8 the private security, private investigation, or wrecker towing business.

9 (b) Any person who violates this Code section shall be guilty of a misdemeanor."

10 **SECTION 3.**

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