

The House Committee on Special Judiciary offered the following substitute to SB 36:

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 17-6-1 of the Official Code of Georgia Annotated, relating to bail,
2 so as to require persons on bail for family violence offenses, who are again arrested for
3 family violence, to have a judge set bail after a hearing; to repeal conflicting laws; and for
4 other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

6 Code Section 17-6-1 of the Official Code of Georgia Annotated, relating to bail, is amended
7 by renumbering paragraphs (4) and (5) of subsection (f) as paragraphs (5) and (6),
8 respectively, and by inserting a new paragraph (4) to read as follows:
9

10 "(4) For offenses involving an act of family violence, as defined in Code Section
11 19-13-1, the judge shall be provided with a criminal history of the defendant and the
12 criminal history shall be considered prior to setting of bail. If the criminal history shows
13 that the defendant is currently on bail for any offense involving a physical injury, an
14 attempt to commit a physical injury, terroristic threats, stalking, or aggravated stalking,
15 the new offense shall only be bailable after a hearing for which the victim and the
16 prosecuting attorney's office or investigating law enforcement officer have been given
17 reasonable notice. As used in this Code section, reasonable notice means written notice
18 when time permits or, failing written notice, a documented effort to reach the party to be
19 notified by telephonic or other means."

20 **SECTION 2.**

21 All laws and parts of laws in conflict with this Act are repealed.