

Senate Bill 270

By: Senators Kemp of the 3<sup>rd</sup>, Hecht of the 34<sup>th</sup> and Ray of the 48<sup>th</sup>

**AS PASSED**

A BILL TO BE ENTITLED  
AN ACT

1 To amend Article 1 of Chapter 10 of Title 17 of the Official Code of Georgia Annotated,  
2 relating to the procedure for sentencing and imposition of punishment, so as to clarify that  
3 the Department of Corrections has authority to supervise misdemeanor sentences transferred  
4 from out of state under the Interstate Supervision Compact; to allow state and magistrate  
5 court judges to set bond under certain circumstances; to provide for related matters; to repeal  
6 conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

**SECTION 1.**

8 Article 1 of Chapter 10 of Title 17 of the Official Code of Georgia Annotated, relating to  
9 sentencing and imposition of punishment, is amended in Code Section 17-10-1, relating to  
10 sentencing, by striking subparagraph (a)(3)(B) in its entirety and inserting in lieu thereof the  
11 following:  
12

13 "(B) A parolee or probationer charged with a misdemeanor involving physical injury  
14 or an attempt to commit physical injury or terroristic threats or with a new felony shall  
15 not be entitled to bond pending a hearing on the revocation of his or her parole or  
16 probation, except by order of a judge of the superior, state, or magistrate court wherein  
17 the alleged new offense occurred after a hearing and upon determination of the  
18 superior, state, or magistrate court that the parolee or probationer does not constitute  
19 a threat to the community; provided, however, that this subparagraph does not authorize  
20 state or magistrate court judges to grant bail for a person charged with any offense  
21 listed in subsection (a) of Code Section 17-6-1."

**SECTION 2.**

22 Said chapter is further amended by striking subsection (f) of Code Section 17-10-3, relating  
23 to Department of Corrections supervision of misdemeanor sentences, and by adding a new  
24 subsection (f) to read as follows:  
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