

Senate Bill 215

By: Senators Harp of the 16th, Fort of the 39th, Thomas of the 2nd, Thomas of the 54th, Hudgens of the 47th and others

AS PASSED SENATE

**A BILL TO BE ENTITLED
AN ACT**

1 To amend Chapter 8 of Title 35 of the Official Code of Georgia Annotated, relating to
2 employment and training of peace officers, so as to change provisions relating to
3 reimbursement by a governmental unit that employs a peace officer within a certain period
4 of time after such peace officer has completed training while employed by another
5 governmental unit; to provide that the reimbursement requirement shall apply only to
6 governmental units and not to peace officers; to require certain acknowledgment by the peace
7 officer of such requirement as a condition to demanding reimbursement; to provide for
8 related matters; to repeal conflicting laws; and for other purposes.

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

10 **SECTION 1.**

11 Chapter 8 of Title 35 of the Official Code of Georgia Annotated, relating to employment and
12 training of peace officers, is amended by striking Code Section 35-8-22, relating to
13 reimbursement for peace officer training expenses upon change in employment, and inserting
14 in its place a new Code section to read as follows:

15 "35-8-22.

16 (a) Unless otherwise provided by an employment contract to the contrary, if the State of
17 Georgia or any county or municipality thereof employs a peace officer and said peace
18 officer is hired by another agency within 15 months after completing mandated or
19 formalized training requirements, then the total expense of training, including salary paid
20 during training, shall be reimbursed by the hiring agency ~~or the peace officer~~ to the State
21 of Georgia or any county or municipality thereof which initially paid for such training. If
22 said officer is hired by another agency during a period of 15 to 24 months after mandated
23 or formalized training requirements are completed, then one-half of the total expense of
24 training, including salary paid during training, shall be reimbursed by the hiring agency ~~or~~
25 ~~the peace officer~~ to the State of Georgia or any county or municipality thereof which
26 initially paid for such training. The council shall set standards for reimbursement by hiring

1 agencies ~~or peace officers~~ based upon actual expenses incurred in mandated or formalized
2 training by individual departments.

3 (b) The State of Georgia or any county or municipality thereof which initially paid for the
4 training of a peace officer shall submit an itemized, sworn statement to the new employer
5 of the peace officer and shall demand payment thereof and may enforce collection of such
6 obligation through civil remedies and procedures.

7 (c) Effective July 1, 2003, in order for the State of Georgia or any county or municipality
8 thereof to demand reimbursement, the demanding governmental unit must be able to
9 document that the peace officer in question signed an acknowledgment of the terms of this
10 Code section or an employment contract specifying the provisions of this Code section
11 prior to such peace officer's employment with the demanding governmental unit.
12 Otherwise, this Code section shall not apply to such demand for reimbursement."

13 **SECTION 2.**

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