

House Bill 1182

By: Representatives Buckner of the 82nd, Barnes of the 84th, Post 2, Stanley-Turner of the 43rd, Post 2, Manning of the 32nd, and Marin of the 66th

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 17-10-1 of the Official Code of Georgia Annotated, relating to
2 fixing of sentence in criminal cases, so as to provide for provisions relating to work release
3 programs in felony sentences; to provide for revocation of work release status; to provide for
4 other related matters; to provide for an effective date and applicability; to repeal conflicting
5 laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

7
8 Code Section 17-10-1 of the Official Code of Georgia Annotated, relating to fixing of
9 sentence in criminal cases, is amended by adding at its end a new subsection (g) to read as
10 follows:

11 "(g)(1)(A) In sentencing a defendant convicted of a felony to confinement in the
12 custody of the Department of Corrections, the sentencing judge may direct that the
13 person so sentenced shall be eligible to participate in a work release program. When an
14 inmate has been so sentenced, the commissioner of corrections shall as soon as
15 practicable permit participation of the inmate in a work release program in the same
16 general manner provided for in Code Section 42-5-59.

17 (B) In sentencing a defendant convicted of a felony to probated confinement, the
18 sentencing judge may make the defendant's participation in a work release program
19 operated by a county a condition of probation.

20 (2) Work release status granted by the court may be revoked for cause by the sentencing
21 court in its discretion or may be revoked by the state or local authority operating the work
22 release program for any reason for which work release status would otherwise be
23 revoked.

24 (3) The provisions of this subsection shall not limit the authority of the commissioner to
25 authorize work release status pursuant to Code Section 42-5-59 or apply to or affect the

1 authority to authorize work release of county prisoners, which shall be as provided for
2 in Code Sections 42-1-4 and 42-1-9 or as otherwise provided by law.

3 (4) This subsection shall not apply with respect to any offense for which the work release
4 status is specifically prohibited by law, including but not limited to serious violent
5 felonies as specified in Code Section 17-10-6.1."

6 **SECTION 2.**

7 This Act shall become effective upon its approval by the Governor or upon its becoming law
8 without such approval and may be applied by the sentencing court with respect to any
9 sentence entered on or after that effective date.

10 **SECTION 3.**

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