

House Bill 1371

By: Representatives Greene of the 134th, Sholar of the 141st, Post 1, and Buckner of the 109th

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 2 of Chapter 8 of Title 42 of the Official Code of Georgia Annotated,
2 relating to the state-wide probation system, so as to change certain provisions relating to
3 terms and conditions of probation; to repeal conflicting laws; and for other purposes.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

5 style="text-align:center">**SECTION 1.**

6 Article 2 of Chapter 8 of Title 42 of the Official Code of Georgia Annotated, relating to the
7 state-wide probation system, is amended by striking Code Section 42-8-35, relating to terms
8 and conditions of probation, and inserting in lieu thereof the following:

9 "42-8-35.

10 The court shall determine the terms and conditions of probation and may provide that the
11 probationer shall:

- 12 (1) Avoid injurious and vicious habits;
- 13 (2) Avoid persons or places of disreputable or harmful character;
- 14 (3) Report to the probation supervisor as directed;
- 15 (4) Permit the supervisor to visit him or her at his or her home or elsewhere;
- 16 (5) Work faithfully at suitable employment insofar as may be possible;
- 17 (6) Remain within a specified location;
- 18 (7) Make reparation or restitution to any aggrieved person for the damage or loss caused
19 by his or her offense, in an amount to be determined by the court. Unless otherwise
20 provided by law, no reparation or restitution to any aggrieved person for the damage or
21 loss caused by his or her offense shall be made if the amount is in dispute unless the same
22 has been adjudicated;
- 23 (8) Make reparation or restitution as reimbursement to a municipality or county for the
24 payment for medical care furnished the person while incarcerated pursuant to the
25 provisions of Article 3 of Chapter 4 of this title. No reparation or restitution to a local

- 1 governmental unit for the provision of medical care shall be made if the amount is in
2 dispute unless the same has been adjudicated;
- 3 (9) Repay the costs incurred by any municipality or county for wrongful actions by an
4 inmate covered under the provisions of paragraph (1) of subsection (a) of Code Section
5 42-4-71;
- 6 (10) Support his or her legal dependents to the best of his or her ability;
- 7 (11) Violate no local, state, or federal laws and be of general good behavior; ~~and~~
- 8 (12) If permitted to move or travel to another state, agree to waive extradition from any
9 jurisdiction where he or she may be found and not contest any effort by any jurisdiction
10 to return him or her to this state; and
- 11 (13) Participate in diagnostic evaluations and testing and successfully complete
12 risk-reducing programs as directed by the department."

13

SECTION 2.

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