

House Bill 1486

By: Representatives Chambers of the 53rd, Snow of the 1st, Forster of the 3rd, Post 1, Hill of the 81st, and Bridges of the 7th

A BILL TO BE ENTITLED
AN ACT

1 To amend Title 36 of the Official Code of Georgia Annotated, relating to local government,
2 so as to authorize the adoption in concert by certain local governments of resolutions
3 providing for mutual cross-jurisdictional duties, powers, and arrest authority of law
4 enforcement officers; to provide for the content of such resolutions; to provide that such
5 resolutions shall not affect the powers and duties of sheriffs to execute and return criminal
6 warrants and processes; to provide for copies of such resolutions; to provide that mutual
7 adoption of such resolutions does not establish a contract; to provide that the Act is
8 cumulative; to repeal conflicting laws; and for other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

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

11 Title 36 of the Official Code of Georgia Annotated, relating to local government, is amended
12 in Chapter 80, relating to provisions applicable to counties, municipal corporations, and other
13 governmental entities, by inserting a new Code section to be designated Code Section
14 36-80-21 to read as follows:

15 "36-80-21.

16 (a) Any county is authorized to provide in concert with an adjacent county, an adjacent
17 consolidated government, or a municipal corporation located wholly or partially within the
18 county for law enforcement officers from each local government to exercise the same
19 duties, powers, and arrest authority in each such jurisdiction. Any consolidated government
20 is authorized to provide in concert with an adjacent county for law enforcement officers
21 from each local government to exercise the same duties, powers, and arrest authority in
22 each such jurisdiction. Any municipal corporation is authorized to provide in concert with
23 a county in which the municipal corporation is wholly or partially located for law
24 enforcement officers from each local government to exercise the same duties, powers, and
25 arrest authority in each such jurisdiction.

1 (b) The governing authorities of the local governments specified in subsection (a) of this
2 Code section may provide by resolution for mutual cross-jurisdictional duties, powers, and
3 arrest authority of law enforcement officers. Such resolutions shall provide that the mutual
4 cross-jurisdictional duties, powers, and arrest authority shall commence on the same date
5 and shall be exercised only by certified peace officers. Such resolutions may provide for
6 mutual cross-jurisdictional duties, powers, and arrest authority throughout the entire
7 geographic area of each jurisdiction or may limit cross-jurisdictional duties, powers, and
8 arrest authority to specified geographic areas. Such resolutions shall provide for the same
9 method to terminate such mutual cross-jurisdictional duties, powers, and arrest authority.
10 Such resolutions shall not affect the powers and duties of sheriffs to execute and return
11 criminal warrants and processes and shall not extend such powers and duties to other law
12 enforcement officers.

13 (c) Each local government that adopts a resolution in accordance with this Code section
14 shall provide a copy to:

15 (1) The other local government involved;

16 (2) The superior court or courts having jurisdiction over the geographic area of the local
17 government adopting the resolution;

18 (3) The superior court or courts having jurisdiction over the geographic area of the other
19 local government involved, if the two local governments are under the jurisdiction of
20 different superior courts;

21 (4) Each law enforcement agency affected; and

22 (5) The Administrative Office of the Courts.

23 (d) Mutual adoption of resolutions in accordance with this Code section shall not be
24 sufficient to establish a contract between the local governments for the provision of law
25 enforcement services.

26 (e) This Code section is cumulative of other provisions of law relating to contracts
27 between local governments for the provision of services and mutual assistance pacts and
28 agreements and shall not be deemed to repeal or impair such other provisions of law."

29 SECTION 2.

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