

The House Committee on Special Judiciary offers the following substitute to HB 918:

A BILL TO BE ENTITLED  
AN ACT

1 To amend Code Section 17-6-12 of the Official Code of Georgia Annotated, relating to the  
2 discretion of the court to release a person charged with a crime on his or her own  
3 recognizance and the effect of the person charged to appear for trial, so as to remove such  
4 discretion for a person who has failed to appear for trial on two or more occasions under  
5 certain circumstances; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Code Section 17-6-12 of the Official Code of Georgia Annotated, relating to the discretion  
9 of the court to release a person charged with a crime on his or her own recognizance and the  
10 effect of the person charged to appear for trial, is amended by striking in its entirety  
11 subsection (a) and inserting in lieu thereof the following:

12 "(a) In addition to other laws regarding the release of an accused person, the judge of any  
13 court having jurisdiction over a person charged with committing an offense against the  
14 criminal laws of this state shall have authority, in his or her sound discretion and in  
15 appropriate cases, to authorize the release of the person upon his or her own recognizance  
16 only; provided, however, that a judge shall not release a person on his or her own  
17 recognizance if the person has failed to appear on two occasions within a ten-year period  
18 of time and instead shall require such person to post a cash, property, or surety bail bond.  
19 The provisions of this subsection shall not apply to a person who did not receive notice for  
20 his or her court appearance."

21 **SECTION 2.**

22 All laws and parts of laws in conflict with this Act are repealed.