

NOT GERMANE

Senators Butler of the 55th, Zamarripa of the 36th, Seay of the 34th, Stokes of the 43rd, Henson of the 41st and others offered the following amendment to HB 158:

By inserting between lines 19 and 20 of page 2 a new section which states as follows:

"SECTION 2A.

Title 35 of the Official Code of Georgia Annotated, relating to law enforcement officers and agencies, is amended by inserting a new Code Section 35-2-14 to read as follows:

Law enforcement officers and agencies shall comply with the following standards during the course of their duties:

(a) Law enforcement officers shall not use a person's race or ethnicity to form probable cause or reasonable suspicion to stop a vehicle but may use a person's race or ethnicity to confirm a previously obtained description of a suspect.

(b) Each state and local law enforcement agency shall adopt a policy and implement an annual training program regarding racial profiling that provides and instructs that a law enforcement officer shall not use a person's race or ethnicity to form probable cause or reasonable suspicion to stop a vehicle but may use a person's race or ethnicity to confirm a previously obtained description of a suspect.

(2) Each time a state or local law enforcement officer stops a motor vehicle or a person, that officer shall document the following information in a public record whose format shall be determined by the Department of Motor Vehicle Safety:

(A) The gender, race, and ethnicity of the driver or person;

(B) The alleged violation that led to the stop;

(C) Whether the vehicle or person were searched;

(D) Whether a search was conducted pursuant to consent, probable cause, or reasonable suspicion to suspect a crime;

(E) Whether any arrest, citation, or any oral or written warning was issued as a result of the stop.

(c) These standards shall not be construed to alter the requirements for determining probable cause or reasonable suspicion under the Constitution of the United States or the Constitution of the State of Georgia."