

House Bill 1702 (AS PASSED HOUSE AND SENATE)

By: Representative Jenkins of the 93rd

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 1 of Chapter 9 of Title 42 of the Official Code of Georgia Annotated,
2 relating to general provisions for pardons and paroles, so as to provide for powers of certain
3 employees of the State Board of Pardons and Paroles for a limited period of time and under
4 certain circumstances; to allow such employees to assist law enforcement or correctional
5 officers; to provide for related matters; to provide for automatic repeal; to provide an
6 effective date; to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Article 1 of Chapter 9 of Title 42 of the Official Code of Georgia Annotated, relating to
10 general provisions for pardons and paroles, is amended by inserting a new Code section to
11 follow Code Section 42-9-9, relating to board employees, to read as follows:

12 "42-9-9.1.

13 (a) Upon the issuance of an executive order by the Governor and the consent of a majority
14 of the members of the board, all powers of a law enforcement officer of this state,
15 including, but not limited to, the power to make arrests for violations of any of the criminal
16 laws of this state, may be conferred upon and exercised by any person who is employed by
17 the board and who is otherwise certified as a peace officer under the provisions of Chapter
18 8 of Title 35. Such powers shall be exercised only during the period extending from May
19 24, 2004, through June 20, 2004, and only in such area or areas of the state as designated
20 by the Governor in such executive order. Such certified peace officers may assist law
21 enforcement officers or correctional officers of federal, state, or local governments in
22 preserving order and peace when so requested by the Governor or by such authorities.

23 (b) This Code section shall be repealed on July 1, 2004."

1 **SECTION 2.**

2 This Act shall become effective upon its approval by the Governor or upon its becoming law
3 without such approval.

4 **SECTION 3.**

5 All laws and parts of laws in conflict with this Act are repealed.