

House Bill 325

By: Representatives Miller of the 106th, Mumford of the 95th, Powell of the 29th, Hatfield of the 177th, and Morgan of the 39th

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 15-11-28 of the Official Code of Georgia Annotated, relating to
2 jurisdiction of juvenile court, so as to change provisions relating to superior court transferring
3 certain cases under certain circumstances; to provide for related matters; to repeal conflicting
4 laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

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

7 Code Section 15-11-28 of the Official Code of Georgia Annotated, relating to jurisdiction
8 of juvenile court, is amended by striking subparagraph (b)(2)(B) and inserting in lieu thereof
9 the following:

10 "(B) After indictment, the superior court may ~~after investigation,~~ upon motion of the
11 court or either party, conduct a hearing and may for extraordinary cause transfer any
12 case involving a child 13 to 17 years of age alleged to have committed any offense
13 enumerated in subparagraph (A) of this paragraph ~~which is not punishable by loss of~~
14 life, imprisonment for life without possibility of parole, or confinement for life in a
15 penal institution. After indictment, upon consent of or stipulation by the parties, the
16 superior court shall transfer any case involving a child 13 to 17 years of age alleged to
17 have committed any offense enumerated in subparagraph (A) of this paragraph. Any
18 such transfer shall be appealable by the State of Georgia pursuant to Code Section
19 5-7-1. Upon such a transfer by the superior court, jurisdiction shall vest in the juvenile
20 court and jurisdiction of the superior court shall terminate. Any case transferred by the
21 superior court to the juvenile court pursuant to this subparagraph shall be subject to the
22 designated felony provisions of Code Section 15-11-63 and the transfer of the case from
23 superior court to juvenile court shall constitute notice to the child that such case is
24 subject to the designated felony provisions of Code Section 15-11-63."

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SECTION 2.

2 All laws and parts of laws in conflict with this Act are repealed.