

Senate Bill 136

By: Senators Smith of the 52nd, Hill of the 32nd, Wiles of the 37th and Weber of the 40th

AS PASSED SENATE

**A BILL TO BE ENTITLED
AN ACT**

1 To amend Code Section 15-11-47 of the Official Code of Georgia Annotated, relating to
2 procedure on taking child into custody, detention, and bail, so as to provide for bail for
3 children alleged to be delinquent or unruly; to provide for related matters; to repeal
4 conflicting laws; and for other purposes.

5 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

6 **SECTION 1.**

7 Code Section 15-11-47 of the Official Code of Georgia Annotated, relating to procedure on
8 taking child into custody, detention, and bail, is amended by striking subsection (d) and
9 inserting in lieu thereof a new subsection (d) to read as follows:

10 "(d) *Bail.* All children subject to the jurisdiction of the juvenile court and alleged to be
11 delinquent or unruly, ~~on application of the parent or guardian,~~ shall have the same right to
12 bail as adults; and the judge shall admit to bail all children under the court's jurisdiction
13 in the same manner and under the same circumstances and procedures as are applicable to
14 adults accused of the commission of crimes. Any person having legal custody or an adult
15 blood relative or stepparent shall be entitled to post bail but shall be required immediately
16 to return the child to the individual or entity having legal custody of the child."

17 **SECTION 2.**

18 All laws and parts of laws in conflict with this Act are repealed.