

House Bill 289 (AS PASSED HOUSE AND SENATE)

By: Representatives Day of the 163rd, Neal of the 1st, Porter of the 143rd, Horne of the 71st,
and Talton of the 145th

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 authorize the State Board of
3 Pardons and Paroles to confer the powers of law enforcement officers on certain employees
4 of the board to allow such employees to assist law enforcement, correctional, or homeland
5 security officers; to provide for related matters; to provide an effective date; to repeal
6 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 be designated Code Section 42-9-9.1 to read as follows:

12 "42-9-9.1.

13 (a) In order to assist in the preservation of peace, order, and security, governmental
14 officials from law enforcement, correctional, or homeland security agencies of federal,
15 state, or local governments may request assistance from the board. For the purpose of
16 providing the requested assistance, a majority of the members of the board may confer all
17 powers of a law enforcement officer of this state, including, but not limited to, the power
18 to make arrests for violations of any of the criminal laws of this state, upon any person who
19 is employed by the board and who is otherwise certified as a peace officer under the
20 provisions of Chapter 8 of Title 35.

21 (b) Before the board grants the powers of a law enforcement officer authorized in
22 subsection (a) of this Code section, the board must find that extraordinary circumstances
23 exist that necessitate additional law enforcement officers.

24 (c) The time period for the law enforcement officer powers authorized in subsection (a)
25 of this Code section shall be specified when the powers are bestowed, not to exceed 30
26 days.

1 (d) While possessing the powers of a law enforcement officer authorized in subsection (a)
2 of this Code section, the board employee shall be under the direction of the federal, state,
3 or local government entity requesting assistance from the board."

4 **SECTION 2.**

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

7 **SECTION 3.**

8 All laws and parts of laws in conflict with this Act are repealed.