

Senate Bill 462

By: Senators Carter of the 13th, Kemp of the 46th, Hamrick of the 30th, Mullis of the 53rd
and Miles of the 43rd

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 1 of Chapter 16 of Title 15 of the Official Code of Georgia Annotated,
2 relating to general provisions for sheriffs, so as to place courthouse security under the
3 authority of the sheriff; to require a courthouse security plan which shall be subject to the
4 approval of the chief superior court judge; to amend Chapter 9 of Title 36 of the Official
5 Code of Georgia Annotated, relating to county property generally, so as to remove
6 courthouses and jails from the list of properties protected; to provide for related matters; to
7 provide an effective date; to repeal conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 Article 1 of Chapter 16 of Title 15 of the Official Code of Georgia Annotated, relating to
11 general provisions for sheriffs, is amended in Code Section 15-16-10, relating to duties of
12 sheriffs and electronic storage, by striking "and" from the end of paragraph (8), by striking
13 the period and inserting in its place "; and" at the end of paragraph (9), and by inserting a
14 new paragraph (10) of subsection (a) to read as follows:

15 "(10) To develop and implement a comprehensive plan for the security of the county
16 courthouse and any courthouse annex. Prior to the implementation of any security plan,
17 the plan shall be submitted for review by the chief judge of the superior court of the
18 circuit wherein the courthouse or annex is located. The security plan may be accepted
19 or modified by order of the superior court."

20 **SECTION 2.**

21 Chapter 9 of Title 36 of the Official Code of Georgia Annotated, relating to county property
22 generally, is amended by striking Code Section 36-9-8, relating to the protection of county
23 property by the sheriff, in its entirety and inserting in its place a new Code Section 36-9-8
24 to read as follows:

1 "36-9-8.

2 The ~~courthouses, jails,~~ public grounds; and other county property are placed in the keeping
3 of the sheriff of the county, subject to the order of the county governing authority; and it
4 is his or her duty to preserve them from injury or waste and to prevent intrusions upon
5 them."

6 **SECTION 3.**

7 This Act shall become effective on July 1, 2006.

8 **SECTION 4.**

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