

Senate Bill 381

By: Senators Harp of the 29th and Mullis of the 53rd

**AS PASSED SENATE**

**A BILL TO BE ENTITLED  
AN ACT**

1 To amend Article 1 of Chapter 3 of Title 50 of the Official Code of Georgia Annotated,  
2 relating to state and other flags, so as to provide state flags to honor Georgia public safety  
3 officers who are killed in the line of duty or who died following extended service to the  
4 public of this state; to provide for related matters; to provide for an effective date and  
5 applicability; to repeal conflicting laws; and for other purposes.

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

7 **SECTION 1.**

8 Article 1 of Chapter 3 of Title 50 of the Official Code of Georgia Annotated, relating to state  
9 and other flags, is amended by inserting immediately following Code Section 50-3-11 a new  
10 Code section to read as follows:

11 "50-3-12.

12 (a) The purpose of this Code section is to recognize and honor those brave men and  
13 women who have dedicated their lives to the public safety of the citizens of this state and,  
14 in devoted service thereto, contributed to the safety, security, and individual freedom of  
15 the citizens of the State of Georgia. To carry out this purpose, the Secretary of State shall,  
16 if requested, from funds made available for such purpose, furnish, without cost, a state flag  
17 to honor the service of a deceased qualifying public safety officer, which state flag may be  
18 displayed in the funeral service of the deceased public safety officer and thereafter given  
19 to the officer's estate.

20 (b) For purposes of this Code section, a 'qualifying public safety officer' is a peace officer,  
21 as defined in Code Section 35-8-2, or firefighter, emergency medical technician, or  
22 emergency rescue specialist, as each is defined in Code Section 45-9-81, or member of the  
23 Georgia National Guard. In addition, 'qualifying public safety officer' is an officer killed  
24 in the line of duty or an officer who has served as a qualifying public safety officer for a  
25 period of not less than ten years. A person committing or convicted of a felony or crime

1 of moral turpitude or whose certification or license to practice as a public safety officer is  
2 revoked or terminated shall not be considered a 'qualifying public safety officer.'

3 (c) The Secretary of State is authorized to administer the recognition program set forth in  
4 this Code section and to provide rules and regulations and enter into contracts necessary  
5 for the administration of the provisions and the purposes set forth in the Code section."

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**SECTION 2.**

8 This Act shall become effective on July 1, 2006, and shall apply to the death of a qualifying  
9 public safety officer occurring on or after that date.

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**SECTION 3.**

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