

The House Committee on Public Safety offers the following substitute to SB 381:

A BILL TO BE ENTITLED
AN ACT

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

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

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

"50-3-12.

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

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

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

3 (c) It shall be the duty of any state or local agency with knowledge of the death of a
4 qualifying public safety officer who is an employee of such agency or who retired from
5 such agency to notify the Secretary of State's office for the purpose of providing a state
6 flag to the deceased's estate. Any advocacy group representing the deceased or the
7 deceased's department may also contact the Secretary of State on behalf of a deceased
8 qualifying public safety officer.

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

12 **SECTION 2.**

13 This Act shall become effective upon its approval by the Governor or upon its becoming
14 law without such approval and shall apply to the death of a qualifying of public safety officer
15 occurring on or after January 1, 2006.

16 **SECTION 3.**

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