

Senate Bill 381

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

AS PASSED

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, sheriff, or firefighter, emergency medical technician,
22 or emergency rescue specialist, as each is defined in Code Section 45-9-81, or member of
23 the Georgia National Guard. In addition, 'qualifying public safety officer' is an officer
24 killed in the line of duty or an officer who has served as a qualifying public safety officer
25 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 law
14 without such approval and shall apply to the death of a qualifying 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.