

House Bill 74

By: Representatives Day of the 163rd, Horne of the 71st, and Neal of the 1st

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 69 of Title 36 of the Official Code of Georgia Annotated, relating to
2 mutual aid for local governments, so as to authorize peace officers rendering assistance to
3 state or local law enforcement agencies to exercise the power of arrest; to provide for related
4 matters; to provide limitations to liability for acts arising from the provision of law
5 enforcement assistance to law enforcement agencies; 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 Chapter 69 of Title 36 of the Official Code of Georgia Annotated, relating to mutual aid for
10 local governments, is amended by adding a new Code section immediately following Code
11 Section 35-69-10 to read as follows:

12 "35-69-11.

13 (a) Upon request, the sheriff of any county or the head of any county or municipal police
14 agency may provide assistance to any law enforcement agency within this state. A certified
15 peace officer employed by a sheriff or police department who renders requested assistance
16 with the approval of his or her employing agency, shall be authorized to exercise the
17 powers of arrest to the same extent as any peace officer employed by the law enforcement
18 agency receiving such assistance. The powers of arrest conferred by this Code section shall
19 be in addition to any other powers of arrest otherwise provided by law.

20 (b) A peace officer providing assistance pursuant to this Code section shall continue to
21 have those powers, duties, rights, privileges, and immunities incidental to their
22 employment. Neither the state nor any political subdivision of the state, nor the agents or
23 representative of the state or any political subdivision thereof, shall be liable for personal
24 injury or property damage resulting or arising from the provision of such assistance. The
25 foregoing shall not affect the right of any person to receive benefits or compensation to

