

Senate Bill 142

By: Senators Smith of the 52nd, Wiles of the 37th and Johnson of the 1st

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 2 of Chapter 12 of Title 17 of the Official Code of Georgia Annotated,
2 relating to public defenders, so as to clarify that circuit public defenders may hire additional
3 personnel only if authorized by local law or if approved by the county governing authority;
4 to provide for related matters; to provide an effective date; to repeal conflicting laws; and for
5 other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Article 2 of Chapter 12 of Title 17 of the Official Code of Georgia Annotated, relating to
9 public defenders, is amended by revising Code Section 17-12-31, relating to employment of
10 additional personnel, as follows:

11 "17-12-31.

12 (a) The circuit public defender in each judicial circuit may employ additional assistant
13 circuit public defenders, deputy circuit public defenders, or other attorneys, investigators,
14 paraprofessionals, clerical assistants, and other employees or independent contractors as
15 ~~may be if the employment of such additional personnel is provided for by local law or as~~
16 ~~may be if the employment of such additional personnel is specifically~~ authorized and
17 funded by the governing authority of the county or counties comprising the judicial circuit.
18 The circuit public defender shall define the duties and fix the title of any attorney or other
19 employee of the office of the circuit public defender.

20 (b) Personnel employed by the circuit public defender pursuant to this Code section shall
21 serve at the pleasure of the circuit public defender and shall be compensated by the county
22 or counties comprising the judicial circuit; ~~in the manner and in an amount of compensation~~
23 ~~to be paid to be~~ fixed either by local Act or by the circuit public defender with the specific
24 approval of the county or counties comprising the judicial circuit."

1 **SECTION 2.**

2 This Act shall become effective upon its approval by the Governor or upon its becoming law
3 without such approval.

4 **SECTION 3.**

5 All laws and parts of laws in conflict with this Act are repealed.