

House Bill 1392

By: Representative Ralston of the 7th

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 2 of Chapter 18 of Title 15 and Code Section 16-11-130 of the Official
2 Code of Georgia Annotated, relating to the Prosecuting Attorneys' Council of the State of
3 Georgia and exemptions from Code Sections 16-11-126 through 16-11-128, respectively, so
4 as to expand the powers and duties of attorneys and investigators employed by the
5 Prosecuting Attorneys' Council of the State of Georgia; to provide that such investigators
6 shall meet the requirements of Chapter 8 of Title 35; to provide that investigators employed
7 by the Prosecuting Attorneys' Council of the State of Georgia and attorneys and investigators
8 who are retired from the Prosecuting Attorneys' Council of the State of Georgia shall be
9 exempt from certain state weapons requirements; to provide for related matters; to repeal
10 conflicting laws; and for other purposes.

11 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

12 **SECTION 1.**

13 Article 2 of Chapter 18 of Title 15 of the Official Code of Georgia Annotated, relating to the
14 Prosecuting Attorneys' Council of the State of Georgia, is amended by adding a new Code
15 section to read as follows:

16 "15-18-47.

17 Attorneys and investigators employed by the council shall meet the same qualifications as
18 those provided by Code Section 15-18-21 for attorneys and investigators employed by
19 district attorneys. Such attorneys and investigators shall take and subscribe to an oath
20 similar to the oath required by district attorneys. When assisting a district attorney,
21 solicitor-general, or the Attorney General, such attorneys and investigators shall have the
22 same authority and power as an attorney or investigator employed by such district attorney,
23 solicitor-general, or the Attorney General. Investigators employed by the council and
24 authorized by the council to carry weapons or to exercise any of the powers of a peace
25 officer of this state shall meet the requirements of Chapter 8 of Title 35."

SECTION 2.

Code Section 16-11-130 of the Official Code of Georgia Annotated, relating to exemptions from Code Sections 16-11-126 through 16-11-128, is amended by revising paragraph (5) of subsection (a) as follows:

"(5) District attorneys, investigators employed by and assigned to a district attorney's office, assistant district attorneys, attorneys or investigators employed by the Prosecuting Attorneys' Council of the State of Georgia, and any retired district attorney, assistant district attorney, ~~or district attorneys investigator, or attorney or investigator retired from~~ the Prosecuting Attorneys' Council of the State of Georgia, if such ~~retired~~ employee is retired in good standing and is receiving benefits under Title 47 or is retired in good standing and receiving benefits from a county or municipal retirement system;"

SECTION 3.

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