

House Bill 1412

By: Representatives Lindsey of the 54th, Willard of the 49th, Kaiser of the 59th, Geisinger of the 48th, Wilkinson of the 52nd, and others

A BILL TO BE ENTITLED
AN ACT

1 To provide that the Board of Commissioners of Fulton County shall have the authority to
2 develop and implement a comprehensive plan for the security of the county courthouse and
3 any courthouse annex; to provide for review; to provide for confidentiality; to provide for
4 responsibility for courthouse security; to provide for funding; to provide a contingent
5 effective date; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 The Board of Commissioners of Fulton County shall have the authority, to be exercised at
9 the discretion of the board of commissioners, to develop and implement a comprehensive
10 plan for the security of the county courthouse and any courthouse annex. Prior to the
11 implementation of any security plan, the plan shall be submitted to the chief judge of the
12 superior court of the circuit wherein the courthouse or courthouse annex is located for
13 review. The chief judge shall have 30 days to review the original or any subsequent security
14 plan. The chief judge may make modifications to the original or any subsequent security
15 plan. A comprehensive plan for courthouse security shall be considered a confidential
16 matter of public security. Review of a proposed security plan by the governing authority
17 shall be excluded from the requirements of Code Section 50-14-1 of the O.C.G.A. and any
18 such review shall take place as provided in Code Section 50-14-3 of the O.C.G.A. Such
19 security plan shall also be excluded from public disclosure pursuant to paragraph (15) of
20 subsection (a) of Code Section 50-18-72 of the O.C.G.A. The board of commissioners shall
21 be the official custodian of the comprehensive courthouse security plan and shall determine
22 who has access to such plan and any such access and review shall occur at a meeting of the
23 county governing authority held as provided in paragraph (9) of Code Section 50-14-3 of the
24 O.C.G.A.; provided, however, that the board of commissioners shall make the original
25 security plan available upon request for temporary, exclusive review by any judge whose

1 courtroom or chambers is located within the courthouse or courthouse annex or by any
2 commissioner of the county in which the courthouse or courthouse annex is located.

3 **SECTION 2.**

4 The board of commissioners may, at their option, assume responsibility for security of the
5 county courthouse and any annex and adjacent county property and the duty to preserve them
6 from injury or waste and to prevent intrusions upon them.

7 **SECTION 3.**

8 The development and implementation of a security plan and all related technology pursuant
9 to Section 1 of this Act shall be subject to the annual budget approved by the governing
10 authority.

11 **SECTION 4.**

12 This Act shall become effective upon the effectiveness of an Act amending general law so
13 as to provide that the General Assembly may by local law authorize county governing
14 authorities to assume responsibility for developing and implementing a comprehensive
15 courthouse security plan.

16 **SECTION 5.**

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