

## COMMITTEE OF CONFERENCE SUBSTITUTE TO SB 429

A BILL TO BE ENTITLED  
AN ACT

1 To provide for enforcement of laws governing matters within the jurisdiction of the  
 2 Commissioner of Agriculture or the Department of Agriculture; to provide for certain other  
 3 related law enforcement powers; to amend Part 1 of Article 1 of Chapter 4 of Title 4 of the  
 4 Official Code of Georgia Annotated, relating to control of infectious or contagious diseases  
 5 in livestock generally, and Chapter 2 of Title 2 of the Official Code of Georgia Annotated,  
 6 relating to the Department of Agriculture, so as to redesignate and change certain provisions  
 7 relating to enforcement of laws relating to control of infectious or contagious diseases in  
 8 livestock generally; to repeal conflicting laws; and for other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

## SECTION 1.

10 Part 1 of Article 1 of Chapter 4 of Title 4 of the Official Code of Georgia Annotated, relating  
 11 to control of infectious or contagious diseases in livestock generally, and Chapter 2 of Title  
 12 2 of the Official Code of Georgia Annotated, relating to the Department of Agriculture, are  
 13 amended by redesignating and revising Code Section 4-4-5, relating to enforcement of laws  
 14 relating to control of infectious or contagious diseases in livestock generally, as follows:

15 "~~4-4-5~~ 2-2-13.

16 (a) The Commissioner is shall be vested with police powers to enforce ~~this chapter~~ those  
 17 laws governing matters within the jurisdiction of the Commissioner or the department as  
 18 provided by this title and Titles 4, 10, 26, and 43 and the rules and regulations adopted  
 19 pursuant to ~~this chapter~~ thereto and to prevent, detect, and respond to acts of bioterrorism,  
 20 other terroristic acts or threats, or natural disasters affecting or potentially affecting plants,  
 21 animals, products, or facilities that are subject to regulation by the department.

22 (b) The Commissioner is shall be authorized to employ, designate, and deputize;  
 23 investigators and to delegate to such employees of the department the necessary authority  
 24 to enforce ~~this chapter~~ those laws governing matters within the jurisdiction of the  
 25 Commissioner or the department as provided by this title and Titles 4, 10, 26, and 43 and  
 26

1 the rules and regulations adopted pursuant to ~~this chapter~~ thereto and to prevent, detect, and  
 2 respond to acts of bioterrorism, other terroristic acts or threats, or natural disasters affecting  
 3 or potentially affecting plants, animals, products, or facilities that are subject to regulation  
 4 by the department. Employees who have been so designated by the Commissioner and who  
 5 have been certified by the Georgia Peace Officer Standards and Training Council as having  
 6 successfully completed the course of training required by Chapter 8 of Title 35, the  
 7 'Georgia Peace Officer Standards and Training Act,' ~~are~~ shall be authorized:

8 (1) To carry firearms authorized or issued by the Commissioner while in the performance  
 9 of their duties;

10 (2) To inspect ~~any livestock found within this state~~ plants, animals, products, or facilities  
 11 when the same are subject to regulation by the department;

12 (3) To stop and inspect any vehicle transporting ~~livestock in this state;~~ plants, animals,  
 13 or products when the same are subject to regulation by the department;

14 (4) To inspect and require the production of health certificates, waybills, permits, or  
 15 other documents required by federal or state laws, rules, regulations, or orders for the  
 16 transportation of ~~livestock~~ plants, animals, or products when the same are subject to  
 17 regulation by the department; and

18 (5) To protect any life or property when the circumstances demand action; and

19 ~~(5)(6)~~ (6) To arrest any person found to be in violation of this chapter a criminal law when  
 20 enforcement of such law is authorized under this subsection.

21 (c) From funds appropriated or available to the department, the Commissioner is ~~is~~ shall be  
 22 authorized to provide motor vehicles, uniforms, firearms, and any other equipment and  
 23 supplies needed by employees of the department to carry out this ~~chapter~~ Code section.

24 (d) This Code section shall not repeal, supersede, alter, or affect the power of any other  
 25 law enforcement officer of this state or of any county, municipality, or other political  
 26 subdivision of this state ~~to enforce this chapter.~~ At the request of the Commissioner of  
 27 Agriculture, it shall be the duty of all state, county, municipal, and other law enforcement  
 28 officers in this state to enforce and to assist the Commissioner and the employees and  
 29 agents of the department in the enforcement of ~~this chapter~~ those laws governing matters  
 30 within the jurisdiction of the Commissioner or the department as provided by this title and  
 31 Titles 4, 10, 26, and 43."

## 32 SECTION 2.

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