

Senate Bill 508

By: Senators Fort of the 39th, Tate of the 38th and James of the 35th

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 3 of Chapter 5 of Title 42 of the Official Code of Georgia Annotated,
2 relating to conditions of detention generally, so as to change the provisions relating to
3 allowing convicted persons to remain in local jails under certain circumstances; to provide
4 for related matters; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 style="text-align:center">**SECTION 1.**

7 Article 3 of Chapter 5 of Title 42 of the Official Code of Georgia Annotated, relating to
8 conditions of detention generally, is amended by revising subsection (c) of Code Section
9 42-5-50, relating to transmittal of information on convicted persons and place of detention,
10 as follows:

11 "(c) In the event that the attorney for the convicted person ~~shall file~~ files a written request
12 with the court setting forth that the presence of the convicted person is required within the
13 county of the conviction, or incarceration, in order to prepare and prosecute properly the
14 appeal of the conviction, the court may, in its discretion, grant such request. The convicted
15 person shall not be transferred to the correctional institution as provided in subsection (b)
16 of this Code section if such request is granted; and in. ~~In~~ such event the convicted person
17 shall remain in the custody of the local jail or lockup until ~~all appeals of the conviction~~
18 ~~shall be disposed of or until~~ further order of the court or the attorney of record for the
19 convicted person ~~shall file~~ files with the trial court an affidavit setting forth that the
20 presence of the convicted person is no longer required within the county in which the
21 conviction occurred, or in the county in which the convicted person is incarcerated,
22 whichever event shall first occur."

23 style="text-align:center">**SECTION 2.**

24 All laws and parts of laws in conflict with this Act are repealed.