

The House Committee on Judiciary Non-civil offers the following substitute to SB 4:

A BILL TO BE ENTITLED
AN ACT

1 To amend Title 15 of the Official Code of Georgia Annotated, relating to courts, so as to
2 require marshals to notify protected persons upon the service of certain protective orders; to
3 require sheriffs to notify protected persons upon the service of certain protective orders; to
4 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 Title 15 of the Official Code of Georgia Annotated, relating to courts, is amended by revising
9 Code Section 15-10-102, relating to the powers and duties of constables, as follows:

10 "15-10-102.

11 (a) The powers and duties of constables include the following:

- 12 (1) To attend regularly all sessions of magistrate court;
- 13 (2) To pay promptly over money collected by them to the magistrate court;
- 14 (3) To execute and return all warrants, summonses, executions, and other processes
15 directed to them by the magistrate court; and
- 16 (4) To perform such other duties as are required of them by law or as necessarily
17 appertain to their offices.

18 (b) Where a restraining order, protective order, injunction, or similar court order relating
19 to harassment, workplace violence, domestic violence, stalking, or elder abuse is served by
20 a marshal, such marshal shall be required to notify the protected person by electronic or
21 telephonic means that the order has been served on the restrained person. Notification shall
22 only be required if the protected person has requested notification and has provided a
23 telephone number or e-mail address to the marshal for purposes of notification. The
24 notification required by this subsection shall be made within 24 hours following the service
25 of the order and shall include the date and time when the order was served. At the time an

26 order is issued, the court shall notify the person requesting protection of his or her option
 27 to be notified as provided in this subsection."

28 **SECTION 2.**

29 Said title is further amended by revising Code Section 15-16-17, which is reserved, as
 30 follows:

31 "15-16-17.

32 Where a restraining order, protective order, injunction, or similar court order relating to
 33 harassment, workplace violence, domestic violence, stalking, or elder abuse is served by
 34 a sheriff or deputy sheriff, the sheriff shall be required to notify the protected person by
 35 electronic or telephonic means that the order has been served on the restrained person.
 36 Notification shall only be required if the protected person has requested notification and
 37 has provided a telephone number or e-mail address to the sheriff for purposes of
 38 notification. The notification required by this Code section shall be made within 24 hours
 39 following the service of the order and shall include the date and time when the order was
 40 served. At the time an order is issued, the court shall notify the person requesting such
 41 order of his or her option to be notified as provided in this Code section. ~~Reserved.~~"

42 **SECTION 3.**

43 This Act shall become effective on July 1, 2010.

44 **SECTION 4.**

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