

## Senate Bill 65

By: Senators Grant of the 25th, Crosby of the 13th, Hooks of the 14th and Harp of the 29th

A BILL TO BE ENTITLED  
AN ACT

1 To amend Code Section 42-8-35.4 of the Official Code of Georgia Annotated, relating to  
2 confinement in probation detention center, so as to change provisions relating to the  
3 sentencing and confinement of certain defendants in a probation detention center; to permit  
4 credit for time served in confinement while awaiting confinement in a probation detention  
5 center; to provide for related matters; to provide for an effective date and applicability; to  
6 repeal conflicting laws; and for other purposes.

7 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

8 **SECTION 1.**

9 Code Section 42-8-35.4 of the Official Code of Georgia Annotated, relating to confinement  
10 in probation detention center, is amended by revising subsection (a) as follows:

11 "(a) In addition to any other terms and conditions of probation provided for in this article,  
12 the trial judge may require that a defendant convicted of a felony and sentenced to a period  
13 of not less than one year on probation or a defendant who has been previously sentenced  
14 to probation for a forcible misdemeanor as defined in paragraph (7) of Code Section 16-1-3  
15 or a misdemeanor of a high and aggravated nature and has violated probation or other  
16 probation alternatives and is subsequently sentenced to a period of not less than one year  
17 on probation shall complete satisfactorily, as a condition of that probation, a program of  
18 confinement in a probation detention center not to exceed 120 days. Probationers so  
19 sentenced will be required to serve a the period of confinement as specified in the court  
20 order, ~~which confinement period shall be computed from the date of initial confinement in~~  
21 ~~the probation detention center."~~

22 **SECTION 2.**

23 This Act shall become effective on July 1, 2009, and shall apply to probationers sentenced  
24 on or after such date.

25

**SECTION 3.**

26 All laws and parts of laws in conflict with this Act are repealed.