

House Bill 226

By: Representatives Cheokas of the 134th, Barnard of the 166th, Lane of the 158th, Black of the 174th, Sellier of the 136th, and others

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.

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SECTION 3.

26 All laws and parts of laws in conflict with this Act are repealed.