

Senate Bill 73

By: Senators Hamrick of the 30th, Crosby of the 13th and Harp of the 29th

A BILL TO BE ENTITLED  
AN ACT

1 To amend Code Section 17-4-40 of the Official Code of Georgia Annotated, relating to  
2 persons who may issue warrants for arrest, so as to provide a judge of the magistrate court  
3 with certain authority regarding the issuance of certain warrants; to provide for related  
4 matters; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **SECTION 1.**

7 Code Section 17-4-40 of the Official Code of Georgia Annotated, relating to persons who  
8 may issue warrants for arrest, is amended by revising subsection (c) as follows:

9 "(c) Any warrant for the arrest of a peace officer, law enforcement officer, teacher, or  
10 school administrator for any offense alleged to have been committed while in the  
11 performance of his or her duties may be issued only by a the chief judge of a superior court,  
12 a judge of a state court, or a judge of a probate court, or a judge of a magistrate court who  
13 has been delegated such authority by written order of the chief superior court judge of the  
14 circuit in which the magistrate court judge holds office. The written order delegating such  
15 authority shall be valid for a period of one year but may be revoked by the chief superior  
16 court judge issuing such order at any time prior to the end of that one-year period."

17 **SECTION 2.**

18 All laws and parts of laws in conflict with this Act are repealed.