

House Bill 323

By: Representatives Ralston of the 7th and Willard of the 49th

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 2 of Chapter 10 of Title 17 of the Official Code of Georgia Annotated,
2 relating to the death penalty generally, so as to extend the period of review for the Supreme
3 Court's consideration of applications for pretrial proceedings in cases in which the death
4 penalty is sought; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **SECTION 1.**

7 Article 2 of Chapter 10 of Title 17 of the Official Code of Georgia Annotated, relating to the
8 death penalty generally, is amended by revising subsection (d) of Code Section 17-10-35.1,
9 relating to review of pretrial proceedings in cases in which the death penalty is sought, as
10 follows:

11 "(d) The Supreme Court shall issue an order granting review of the pretrial proceedings,
12 or portions thereof, or denying review within ~~20~~ 45 days of the date on which the case was
13 received. The order of the Supreme Court shall identify the matters which shall be subject
14 to review, and such matters may include, but need not be limited to, any matters called to
15 the court's attention in any of the reports or in any application for appeal. No notice of
16 appeal shall be required to be filed if review of the pretrial proceedings is granted. An order
17 granting review of pretrial proceedings shall specify the period of time within which each
18 party shall file briefs and reply briefs with respect to the matters identified in the Supreme
19 Court's order granting review. The Supreme Court may order oral argument or may render
20 a decision on the record and the briefs."

21 **SECTION 2.**

22 All laws and parts of laws in conflict with this Act are repealed.