

House Bill 602

By: Representatives Reece of the 11th, Glanton of the 76th, Porter of the 143rd, Smyre of the 132nd, Randall of the 138th, and others

A BILL TO BE ENTITLED
AN ACT

1 To establish the "State Public Safety Monitoring Act"; to amend Chapter 1 of Title 35 of the
2 Official Code of Georgia Annotated, relating to general provisions for law enforcement
3 officers and agencies, so as to provide for monitoring the state's level of public safety service;
4 to provide a short title; to provide for legislative intent; to provide for related matters; to
5 provide an effective date; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Chapter 1 of Title 35 of the Official Code of Georgia Annotated, relating to general
9 provisions for law enforcement officers and agencies, is amended by adding a new Code
10 section to read as follows:

11 "35-1-16.

12 (a) This Act shall be known and may be cited as the 'State Public Safety Monitoring Act.'

13 (b) The General Assembly finds that not only is public safety an essential function of state
14 government but it is also one of the primary purposes for which government is established.

15 In difficult economic times, it is of grave importance that this body ensure that public
16 safety is not sacrificed to the point of placing the citizens of this state at risk. It is the intent
17 of this Code section to aid the General Assembly in monitoring the level of public safety
18 services provided by the State of Georgia.

19 (c) As used in this Code section, the term 'certified peace officer' means an officer certified
20 by the Georgia Peace Officer Standards and Training Council, including but not limited to
21 a correctional officer, ranger, patrol officer, parole officer, probation officer, and other
22 officers certified by the council.

23 (d) Beginning on September 1, 2010, and on September 1 of each year thereafter, the state
24 auditor shall prepare a report providing the following information pertaining to the
25 preceeding fiscal year:

- 26 (1) The number of certified peace officer positions assigned to each state agency, the
27 percentage increase or decrease in positions and personnel for each agency from the
28 preceding year, and the percentage increase or decrease of positions and personnel for
29 each agency from five and 10 years preceding the date of the report;
- 30 (2) The average number of certified peace officer positions that remained filled for the
31 preceding year for each agency;
- 32 (3) State funds allocated for law enforcement purposes to each agency or division of
33 such agency and an inventory of funds actually spent for law enforcement purposes, by
34 each agency, indicating the functions or services funded, including amounts spent for
35 equipment, personnel services, buildings, vehicles, administrative costs, and costs for
36 other primary activities of each law enforcement agency or division, including amounts
37 spent for both certified peace officers and nonsworn staff;
- 38 (4) Itemized by agency, the percentage decrease or increase in funds provided for law
39 enforcement purposes to any agency employing certified peace officers and the
40 percentage decrease or increase of funds spent by the agency for such purposes;
- 41 (5) As provided by each agency employing certified peace officers, the number of
42 certified peace officers and the number of certified peace officer positions in the agency
43 compared to the number of such officers and positions in agencies performing similar
44 functions in states contiguous to the State of Georgia and states with populations similar
45 to Georgia's population;
- 46 (6) The average salary for each rank or position of certified peace officers within an
47 agency employing certified peace officers and the average number of years of service for
48 each rank, position, or employment level established by the agency;
- 49 (7) As provided by each agency employing certified peace officers, a comparison of the
50 salaries of certified peace officers serving in the agency to salaries of certified peace
51 officers in similar positions in agencies that are in states contiguous to the State of
52 Georgia and states with populations similar to Georgia's population; and
- 53 (8) Such other information as the law enforcement agency or state auditor shall
54 determine to provide so as to fulfill the intent of this Code section.
- 55 (e) Each state agency shall cooperate fully in providing information to the state auditor in
56 a timely manner, free of charge, and in such format as requested by the state auditor.
- 57 (f) The state auditor shall prepare an initial one-time report providing the information
58 required by paragraph (c) of this Code section for each year since 2003 through 2008.
59 Such initial report shall be prepared no later than September 30, 2009.
- 60 (g) The reports created pursuant to this Code section shall be public records subject to the
61 provisions of Chapter 18 of Title 50 of the Official Code of Georgia Annotated. A copy
62 of each report shall be provided to the Governor, President of the Senate, and Speaker of

63 the House of Representatives and to the chairperson of any standing public safety
64 committee. A copy of such report shall also be provided free of charge to any member of
65 the General Assembly who makes a request for such report in writing."

66 **SECTION 2.**

67 This Act shall become effective upon its approval by the Governor or upon its becoming law
68 without such approval.

69 **SECTION 3.**

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