

House Bill 738

By: Representatives Day of the 163rd, Talton of the 145th, Knox of the 24th, and Ehrhart of the 36th

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 1 of Title 35 of the Official Code of Georgia Annotated, relating to
2 general provisions pertaining to law enforcement officers and agencies, so as to prohibit
3 quotas or policies demanding arrests or the issuance of citations for the purpose of raising
4 revenue; to prohibit withholding or threatening to withhold funding from law enforcement
5 agencies under certain circumstances; to provide for related matters; to provide an effective
6 date; to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 style="text-align:center">**SECTION 1.**

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

12 "35-1-16.

13 (a) As used in this Code section, the term:

14 (1) 'Influence or demand' means any type of regulation, rule, policy, or practice carried
15 out by a local governing authority which requires a level of performance whether
16 required orally, in writing, or implied by actions and without regard to whether such
17 policy or practice is officially adopted.

18 (2) 'Law enforcement unit' shall have the same meaning as provided in Code Section
19 35-8-2, relating to definitions for employment and training of peace officers.

20 (3) 'Local governing authority' means any political subdivision of this state, including
21 any county, consolidated government, municipality, commission, board, council, or any
22 other local public body corporate, governmental unit, or political subdivision of this state.

23 (b) No local governing authority or law enforcement unit shall by influence or demand
24 require that peace officers employed by a law enforcement unit meet quotas for arrests or
25 the issuance of citations or otherwise increase or maintain the number of arrests or citations
26 for the purpose of providing or increasing revenue.

27 (c) No local governing authority shall withhold or decrease or threaten, suggest, or imply
28 that such local governing authority will withhold or decrease any funding, revenues, or the
29 operation budget for a law enforcement unit that fails to meet quotas for arrests or the
30 issuance of citations or otherwise fails to increase or maintain the number of arrests or
31 citations for the purpose of maintaining or increasing revenue.

32 (d) Any local governing authority or law enforcement unit that fails to abide by any
33 requirement of this Code section shall have any and all state funding or state administered
34 federal funding withheld by the funding state agency."

35 **SECTION 2.**

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

38 **SECTION 3.**

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