

Senate Bill 133

By: Senators Thompson of the 5th and Millar of the 40th

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 8 of Title 35 of the Official Code of Georgia Annotated, relating to
2 employment and training of peace officers, so as to provide that persons who have been
3 given permanent resident status in the United States by the United States Citizenship and
4 Immigration Services are eligible to be certified and employed as peace officers in this state;
5 to provide for related matters; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Chapter 8 of Title 35 of the Official Code of Georgia Annotated, relating to employment and
9 training of peace officers, is amended by revising subsection (a) of Code Section 35-8-8,
10 relating to requirements for appointment or certification of persons as peace officers and
11 preemployment attendance at basic training course, as follows:

12 "(a) Any person employed or certified as a peace officer shall:

13 (1) Be at least 18 years of age;

14 (2) Be a citizen of the United States or an alien who has been given permanent resident
15 status in the United States by the United States Citizenship and Immigration Services;

16 (3) Have a high school diploma or its recognized equivalent;

17 (4) Not have been convicted by any state or by the federal government of any crime the
18 punishment for which could have been imprisonment in the federal or state prison or
19 institution nor have been convicted of sufficient misdemeanors to establish a pattern of
20 disregard for the law, provided that, for purposes of this paragraph, violations of traffic
21 laws and other offenses involving the operation of motor vehicles when the applicant has
22 received a pardon shall not be considered;

23 (5) Be fingerprinted for the purpose of conducting a fingerprint based search at the
24 Georgia Bureau of Investigation and the Federal Bureau of Investigation to determine the
25 existence of any criminal record;

- 26 (6) Possess good moral character as determined by investigation under procedure
27 established by the council;
- 28 (7) Be found, after examination by a licensed physician or surgeon, to be free from any
29 physical, emotional, or mental conditions which might adversely affect his or her
30 exercising the powers or duties of a peace officer; and
- 31 (8) Successfully complete a job related academy entrance examination provided for and
32 administered by the council in conformity with state and federal law. Such examination
33 shall be administered prior to entrance to the basic course provided for in Code
34 Sections 35-8-9 and 35-8-11. The council may change or modify such examination and
35 shall establish the criteria for determining satisfactory performance on such examination.
36 Peace officers who do not perform satisfactorily on the examination shall be ineligible
37 to retake such examination for a period of six months after an unsuccessful attempt. The
38 provisions of this paragraph establish only the minimum requirements of academy
39 entrance examinations for peace officer candidates in this state; each law enforcement
40 unit is encouraged to provide such additional requirements and any preemployment
41 examination as it deems necessary and appropriate."

42 **SECTION 2.**

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