

House Bill 203 (AS PASSED HOUSE AND SENATE)

By: Representatives Jackson of the 142nd, Bearden of the 68th, Frazier of the 123rd, Harden of the 28th, Abrams of the 84th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 8 of Title 35 of the Official Code of Georgia Annotated, relating to the
2 employment and training of peace officers, so as to provide that the Georgia Peace Officers
3 Standards and Training Council shall make certain notifications when undertaking to
4 investigate or discipline peace officers; to provide for related matters; to repeal conflicting
5 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 the employment
9 and training of peace officers, is amended by revising Code Section 35-8-7.1, relating to the
10 authority of the council to refuse certificate to applicant or to discipline certified peace
11 officer or exempt peace officer, by adding two new subsections to read as follows:

12 "(e) Upon initiating an investigation of a peace officer for possible disciplinary action or
13 upon disciplining a peace officer pursuant to this Code section, the council shall notify the
14 head of the law enforcement agency that employs such peace officer of the investigation
15 or disciplinary action. In the case of an investigation, it shall be sufficient to identify the
16 peace officer and state that a disciplinary investigation has been opened. Notice of the
17 initiation of an investigation shall be sent by priority mail. If the investigation is completed
18 without any further action, notice of the termination of such investigation shall also be
19 provided to the head of the employing agency. In the case of disciplinary action, the notice
20 shall identify the officer and state the nature of the disciplinary action taken. The notice
21 of disposition shall be sent only after the action of the council is deemed final. Such notice
22 shall be sent by priority mail.

23 (f) If the certification of a peace officer is suspended or revoked by either the executive
24 director or council, then the council shall notify the head of the law enforcement agency
25 that employs the peace officer; the district attorney of the judicial circuit in which such law
26 enforcement agency is located; and the solicitor of the state court, if any, of the county in

27 which such law enforcement agency is located. It shall be sufficient for this notice to
28 identify the officer and state the length of time, if known, that the officer will not have
29 powers of arrest. Such notice shall be sent by priority mail."

30

SECTION 2.

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