

House Bill 727

By: Representative Sims of the 169th

A BILL TO BE ENTITLED
AN ACT

1 To amend Part 2 of Article 4 of Chapter 6 of Title 17 of the Official Code of Georgia
2 Annotated, relating to bonds to keep the peace, so as to repeal a population provision relating
3 to actions constituting violations of bond and right of action for breach of bond; to enact a
4 new Code section providing for violations of posted bonds; to authorize a ruling of contempt;
5 to provide for an effective date and applicability; to repeal conflicting laws; and for other
6 purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Part 2 of Article 4 of Chapter 6 of Title 17 of the Official Code of Georgia Annotated,
10 relating to bonds to keep the peace, is amended by repealing Code Section 17-6-112, relating
11 to actions constituting violations of bond, right of action for breach of bond generally,
12 imposition of additional penalty for contempt of court, and finding of prosecuting witness
13 in contempt, and enacting a new Code section to read as follows:

14 "17-6-112.

15 (a) Actual violence, a threat of violence, or any other act intended and calculated to excite
16 alarm or to provoke a breach of the peace shall be a violation of the bond posted pursuant
17 to Code Section 17-6-110. For every such act, the party at whose instance the bond was
18 required shall have a right of action.

19 (b) In counties in which there is located a municipal court, upon oral or written complaint
20 by the injured party, the municipal court may in its discretion issue a rule for contempt
21 against the offending defendant. Upon hearing the rule, if the court finds that there has
22 been a violation of the bond, the court may, in addition to the remedy provided in
23 subsection (a) of this Code section, impose a sentence for contempt of court. If it should
24 appear to the court from the evidence and the court finds that the breach of the peace was
25 provoked or brought about by the conduct of the prosecuting witness, the witness may be
26 ruled for contempt of court and sentenced as provided by law."

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SECTION 2.

28 This Act shall become effective on July 1, 2014, and shall apply to violations of bond and
29 breaches of the peace occurring on or after such date.

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SECTION 3.

31 All laws and parts of laws in conflict with this Act are repealed.