

House Bill 803

By: Representatives Benton of the 31st, Kaiser of the 59th, and Drenner of the 85th

A BILL TO BE ENTITLED
AN ACT

1 To amend Title 35 of the Official Code of Georgia Annotated, relating to law enforcement
2 officers and agencies, so as to require law enforcement agencies to develop policies
3 addressing how peace officers shall negotiate their encounters with domesticated pet animals;
4 to provide for training requirements for peace officers in behavioral characteristics of
5 domesticated pet animals; to provide for definitions; to provide for penalties; to repeal
6 conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

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

12 "35-1-18.

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

14 (1) 'Animal' means a dog, cat, bird, reptile, and any other domesticated animal
15 customarily maintained as a pet in or near the household of its owner.

16 (2) 'Peace officer' shall have the meaning as provided for in paragraph (8) of Code
17 Section 35-8-2.

18 (b) On and after July 1, 2014, each state, county, and local law enforcement agency shall
19 adopt written policies that set forth the manner in which peace officers employed or
20 appointed by the law enforcement agency shall negotiate encounters with animals and the
21 ways in which a peace officer can control and neutralize an animal that is or becomes
22 aggressive that utilizes the least amount of force or likelihood of harm to the animal
23 necessary to protect the officer and the public. Law enforcement agencies which do not
24 comply with the requirements of this Code section are subject to the withholding of any
25 state funding or state administered federal funding."

SECTION 2.

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27 Said title is further amended in Chapter 8, relating to employment and training of peace
28 officers, by adding a new Code section to read as follows:

29 "35-8-27.

30 (a) As used in this Code section, the term 'animal' means a dog, cat, bird, reptile, and any
31 other domesticated animal customarily maintained as a pet in or near the household of its
32 owner.

33 (b) Any person employed or appointed as a peace officer shall complete training in
34 behavioral characteristics of animals as provided for by this Code section.

35 (c) The training as provided for in subsection (b) of this Code section shall instruct
36 candidates and peace officers in:

37 (1) Basic animal behavioral characteristics and traits and methods by which a peace
38 officer can ascertain whether an animal is likely to be or to become aggressive;

39 (2) Situations and environments in which an animal is more likely to be or to become
40 aggressive and methods by which a peace officer can control or alter these situations or
41 environments in order to best protect the officer and other people; and

42 (3) Ways in which a peace officer can control and neutralize an animal that is or
43 becomes aggressive in a manner that utilizes the least amount of force or likelihood of
44 harm to the animal necessary to protect the officer and other people.

45 (d) As of July 1, 2014, the council shall include the training as provided for in
46 subsection (b) of this Code section in the requirements of any basic training course as
47 provided for in Code Section 35-8-9 that commences on or after said date.

48 (e) Candidates who have successfully completed a basic training course and who did not
49 receive the training as provided for in subsection (b) of this Code section and all peace
50 officers who are not exempt from compliance with Code Section 35-8-21 shall, by July 1,
51 2016, complete the training as provided for in subsection (b) of this Code section in
52 sessions approved by the council; provided, however, that if a peace officer is a
53 commissioned officer of the Department of Public Safety he or she shall complete such
54 training in sessions approved by the commissioner of public safety. Peace officers shall
55 provide the council with confirmation of training.

56 (f) Failure by any peace officer to complete the training as provided for by this Code
57 section shall result in an emergency suspension of the officer's certification by the
58 executive director of the council. The order of emergency suspension issued by the
59 executive director shall be made in writing and shall specify the basis for the determination.
60 The emergency suspension order shall continue in effect until the training requirements are
61 confirmed as completed and thereafter automatically withdrawn."

62

SECTION 3.

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