

Senate Resolution 460

By: Senators Jones II of the 22nd, Stone of the 23rd, Parent of the 42nd, Fort of the 39th, Harper of the 7th and others

A RESOLUTION

- 1 Creating the Senate Minor Traffic Offense Study Committee; and for other purposes.
- 2 WHEREAS, Georgia has a population exceeding ten million residents; and
- 3 WHEREAS, Georgia is the eighth largest state in the nation and one of the fastest growing
4 states in the nation; and
- 5 WHEREAS, Georgia's courts are often backlogged and overloaded with cases; and
- 6 WHEREAS, based on Georgia's anticipated growth, Georgia's courts could become
7 unmanageable if the state continues to treat minor traffic offenses as criminal offenses; and
- 8 WHEREAS, an indigent defendant who requests an attorney must be appointed a public
9 defender to represent him or her for criminal traffic offenses such as speeding, failure to
10 maintain a lane, and running a stop sign; and
- 11 WHEREAS, the appointment of criminal defense attorneys for minor traffic offenses will
12 continue to place extreme demands on Georgia's criminal justice system; and
- 13 WHEREAS, resources used to prosecute and defend minor criminal offenses could be better
14 served toward more serious offenses; and
- 15 WHEREAS, an in-depth look at the benefits and costs of treating minor traffic offenses as
16 civil infractions is needed to consider whether the practice would be viable in Georgia.
- 17 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE:
- 18 (1) **Creation of Senate study committee.** There is created the Senate Minor Traffic
19 Offense Study Committee.

20 (2) **Members and officers.** The committee shall be composed of six members of the
21 Senate to be appointed by the President of the Senate. The President shall designate a
22 member of the committee as chairperson of the committee.

23 (3) **Powers and duties.** The committee shall undertake a study of the conditions, needs,
24 issues, and problems mentioned above or related thereto and recommend any action or
25 legislation which the committee deems necessary or appropriate.

26 (4) **Meetings.** The chairperson shall call all meetings of the committee. The committee
27 may conduct such meetings at such places and at such times as it may deem necessary or
28 convenient to enable it to exercise fully and effectively its powers, perform its duties, and
29 accomplish the objectives and purposes of this resolution.

30 (5) **Allowances and funding.**

31 (A) The legislative members of the committee shall receive the allowances provided
32 for in Code Section 28-1-8 of the Official Code of Georgia Annotated.

33 (B) The allowances authorized by this resolution shall not be received by any member
34 of the committee for more than five days unless additional days are authorized. Funds
35 necessary to carry out the provisions of this resolution shall come from funds
36 appropriated to the Senate.

37 (6) **Report.**

38 (A) In the event the committee adopts any specific findings or recommendations that
39 include suggestions for proposed legislation, the chairperson shall file a report of the
40 same prior to the date of abolishment specified in this resolution, subject to
41 subparagraph (C) of this paragraph.

42 (B) In the event the committee adopts a report that does not include suggestions for
43 proposed legislation, the chairperson shall file the report, subject to subparagraph (C)
44 of this paragraph.

45 (C) No report shall be filed unless the same has been approved prior to the date of
46 abolishment specified in this resolution by majority vote of a quorum of the committee.
47 A report so approved shall be signed by the chairperson of the committee and filed with
48 the Secretary of the Senate.

49 (D) In the absence of an approved report, the chairperson may file with the Secretary
50 of the Senate a copy of the minutes of the meetings of the committee in lieu thereof.

51 (7) **Abolishment.** The committee shall stand abolished on December 1, 2016.