

House Bill 718

By: Representatives Waites of the 60th, Thomas of the 56th, Dawkins-Haigler of the 91st, Scott of the 76th, Jones of the 53rd, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 1 of Chapter 1 of Title 42 of the Official Code of Georgia Annotated,
2 relating to inmate policies and penal institutions, so as to prohibit the use of restraints on
3 pregnant inmates under certain circumstances; to provide for related matters; to repeal
4 conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 style="text-align:center">**SECTION 1.**

7 Article 1 of Chapter 1 of Title 42 of the Official Code of Georgia Annotated, relating to
8 inmate policies and penal institutions, is amended by adding a new Code section to read as
9 follows:

10 "42-1-11.3.

11 (a) For purposes of this Code section, the term 'inmate' means any pregnant female who
12 is incarcerated in a place of confinement for persons accused or convicted of violating a
13 law of this state or an ordinance of a political subdivision of this state.

14 (b) The use of individual mechanical restraints, including handcuffs and shackles, on an
15 inmate while she is experiencing labor or during delivery or postdelivery recovery shall be
16 prohibited unless there is a reasonable basis to believe that the use of restraints is necessary
17 to prevent such inmate from injuring herself or others."

18 style="text-align:center">**SECTION 2.**

19 All laws and parts of laws in conflict with this Act are repealed.