

## House Resolution 47

By: Representatives Scott of the 76<sup>th</sup>, Beverly of the 143<sup>rd</sup>, Stephenson of the 90<sup>th</sup>, Trammell of the 132<sup>nd</sup>, and Thomas of the 39<sup>th</sup>

## A RESOLUTION

1 Creating the House Study Committee on the Decriminalization of Traffic Violations; and for  
2 other purposes.

3 WHEREAS, a majority of traffic violations in the State of Georgia are considered  
4 misdemeanor crimes; and

5 WHEREAS, a person found guilty of a misdemeanor in Georgia can face a fine of up to  
6 \$1,000 and a year in jail; and

7 WHEREAS, criminal penalties and the threat of jail time should be reserved for serious  
8 offenses that threaten the safety of society; and

9 WHEREAS, over the past several years, Georgia has stood as a shining national example for  
10 criminal justice reform; and

11 WHEREAS, because the United States and Georgia Constitutions guarantee persons a right  
12 to a jury trial for criminal accusations, a person ticketed for a simple moving violation may  
13 demand that the case be transferred to superior court in order to have a trial before a jury of  
14 his or her peers; and

15 WHEREAS, binding such cases over can result in years of backlogs for minor traffic tickets,  
16 placing an unnecessary burden on the state's court system and preventing local governments  
17 from timely collecting fines for infractions; and

18 WHEREAS, many of our neighboring states do not categorize traffic violations as crimes and  
19 instead impose civil penalties for such offenses; and

20 WHEREAS, a thorough study of Georgia's traffic laws is needed to determine which offenses  
21 warrant classification as a criminal misdemeanor and which should be downgraded to a  
22 simple civil penalty.

23 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES:

24 (1) **Creation of House study committee.** There is created the House Study Committee  
25 on the Decriminalization of Traffic Violations.

26 (2) **Members and officers.** The committee shall be composed of five members of the  
27 House of Representatives to be appointed by the Speaker of the House of  
28 Representatives. The Speaker shall designate a member of the committee as chairperson  
29 of the committee.

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

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

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

38 (A) Members of the committee who are members of the General Assembly shall  
39 receive the allowances provided for in Code Section 28-1-8 of the Official Code of  
40 Georgia Annotated.

41 (B) The allowances authorized by this resolution shall not be received by any member  
42 of the committee for more than five days unless additional days are authorized. Funds  
43 necessary to carry out the provisions of this resolution shall come from funds  
44 appropriated to the House of Representatives.

45 (6) **Report.**

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

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

53 (C) No report shall be filed unless the same has been approved prior to the date of  
54 abolishment specified in this resolution by majority vote of a quorum of the committee.

55 A report so approved shall be signed by the chairperson of the committee and filed with  
56 the Clerk of the House of Representatives.

57 (D) In the absence of an approved report, the chairperson may file with the Clerk of the  
58 House of Representatives a copy of the minutes of the meetings of the committee in lieu  
59 thereof.

60 (7) **Abolishment.** The committee shall stand abolished on December 1, 2019.