

House Bill 941

By: Representatives Efstoration of the 104th, Hitchens of the 161st, and Lumsden of the 12th

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 3 of Chapter 5 of Title 16, Article 1 of Chapter 15 of Title 45, and Article 7
2 of Chapter 4 of Title 49 of the Official Code of Georgia Annotated, relating to kidnapping,
3 false imprisonment, and related offenses, general provisions regarding the Attorney General,
4 and medical assistance generally, respectively, so as to provide for authority of the Attorney
5 General to investigate and prosecute certain crimes and offenses; to provide for definitions;
6 to provide for authority of the Attorney General to employ peace officers for certain
7 purposes; to provide for related matters; to repeal conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 Article 3 of Chapter 5 of Title 16 of the Official Code of Georgia Annotated, relating to
11 kidnapping, false imprisonment, and related offenses, is amended in Code Section 16-5-46,
12 relating to trafficking of persons for labor or sexual servitude, by adding a new paragraph to
13 subsection (a) and by revising subsection (h) as follows:

14 "(5.1) 'Peace officer' shall have the same meaning as provided for in Code
15 Section 35-8-2."

16 "(h)(1) Prosecuting attorneys and the Attorney General shall have concurrent authority
17 to prosecute any criminal cases arising under the provisions of this Code section and to
18 perform any duty that necessarily appertains thereto.

19 (2) For purposes of investigating offenses or criminal cases arising under the provisions
20 of this Code section, the Attorney General shall have the authority to employ peace
21 officers who shall be authorized to execute all powers of a peace officer."

22 **SECTION 2.**

23 Article 1 of Chapter 15 of Title 45 of the Official Code of Georgia Annotated, relating to
24 general provisions regarding the Attorney General, is amended in Code Section 45-15-17,

25 relating to power to conduct investigations generally and issuance and enforcement of
26 subpoenas, by adding a new subsection to read as follows:

27 "(e)(1) As used in this subsection, 'peace officer' shall have the same meaning as
28 provided for in Code Section 35-8-2.

29 (2) For the purposes of this Code section, the Attorney General shall have the authority
30 to employ peace officers who shall be authorized to execute all powers of a peace
31 officer."

32 **SECTION 3.**

33 Article 7 of Chapter 4 of Title 49 of the Official Code of Georgia Annotated, relating to
34 medical assistance generally, is amended in Code Section 49-4-146.1, relating to unlawful
35 acts, violations and penalties, recovery of excess amounts, termination and reinstatement of
36 providers, duty of department to identify and investigate violations, notifications, and
37 authorization to obtain income eligibility verification, by adding a new paragraph to
38 subsection (a) and by adding a new subsection to read as follows:

39 "(5.1) 'Peace officer' shall have the same meaning as provided for in Code Section
40 35-8-2."

41 "(k)(1) The Attorney General shall have the authority to investigate and prosecute any
42 offenses or criminal cases arising under the provisions of this Code section and to
43 perform any duty that necessarily appertains thereto.

44 (2) For purposes of investigating offenses or criminal cases arising under the provisions
45 of this Code section, the Attorney General shall have the authority to employ peace
46 officers who shall be authorized to execute all powers of a peace officer."

47 **SECTION 4.**

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