

Senate Bill 394

By: Senators Albers of the 56th, Robertson of the 29th, Harper of the 7th, Brass of the 28th and Martin of the 9th

AS PASSED SENATE

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 subparagraph (A)
15 of paragraph (8) of Code 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 subparagraph (A) of paragraph (8) of 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 subparagraph (A)
 40 of paragraph (8) of Code Section 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.