

ADOPTED

Senator Cowser of the 46th offered the following amendment:

1 *Amend HB 926 (LC 48 1298S) by inserting by inserting after "juvenile;" on line 3 the*
2 *following:*

3 to amend Title 17 of the Official Code of Georgia Annotated, relating to criminal
4 procedure, so as to revise provisions relating to procedure for arrests by citation for motor
5 vehicle violations in lieu of arrest for certain offenses;

6 *By inserting between lines 251 and 252 the following:*

7 **SECTION 8A.**

8 Title 17 of the Official Code of Georgia Annotated, relating to criminal procedure, is
9 amended in Code Section 17-4-23, relating to procedure for arrests by citation for motor
10 vehicle violations, issuance of warrants for arrest for failure of persons charged to appear in
11 court, and bond, by revising paragraph (2) of subsection (a) as follows:

12 "(2) A law enforcement officer may arrest a person who meets the minimum age
13 requirements provided for in Code Section 16-3-1 accused of any misdemeanor violation
14 of Code Section 16-7-21, 16-8-14, 16-8-14.1, or 16-13-30 by the issuance of a citation,
15 provided that such offense is committed in his or her presence or information constituting
16 a basis for such arrest was received by the arresting officer or an investigating officer
17 from another law enforcement officer or other individual observing or aware of such
18 offense being committed. When an arrest is made for such offense, prior to releasing the
19 accused on citation, the arresting law enforcement officer shall review the accused's
20 criminal record as such is on file with the Federal Bureau of Investigation and the
21 Georgia Crime Information Center within the Georgia Bureau of Investigation and ensure
22 that the accused's fingerprints are obtained."