

House Bill 528

By: Representatives Neal of the 74th, Gilliard of the 162nd, Frye of the 118th, Boddie of the 62nd, and Taylor of the 91st

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 1 of Title 51 of the Official Code of Georgia Annotated, relating to
2 general provisions of torts, so as to provide protections for law enforcement officers
3 defending persons from excessive use of force by other law enforcement officers; to provide
4 for a definition; to provide for a penalty; to provide for related matters; to repeal conflicting
5 laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Chapter 1 of Title 51 of the Official Code of Georgia Annotated, relating to general
9 provisions of torts, is amended by adding a new Code section to read as follows:

10 "51-1-30.5.

11 (a) As used in this Code section, the term 'excessive force' means the use of force in excess
12 of what a law enforcement officer reasonably believes is necessary to diffuse an incident
13 or to protect themselves or other persons from harm.

14 (b) A law enforcement officer at the scene of an emergency who knows that another
15 person is exposed to or has suffered grave physical harm by another law enforcement
16 officer shall give reasonable assistance to such person to the extent that such law

17 enforcement officer can do so without danger or peril to self or others. Reasonable
18 assistance may include:

19 (1) Interceding on behalf of a citizen whose constitutional rights are being violated in the
20 presence of such law enforcement officer by another law enforcement officer;

21 (2) Interceding on behalf of a citizen when excessive force is being used in the presence
22 of such law enforcement officer by another law enforcement officer; or

23 (3) Obtaining or attempting to obtain aid from other law enforcement officers or medical
24 personnel.

25 (c) A law enforcement officer who reports any incident of observed excessive force by
26 another law enforcement officer shall have the protections provided for in subsection (d)
27 of Code Section 45-1-4.

28 (d) A law enforcement officer who violates this Code section shall be guilty of a
29 misdemeanor of a high and aggravated nature."

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SECTION 2.

31 All laws and parts of laws in conflict with this Act are repealed.