

House Bill 1379

By: Representatives Corbett of the 174<sup>th</sup>, Ridley of the 6<sup>th</sup>, Burchett of the 176<sup>th</sup>, Hogan of the 179<sup>th</sup>, and Rhodes of the 120<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Title 35 of the Official Code of Georgia Annotated, relating to law enforcement  
2 officers and agencies, so as to establish the Georgia Motor Vehicle Crime Prevention  
3 Commission; to provide for definitions; to assign such commission to the Georgia Bureau  
4 of Investigation; to provide for membership; to provide for compensation of members; to  
5 provide for duties; to authorize the acceptance of funds; to provide for the establishment of  
6 a grant program to support local law enforcement agencies and multi-jurisdiction task forces  
7 relative to motor vehicle related crime prevention initiatives; to provide for standards and  
8 conditions for such grant program; to provide for recommendations and reporting; to provide  
9 for related matters; to repeal conflicting laws; and for other purposes.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

11 **SECTION 1.**

12 Title 35 of the Official Code of Georgia Annotated, relating to law enforcement officers and  
13 agencies, is amended by revising Chapter 7, designated as reserved, as follows:

## "CHAPTER 7

14  
15  
16  
17  
18  
19  
20  
21  
  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38

35-7-1.

(a) As used in this chapter, the term:

(1) 'Bureau' means the Georgia Bureau of Investigation.

(2) 'Commission' means the Georgia Motor Vehicle Crime Prevention Commission.

(b) There is established the Georgia Motor Vehicle Crime Prevention Commission which is assigned to the Georgia Bureau of Investigation for administrative purposes only, as provided for in Code Section 50-4-3.

35-7-2.

(a) The commission shall consist of:

(1) The director of the bureau or his or her designee from within the bureau;

(2) The state revenue commissioner or his or her designee from within the Department of Revenue;

(3) The Commissioner of Insurance or his or her designee from within the Department of Insurance;

(4) A member of the Georgia State Patrol;

(5) Three representatives of insurance companies authorized to issue motor vehicle insurance;

(6) A licensed new or used motor vehicle dealer;

(7) A licensed used motor vehicle parts dealer;

(8) A registered secondary metals recycler; and

(9) One representative from each of the following:

(A) The motor vehicle rental industry;

(B) The Georgia Association of Chiefs of Police;

(C) The Georgia Sheriffs' Association;

39 (D) The District Attorneys Association of Georgia; and

40 (E) A consumer protection group.

41 (b) The Governor shall appoint those members listed in paragraphs (4) through (9) of  
42 subsection (a) of this Code section.

43 (c) Members of the commission shall serve for terms of four years. The commission shall  
44 elect a chairperson from among its membership and may elect such other officers and  
45 committees as it considers appropriate.

46 (d) In the event of death, resignation, disqualification, or removal for any reason of any  
47 member of the commission, vacancies shall be filled in the same manner as the original  
48 appointment and successors shall serve for the unexpired term.

49 (e) Membership on the commission shall not constitute public office, and no member shall  
50 be disqualified from holding public office by reason of his or her membership on the  
51 commission.

52 35-7-3.

53 Members of the commission shall receive a daily expense allowance in the amount  
54 specified in subsection (b) of Code Section 45-7-21, as well as the mileage or  
55 transportation allowance authorized for state employees. Members of the commission who  
56 are state officials or state employees shall receive no compensation for their services on the  
57 commission but shall be reimbursed for expenses incurred in the performance of their  
58 duties as members of the commission in the same manner as they are reimbursed for  
59 expenses in their capacities as state officials or state employees. The funds necessary for  
60 the reimbursement of the expenses of state officials and state employees shall come from  
61 funds appropriated or otherwise available to their respective departments.

62 35-7-4.

63 (a) The commission shall:

- 64 (1) Meet at such times and places as it shall determine necessary or convenient to  
65 perform its duties;
- 66 (2) Maintain minutes of its meetings;
- 67 (3) Adopt rules and regulations for the transaction of its business;
- 68 (4) Accept and review applications for grants issued pursuant to Code Section 35-7-6 and  
69 make recommendations to the bureau for awards thereof;
- 70 (5) Promote state-wide planning and coordination of the investigation and prosecution  
71 of crimes relating to motor vehicle and motor vehicle parts theft;
- 72 (6) Provide support to local prosecutors handling motor vehicle and motor vehicle parts  
73 theft related prosecutions;
- 74 (7) Provide support to multi-jurisdiction task forces established by local law enforcement  
75 agencies for the purpose of preventing, reducing, and investigating motor vehicle related  
76 crime;
- 77 (8) Maintain records of all funds received, expended, and disbursed pursuant to this  
78 chapter; and
- 79 (9) Conform to the standards and requirements prescribed by the State Accounting  
80 Office pursuant to Chapter 5B of Title 50.
- 81 (b) The commission shall utilize existing state resources and staff of the bureau or the  
82 Department of Revenue whenever practicable.
- 83 35-7-5.
- 84 The commission may accept federal funds granted by Congress or executive order for the  
85 purposes of this chapter, as well as gifts and donations from individuals, private  
86 organizations, or foundations. The acceptance and use of federal funds shall not commit  
87 state funds and shall not place an obligation upon the General Assembly to continue the  
88 purposes for which the federal funds are made available.

89 35-7-6.

90 (a) Subject to available funding, the commission shall establish a grant program for the  
91 provision of funds to local law enforcement agencies and multi-jurisdiction task forces to  
92 improve and support motor vehicle related crime prevention initiatives.

93 (b) The grants provided for in this Code section shall be awarded through coordination  
94 with the bureau for programs focused on the:

95 (1) Prevention, reduction, and investigation of motor vehicle and motor vehicle parts  
96 theft;

97 (2) Prevention, reduction, and investigation of motor vehicle related crime;

98 (3) Establishment of multi-jurisdiction task forces upon request of local law enforcement  
99 agencies;

100 (4) Investigation of fraud related to motor vehicle insurance, motor vehicle dealer  
101 purchases, and motor vehicle rental transactions and other forms of financial fraud  
102 relating to motor vehicles;

103 (5) Hiring of personnel by local law enforcement agencies for the purpose of preventing,  
104 reducing, and investigating motor vehicle related crime;

105 (6) Purchase of equipment and technology for support in motor vehicle related crime  
106 prevention, reduction, and investigation;

107 (7) Provision of training to local law enforcement agencies and multi-jurisdiction task  
108 forces relative to motor vehicle related crime prevention, reduction, and investigation;  
109 and

110 (8) Production of public awareness materials and programs relating to motor vehicle  
111 related crime prevention.

112 (c) Each grant application shall describe the type of motor vehicle related crime  
113 prevention, reduction, investigation, enforcement, prosecution, or offender rehabilitation  
114 program to be implemented. Such programs may include, but shall not be limited to:

115 (1) Multi-jurisdiction task forces and programs utilizing the National Insurance Crime  
116 Bureau task force which reduce motor vehicle related crime and increase the  
117 apprehension of motor vehicle and motor vehicle parts thieves and persons who attempt  
118 to defraud insurance companies;

119 (2) Motor vehicle related crime prevention efforts, activities, and public awareness  
120 campaigns intended to reduce victimization by motor vehicle related crime and fraud;

121 (3) The provision of specialized training for motor vehicle related crime investigation  
122 personnel, including, but not limited to, law enforcement personnel, local motor vehicle  
123 registration agents and title clerks, and port facility employees, in order to enhance  
124 knowledge, skills, procedures, and systems to detect, prevent, and combat motor vehicle  
125 related crime and fraud;

126 (4) The provision of support and maintenance by one or more dedicated prosecutors who  
127 have the specific mission and expertise to provide legal guidance and prosecutorial  
128 continuity to complex criminal cases arising from the activities of a multi-jurisdiction  
129 task force; and

130 (5) The prevention of future criminal behavior by first time offenders who have been  
131 charged, convicted, or adjudicated for a motor vehicle related crime.

132 (d) To the extent possible, grants awarded pursuant to this Code section shall be awarded  
133 to local law enforcement agencies, multi-jurisdiction task forces, or other qualified  
134 applicants in a variety of geographic areas of the state. The ability to contribute additional  
135 moneys or match funding for a program shall not be required as a condition of receipt of  
136 a grant pursuant to this Code section.

137 35-7-7.

138 The commission may recommend to the Governor and the General Assembly changes in  
139 state programs, statutes, policies, budgets, and standards relating to improving and

140 supporting the motor vehicle related crime prevention initiatives of local law enforcement  
141 agencies and multi-jurisdiction task forces.

142 35-7-8.

143 On or before December 31 of each year, the commission shall report to the Governor and  
144 the House and Senate Judiciary Committees the financial status of the grant program and  
145 a summary of its operations for the preceding year. Such report shall include the number  
146 and geographic area of local law enforcement agencies, multi-jurisdiction task forces, or  
147 other qualified applicants awarded grants; the amount and duration of such grants; and the  
148 effect such grants have had upon the number of incidents of motor vehicle related crime  
149 in the geographic area."

150

## **SECTION 2.**

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