

Senate Bill 31

By: Senators Beach of the 21st, Dolezal of the 27th, Gooch of the 51st, Kirkpatrick of the 32nd, Hatchett of the 50th and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 1 of Chapter 18 of Title 15 of the Official Code of Georgia Annotated,
2 relating to general provisions relative to prosecuting attorneys, so as to provide for the
3 reimbursement of expenses incurred by the Attorney General in prosecuting a criminal case
4 or cases due to the failure of a district attorney to prosecute such criminal case or cases; to
5 provide for related matters; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Article 1 of Chapter 18 of Title 15 of the Official Code of Georgia Annotated, relating to
9 general provisions relative to prosecuting attorneys, is amended by adding a new Code
10 section to read as follows:

11 "15-18-12.1.

12 When a district attorney fails to prosecute a criminal case or cases that the district attorney
13 and the Attorney General have concurrent authority to prosecute and, as a result of such
14 failure, the Attorney General prosecutes such criminal case or cases, the Department of
15 Law shall be entitled to reimbursement of actual costs and expenses incurred in the

16 prosecution of such criminal case or cases from those funds made available to the district
17 attorney's office that failed to prosecute such criminal case or cases."

18 **SECTION 2.**

19 All laws and parts of laws in conflict with this Act are repealed.