

House Bill 268

By: Representatives Corbett of the 174th, Powell of the 33rd, Ridley of the 6th, Mathis of the 149th, and Barton of the 5th

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 6A of Title 35 of the Official Code of Georgia Annotated, relating to
2 criminal justice coordinating council, so as to provide for the establishment of a grant
3 program to support local law enforcement agencies and multi-jurisdiction task forces relative
4 to motor vehicle related crime prevention initiatives; to provide for standards and conditions
5 for such grant program; to provide for recommendations and reporting; to provide for the
6 establishment of the Georgia Motor Vehicle Crime Prevention Advisory Board; to provide
7 for membership; to provide for clarifying changes relative to current boards and advisory
8 boards; to provide for related matters; to repeal conflicting laws; and for other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

10 **SECTION 1.**

11 Chapter 6A of Title 35 of the Official Code of Georgia Annotated, relating to criminal justice
12 coordinating council, is amended by adding two new Code sections to read as follows:

13 "35-6A-16.

14 (a) The council shall:

15 (1) Subject to available funding, establish a grant program for the provision of funds to
16 local law enforcement agencies and multi-jurisdiction task forces for the:

(A) Prevention, reduction, and investigation of motor vehicle and motor vehicle parts theft;

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

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

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

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

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

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

(H) Production of public awareness materials and programs relating to motor vehicle related crime prevention;

(2) Promote state-wide planning and coordination of the investigation and prosecution of crimes relating to motor vehicle and motor vehicle parts theft;

(3) Provide support to local prosecutors handling motor vehicle and motor vehicle parts theft related prosecutions; and

(4) Provide support to multi-jurisdiction task forces established by local law enforcement agencies for the purpose of preventing, reducing, and investigating motor vehicle related crime.

(b)(1) Any grant awarded pursuant to this Code section shall be upon recommendation from and after consideration by the Georgia Motor Vehicle Crime Prevention Advisory Board. Each grant application shall describe the type of motor vehicle related crime

prevention, reduction, investigation, enforcement, prosecution, or offender rehabilitation program to be implemented. Such programs may include, but shall not be limited to:

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

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

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

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

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

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

(c) For the purposes of this Code section, the council may accept and use federal funds granted by Congress or executive order, as well as gifts and donations from individuals, private organizations, or foundations. The acceptance and use of federal funds shall not

commit state funds and shall not place an obligation upon the General Assembly to continue the purposes for which the federal funds are made available.

(d) The council may recommend to the Governor and the General Assembly changes in state programs, statutes, policies, budgets, and standards relating to improving and supporting the motor vehicle related crime prevention initiatives of local law enforcement agencies and multi-jurisdiction task forces.

35-6A-17.

(a) There is established the Georgia Motor Vehicle Crime Prevention Advisory Board which shall be composed of:

(1) The director of the Georgia Bureau of Investigation or his or her designee from within the Georgia Bureau of Investigation;

(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) The Attorney General of Georgia or his or her designee from within the Office of the Attorney General;

(6) A representative from an insurance company authorized to issue motor vehicle coverage in this state;

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

(8) A licensed used motor vehicle parts dealer;

(9) A registered secondary metals recycler; and

(10) One representative from each of the following:

(A) The motor vehicle rental industry;

(B) The Georgia Association of Chiefs of Police;

97 (C) The Georgia Sheriffs' Association;

98 (D) The District Attorneys Association of Georgia;

99 (E) The National Insurance Crime Bureau; and

100 (F) A consumer protection group.

101 (b) The Governor shall appoint those members listed in paragraphs (4) through (10) of
102 subsection (a) of this Code section.

103 (c) Members of the Georgia Motor Vehicle Crime Prevention Advisory Board shall serve
104 for terms of four years. The advisory board shall elect a chairperson from among its
105 membership and may elect such other officers and committees as it considers appropriate.
106 In the event of death, resignation, disqualification, or removal for any reason of any
107 member of the advisory board, vacancies shall be filled in the same manner as the original
108 appointment and successors shall serve for the unexpired term. Membership on the
109 advisory board shall not constitute public office, and no member shall be disqualified from
110 holding public office by reason of his or her membership on the advisory board.

111 (d) Citizen members of the Georgia Motor Vehicle Crime Prevention Advisory Board shall
112 receive a daily expense allowance in the amount specified in subsection (b) of Code
113 Section 45-7-21, as well as the mileage or transportation allowance authorized for state
114 employees. Members of the advisory board who are state officials or state employees shall
115 receive no compensation for their services on the advisory board but shall be reimbursed
116 for expenses incurred in the performance of their duties as members of the advisory board
117 in the same manner as they are reimbursed for expenses in their capacities as state officials
118 or state employees. The funds necessary for the reimbursement of the expenses of state
119 officials and state employees shall come from funds appropriated or otherwise available
120 to their respective departments.

121 (e) The Georgia Motor Vehicle Crime Prevention Advisory Board shall solicit and review
122 applications for grants authorized pursuant to Code Section 35-6A-15 and make
123 recommendations to the council for the award thereof."

124 **SECTION 2.**

125 Said chapter is further amended in Code Section 35-6A-11, relating to advisory board created
126 and membership, by revising the introductory language of subsection (a) as follows:

127 "(a) There is established ~~an~~ a juvenile justice advisory board to the council which shall
128 consist of at least 15 and not more than 33 members appointed by the Governor who have
129 training, experience, or special knowledge concerning the prevention and treatment of
130 juvenile delinquency, the administration of juvenile justice, or the reduction of juvenile
131 delinquency and shall be composed of:"

132 **SECTION 3.**

133 Said chapter is further amended in Code Section 35-6A-12, relating to role of the advisory
134 board, by revising the undesignated introductory language as follows:

135 "The juvenile justice advisory board shall:"

136 **SECTION 4.**

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