

The House Committee on Public Safety and Homeland Security offers the following substitute to HB 424:

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 16 of Title 15 of the Official Code of Georgia Annotated, relating to
2 sheriffs, so as to revise qualification requirements for the office of sheriff; to require
3 certification as a peace officer at the time of qualifying as a candidate for sheriff; to require
4 such candidate to be in good standing with the Georgia Peace Officer Standards and Training
5 Council; to provide for a confirming affidavit; to provide for a definition; to provide for the
6 reimbursement of certain law enforcement training expenses for persons elected to the office
7 of sheriff; to repeal provisions limiting sheriffs to one additional salary for serving as the
8 sheriff of multiple courts; to provide for related matters; to repeal conflicting laws; and for
9 other purposes.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

11 **SECTION 1.**

12 Chapter 16 of Title 15 of the Official Code of Georgia Annotated, relating to sheriffs, is
13 amended by revising subparagraph (c)(1)(J) and paragraph (4) of subsection (c) of Code
14 Section 15-16-1, relating to qualification requirements for sheriff and exemptions, as follows:

15 "(J) At the time of qualifying as a candidate for the office of sheriff, Is a registered
16 peace officer as provided in Code Section 35-8-10 or is a certified peace officer as

17 defined in Chapter 8 of Title 35 and is in good standing with the Georgia Peace Officer
18 Standards and Training Council. Upon request of the person seeking to qualify as a
19 candidate for the office of sheriff, the executive director of the Georgia Peace Officer
20 Standards and Training Council shall create and provide for an affidavit attesting to
21 such person's compliance with this subparagraph. Such affidavit shall be signed by the
22 executive director of the Georgia Peace Officer Standards and Training Council, or his
23 or her designee, and the person seeking to qualify as a candidate for the office of sheriff
24 and shall be presented to the proper elections official prior to the end of the established
25 period of qualification in order to qualify as a candidate. As used in this subparagraph,
26 the term 'in good standing with the Georgia Peace Officer Standards and Training
27 Council' means that a peace officer has never had his or her peace officer certification
28 revoked by the Georgia Peace Officer Standards and Training Council; within the
29 preceding five years, has not had his or her certification suspended by the Georgia
30 Peace Officer Standards and Training Council; and, upon the opening date of the
31 established period of qualification, is not under any sanction imposed by the Georgia
32 Peace Officer Standards and Training Council. Any person who is not a registered or
33 certified peace officer at the time such person assumes the office of sheriff shall be
34 required to complete satisfactorily the requirements for certification as a peace officer
35 as provided in Chapter 8 of Title 35 within six months after such person takes office;
36 provided, however, that an extension of the time to complete such requirements may
37 be granted by the Georgia Peace Officer Standards and Training Council upon the
38 presentation of evidence by a sheriff that he or she was unable to complete the basic
39 training course and certification requirements due to illness, injury, military service, or
40 other reasons deemed sufficient by such council. The Georgia Peace Officer Standards
41 and Training Council shall make every effort to ensure that space is available for newly
42 elected sheriffs who are not certified or registered peace officers to attend the course
43 as soon as possible after such persons take office. Such council shall notify the

44 ~~appropriate judge of the probate court whenever a newly elected sheriff who is not~~
45 ~~certified fails to become certified as a peace officer pursuant to the requirements of this~~
46 ~~subparagraph."~~

47 "(4) Each person offering to run for the office of sheriff and who is otherwise qualified
48 shall be allowed, ~~six months~~ prior to qualifying and at his or her own expense, to attend
49 the basic law enforcement mandate course for peace officers as a pre-service candidate.
50 The Georgia Peace Officer Standards and Training Council shall work to ensure that
51 space is available for such individuals to attend the course. Each such person attending
52 the basic law enforcement mandate course for peace officers in accordance with this
53 paragraph shall be entitled to reimbursement of his or her expenses if he or she is
54 subsequently elected to the office of sheriff. Such reimbursement for expenses shall be
55 limited to the cost of tuition, the cost of course uniforms, and the cost of course
56 equipment and shall be paid by the office of sheriff to which he or she is elected."

57 **SECTION 2.**

58 Said chapter is further amended by revising Code Section 15-16-20.1, relating to additional
59 salary, as follows:

60 "15-16-20.1.

61 In addition to the minimum salary provided in Code Section 15-16-20, the sheriff of any
62 county who performs the duties of a sheriff for a state court, probate court, magistrate
63 court, juvenile court, or county recorder's court under any applicable general or local law
64 of this state shall receive for his or her services in such court or courts a salary of not less
65 than \$385.90 per month, to be paid from the funds of the county. A sheriff who serves in
66 more than one such court shall receive ~~only one~~ such salary for up to three courts. Such
67 salaries shall not be increased by any state cost-of-living or general performance based
68 increases."

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SECTION 3.

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