

House Bill 996

By: Representatives Vance of the 133rd, Gullett of the 19th, Powell of the 33rd, Hitchens of the 161st, and Leverett of the 123rd

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 1 of Chapter 4 of Title 42 of the Official Code of Georgia Annotated,
2 relating to general provisions relative to jails, so as to provide jailers with arrest powers; to
3 provide for related matters; to repeal conflicting laws; and for other purposes.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

5 style="text-align:center">**SECTION 1.**

6 Article 1 of Chapter 4 of Title 42 of the Official Code of Georgia Annotated, relating to
7 general provisions relative to jails, is amended by revising Code Section 42-4-1, relating to
8 appointment of county and municipal jailers, as follows:

9 "42-4-1.

10 (a) By virtue of their offices, sheriffs are jailers of the counties and have the authority to
11 appoint other jailers, subject to the supervision of the county governing authority, as
12 prescribed by law.

13 (b) By virtue of their offices, chiefs of police are the jailers of the municipal corporations
14 and have the authority to appoint other jailers, subject to the supervision of the municipal
15 governing authority, as prescribed by law. Each jailer of a municipal corporation shall
16 maintain the records required of sheriffs by subsection (a) of Code Section 42-4-7.

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17 (c) Jailers who have been certified by the Georgia Peace Officer Standards and Training
18 Council as having successfully completed the course of training required by Chapter 8 of
19 Title 35, the 'Georgia Peace Officer Standards and Training Act,' shall be authorized to
20 arrest any person found to be in violation of a criminal law that occurs within the jail or
21 within the perimeter guard lines of such jail established pursuant to subsection (j) of Code
22 Section 42-4-13. Jailers shall be further authorized to exercise arrest powers upon any
23 person for whom a complaint or arrest warrant is pending who surrenders into custody."

24 **SECTION 2.**

25 All laws and parts of laws in conflict with this Act are repealed.