

House Bill 315

By: Representatives Reeves of the 99th, Gaines of the 120th, Clark of the 100th, Donatucci of the 105th, Reese of the 140th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Sections 16-1-3 and 17-4-20 of the Official Code of Georgia Annotated,
2 relating to definitions relative to crimes and offenses and authorization of arrests with and
3 without warrants generally, use of deadly force, adoption or promulgation of conflicting
4 regulations, policies, ordinances, and resolutions, and authority of nuclear power facility
5 security officer, respectively, so as to provide for a definition of law enforcement officer; to
6 provide for a cross reference to such definition; to provide for a short title; to provide for
7 related matters; to repeal conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 This Act shall be known and may be cited as the "Law Enforcement Partners Act."

11 **SECTION 2.**

12 Code Section 16-1-3 of the Official Code of Georgia Annotated, relating to definitions
13 relative to crimes and offenses, is amended by adding a new paragraph to read as follows:

14 "(8.1) 'Law enforcement officer' means:

15 (A) A peace officer;

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16 (B) Any state or federal law enforcement personnel who render assistance to a law
17 enforcement agency of this state or any political subdivision thereof in response to a
18 declaration of a state of emergency or disaster issued by the Governor pursuant to Code
19 Section 38-3-51;

20 (C) An appointed chief of police or department head of a law enforcement unit who
21 has not completed the applicable training required by Code Section 35-8-20
22 or 35-8-20.1 from the date of initial appointment to the date by which such training is
23 to be completed pursuant to the applicable Code section;

24 (D) An elected sheriff who has assumed the office of sheriff and has not completed the
25 requirements for certification as a peace officer as provided in Chapter 8 of Title 35
26 from the date the oath of office was taken to the date by which such certification is to
27 be obtained pursuant to Code Section 15-16-1; and

28 (E) A federal law enforcement officer who is employed by the United States
29 government as a full-time law enforcement officer, is in good standing with his or her
30 federal agency of employment, is authorized to carry a firearm in the performance of
31 his or her official duties, and is empowered to arrest a person for criminal violations of
32 the United States Code."

33 **SECTION 3.**

34 Code Section 17-4-20 of the Official Code of Georgia Annotated, relating to authorization
35 of arrests with and without warrants generally, use of deadly force, adoption or promulgation
36 of conflicting regulations, policies, ordinances, and resolutions, and authority of nuclear
37 power facility security officer, is amended in subsection (a) by adding a new paragraph to
38 read as follows:

39 "(4) As used in this subsection, the term 'law enforcement officer' shall have the same
40 meaning as set forth in Code Section 16-1-3."

41

SECTION 4.

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