

The House Committee on Public Safety and Homeland Security offers the following substitute to HB 315:

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 officer 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 individual certified or commissioned in another state as a law enforcement
25 officer, peace officer, or other official as being authorized to make arrests and carry
26 firearms in the performance of his or her official duties who is employed by a law
27 enforcement agency, enforcement unit, agency, or department of this state or any
28 municipality, county, or other political subdivision thereof but who has not completed
29 the applicable training required by Chapter 8 of Title 35, the 'Georgia Peace Officer
30 Standards and Training Act,' provided that such individual's certification or commission
31 in another state remains in good standing; and

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

37 **SECTION 3.**

38 Code Section 17-4-20 of the Official Code of Georgia Annotated, relating to authorization
39 of arrests with and without warrants generally, use of deadly force, adoption or promulgation
40 of conflicting regulations, policies, ordinances, and resolutions, and authority of nuclear

41 power facility security officer, is amended in subsection (a) by adding a new paragraph to
42 read as follows:

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

45 **SECTION 4.**

46 All laws and parts of laws in conflict with this Act are repealed.