

Senate Bill 286

By: Senator James of the 28th

A BILL TO BE ENTITLED  
AN ACT

1 To amend Titles 15 and 42 of the Official Code of Georgia Annotated, relating to courts and  
2 penal institutions respectively, so as to provide for substance abuse programs and mental  
3 health treatment programs in county and municipal jails for inmates and applicants to such  
4 programs; to provide for drug court divisions and mental health court divisions to establish  
5 procedures for voluntary admission into such programs; to provide for rules and regulations;  
6 to provide for related matters; to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Title 15 of the Official Code of Georgia Annotated, relating to courts, is amended by adding  
10 new Code sections to Chapter 1, relating to general provisions, to read as follows:

11 "15-1-15.1.

12 (a) Drug court divisions shall create petitions and establish procedures for inmates and  
13 applicants to voluntarily enter into substance abuse programs in county and municipal jails  
14 created pursuant to Code Section 42-4-52.

15 (b) Upon acceptance of such petition, a drug court division shall order the petitioner to  
16 participate in the substance abuse program created pursuant to Code Section 42-4-52. The

17 successful completion of the program shall be determined pursuant to the criteria  
18 established in Code Section 15-1-15."

19 "15-1-16.1.

20 (a) Mental health court divisions shall create petitions and establish procedures for inmates  
21 and applicants to voluntarily enter into mental health treatment programs in county and  
22 municipal jails created pursuant to Code Section 42-4-52.

23 (b) Upon acceptance of such petition, a mental health court division shall order the  
24 petitioner to participate in the mental health treatment program created pursuant to Code  
25 Section 42-4-52. The successful completion of the program shall be determined pursuant  
26 to the criteria established in Code Section 15-1-16."

27 **SECTION 2.**

28 Title 42 of the Official Code of Georgia Annotated, relating to penal institutions, is amended  
29 by adding a new Code section to Article 3 of Chapter 4, relating to medical services for  
30 inmates, to read as follows:

31 "42-4-52.

32 (a) County and municipal jails may establish substance abuse programs and mental health  
33 treatment programs for inmates and applicants from drug court divisions and mental health  
34 court divisions to voluntarily enter into such programs pursuant to the rules and regulations  
35 of the Department of Corrections.

36 (b) The Department of Corrections shall promulgate rules and regulations necessary to  
37 establish substance abuse programs and mental health treatment programs in the county  
38 and municipal jails that opt into such programs and shall establish minimum standards for  
39 such programs."

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**SECTION 3.**

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