

House Bill 990

By: Representatives Sainz of the 180<sup>th</sup>, Hitchens of the 161<sup>st</sup>, Crowe of the 118<sup>th</sup>, Hong of the 103<sup>rd</sup>, Donatucci of the 105<sup>th</sup>, and others

A BILL TO BE ENTITLED  
AN ACT

1 To amend Article 1 of Chapter 2 of Title 35 of the Official Code of Georgia Annotated,  
2 relating to general provisions relative to the Department of Public Safety, so as to provide  
3 for the creation of a program to assist former handlers and adopters of retired law  
4 enforcement dogs with veterinary care costs; to provide for the selection of a charitable  
5 organization to administer and manage said program; to provide for the disbursement of  
6 funds for qualifying veterinary care for retired law enforcement dogs; to provide limitations  
7 on the amount of funds disbursed; to provide authorization for the selected charitable  
8 organization to use certain funds to pay administrative expenses; to provide for definitions;  
9 to provide for rules and regulations; to provide for related matters; to repeal conflicting laws;  
10 and for other purposes.

11 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA

12 **SECTION 1.**

13 Article 1 of Chapter 2 of Title 35 of the Official Code of Georgia Annotated, relating to  
14 general provisions relative to the Department of Public Safety, is amended by adding a new  
15 Code section to read as follows:

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16 "35-2-17.

17 (a) As used in this Code section, the term:

18 (1) 'Charitable organization' means an organization that meets the requirements of  
19 paragraph (2) of subsection (a) of Code Section 14-3-1302, provided that such  
20 organization is recognized as tax exempt under Section 501(c)(3) of the Internal Revenue  
21 Code and has been so qualified for not less than five years.

22 (2) 'Correctional agency' means a governmental unit of one or more persons employed  
23 full time or part time by the state, a state agency or department, or a political subdivision  
24 of the state for the primary purpose of providing supervision, protection, care, custody,  
25 control, or investigation of persons at a penal institution.

26 (3) 'Law enforcement agency' means a governmental unit of one or more persons  
27 employed full time or part time by the state, a state agency or department, or a political  
28 subdivision of the state for the purpose of preventing and detecting crime and enforcing  
29 state laws or local ordinances, employees of which unit are authorized to make arrests for  
30 crimes while acting within the scope of their authority.

31 (4) 'Licensed veterinarian' shall have the same meaning as set forth in Code  
32 Section 43-50-3.

33 (5) 'Penal institution' means any place of confinement for persons accused of or  
34 convicted of violating a law of this state or an ordinance of a municipality or political  
35 subdivision of this state.

36 (6) 'Retired law enforcement dog' means a dog that meets the following criteria:

37 (A) The dog was previously in the service of or employed by a law enforcement  
38 agency or correctional agency in this state for the principal purpose of aiding in the  
39 detection of criminal activity, enforcement of laws, apprehension of offenders, or  
40 detection of accelerants, explosives, or narcotics, or for assisting with search and rescue  
41 operations; and

42 (B) The dog received certification in obedience, apprehension, accelerant detection,  
43 explosive detection, narcotic detection, or search and rescue from a nationally  
44 recognized organization that certifies dogs performing that type of work.

45 (7) 'Veterinary care' means the practice of veterinary medicine as set forth in Code  
46 Section 43-50-3. Said term shall include annual wellness examinations, vaccinations,  
47 internal and external parasite prevention treatments, testing and treatment of illnesses and  
48 diseases, medications, emergency care and surgeries, veterinary oncology or other  
49 specialty care, euthanasia, and cremation.

50 (b) There is created within the department the Georgia Care for Retired Law Enforcement  
51 Dogs Program to provide financial assistance for retired law enforcement dogs' veterinary  
52 care. Said program shall include funding, subject to appropriations by the General  
53 Assembly, for annual disbursements to former handlers and adopters of retired law  
54 enforcement dogs to assist with the expenses incurred for such dogs' veterinary care by  
55 such former handler or adopter in accordance with this Code section.

56 (c) The department shall contract with a charitable organization to administer and manage  
57 the program. The department shall select such charitable organization through a  
58 competitive grant award process administered by the department; provided, however, that  
59 the selected charitable organization shall meet the following criteria:

60 (1) Be dedicated to the protection or care of retired law enforcement dogs;

61 (2) Agree to be subject to review and audit at the discretion of the state auditor in order  
62 to ensure accurate accounting and disbursement of state funds; and

63 (3) Demonstrate the ability to effectively and efficiently assist former handlers and  
64 adopters of retired law enforcement dogs in complying with this Code section.

65 (d) The charitable organization selected under subsection (c) of this Code section shall be  
66 the disbursing authority for any funds the General Assembly appropriates to the department  
67 for this program. Subject to the availability of funds, the selected charitable organization  
68 shall disburse funds to the former handler or adopter of a retired law enforcement dog for

69 the actual expenses incurred for such dog's veterinary care by such former handler or  
70 adopter upon receipt and verification of:

71 (1) An application from the former handler or adopter of such dog seeking  
72 reimbursement for qualifying veterinary care;

73 (2) Documentation from the law enforcement agency or correctional agency from which  
74 the dog retired verifying that such dog was in the service of or employed by that agency,  
75 and that:

76 (A) The retired law enforcement dog served five years or more with such agency;

77 (B) The retired law enforcement dog served a total of five years or more with two or  
78 more law enforcement agencies or correctional agencies; or

79 (C) Notwithstanding the length of service, the retired law enforcement dog served with  
80 one or more law enforcement agencies or correctional agencies, was injured in the line  
81 of duty while serving with such law enforcement agency or correctional agency, and  
82 retired from the agency the dog was serving with at the time of the injury due to such  
83 injury; and

84 (3) Documentation from a licensed veterinarian establishing the veterinary care provided  
85 in this state to such retired law enforcement dog and the payment made by the former  
86 handler or adopter for such care.

87 (e) The department shall establish guidelines for the application and documentation  
88 required by subsection (d) of this Code section.

89 (f) Annual disbursements to a former handler or adopter of a retired law enforcement dog  
90 to reimburse him or her for the cost of such dog's veterinary care may not exceed \$5,000.00  
91 per dog per calendar year. A former handler or adopter of a retired law enforcement dog  
92 may not accumulate unused funds from a current year for use in a future year.

93 (g) The department shall pay to the selected charitable organization, and said charitable  
94 organization may use, up to 10 percent of appropriated funds for its administrative  
95 expenses, including salaries and benefits.

96 (h) The department shall adopt rules and regulations to implement this Code section."

97

**SECTION 2.**

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