

House Bill 1131

By: Representatives Hong of the 103rd, Smith of the 18th, Sainz of the 180th, Reeves of the 99th, and Scoggins of the 14th

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 3 of Chapter 4 of Title 17 of the Official Code of Georgia Annotated,
2 relating to warrants for arrest, so as to provide for personal service of process for notice of
3 a warrant application hearing; to provide for related matters; to repeal conflicting laws; and
4 for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **SECTION 1.**

7 Article 3 of Chapter 4 of Title 17 of the Official Code of Georgia Annotated, relating to
8 warrants for arrest, is amended by revising paragraph (2) of subsection (b) of Code Section
9 17-4-40, relating to persons who may issue warrants for arrest of offenders against penal
10 laws, warrants requested by others, and persons who may issue warrants for arrest of peace
11 or law enforcement officers, DFCS case managers, or school teachers or administrators, as
12 follows:

13 "(2) Except as otherwise provided in paragraph (6) of this subsection, a warrant
14 application hearing shall be conducted only after attempting to notify the person whose
15 arrest is sought by personal service or by any means approved by the judge or other

16 officer which is reasonably calculated to apprise such person of the date, time, and
17 location of the hearing."

18 **SECTION 2.**

19 Said article is further amended by revising subsection (c) of Code Section 17-4-41, relating
20 to contents of affidavits made or warrants issued for arrest of penal offenders, as follows:

21 "(c) It is the intent of these requirements that the accused person shall be informed of the
22 specific charge against him or her and of all basic pertinent particulars pertaining thereto
23 by personal service."

24 **SECTION 3.**

25 All laws and parts of laws in conflict with this Act are repealed.