

Senate Bill 527

By: Senators Robertson of the 29th, Dixon of the 45th, Albers of the 56th, Harbin of the 16th, Hickman of the 4th and others

AS PASSED SENATE

A BILL TO BE ENTITLED

AN ACT

1 To amend Code Section 15-16-1 of the Official Code of Georgia Annotated, relating to
2 qualification requirements for sheriff and exemptions, so as to require that candidates for the
3 office of sheriff are certified peace officers at the time of qualifying as a candidate; to
4 provide for related matters; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **SECTION 1.**

7 Code Section 15-16-1 of the Official Code of Georgia Annotated, relating to qualification
8 requirements for sheriff and exemptions, is amended by revising subparagraph (c)(1)(J) and
9 paragraph (2) of subsection (c) as follows:

10 "(J) At the time of qualifying as a candidate for the office of sheriff, is a certified peace
11 officer, as defined in Chapter 8 of Title 35, not under revocation by the Georgia Peace
12 Officer Standards and Training Council and files with the officer before whom such
13 person qualifies a form signed by the executive director of the Georgia Peace Officer
14 Standards and Training Council, or his or her designee, that attests and certifies such;
15 ~~provided, however, that any person who is not a certified peace officer at the time of~~
16 ~~qualifying as a candidate for the office of sheriff but is a first responder, as such term~~

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17 ~~is defined in Code Section 45-25-2, is a retired or honorably discharged member of the~~
18 ~~United States armed forces, or is a former or current local, state, or federal law~~
19 ~~enforcement officer shall swear or affirm before the officer before whom such person~~
20 ~~has qualified to seek the office of sheriff that he or she is capable of and will complete~~
21 ~~the requirements for certification within six months after taking office. Any such first~~
22 ~~responder, retired or honorably discharged member of the United States armed forces,~~
23 ~~or former or current local, state, or federal law enforcement officer who is not a~~
24 ~~certified peace officer at the time such person assumes the office of sheriff shall be~~
25 ~~required to complete satisfactorily the requirements for certification as a peace officer~~
26 ~~as provided in Chapter 8 of Title 35 within six months after such person takes office;~~
27 ~~provided, however, that an extension of the time to complete such requirements may~~
28 ~~be granted by the Georgia Peace Officer Standards and Training Council upon the~~
29 ~~presentation of evidence by a sheriff that he or she was unable to complete the basic~~
30 ~~training course and certification requirements due to illness, injury, military service, or~~
31 ~~other reasons deemed sufficient by such council. The Georgia Peace Officer Standards~~
32 ~~and Training Council shall make every effort to ensure that space is available for newly~~
33 ~~elected sheriffs who are not certified peace officers to attend the course as soon as~~
34 ~~possible after such persons take office. Such council shall notify the appropriate judge~~
35 ~~of the probate court whenever a newly elected sheriff who is not certified fails to~~
36 ~~become certified as a peace officer pursuant to the requirements of this subparagraph.~~

37 (2) Each person offering his or her candidacy for the office of sheriff shall swear or
38 affirm before the officer before whom such person has qualified to seek the office of
39 sheriff that he or she meets all of the qualifications required by this subsection, ~~except as~~
40 ~~otherwise provided in subparagraph (J) of paragraph (1) of this subsection,~~ at the time
41 such person qualifies; and that he or she has complied or will comply with the
42 requirements of subparagraph (G) of paragraph (1) of this subsection no later than the
43 close of business on the third business day following the close of such qualification

44 ~~period, and that, if applicable, he or she will comply with the requirements of~~
45 ~~subparagraph (J) of paragraph (1) of this subsection within six months of taking office.~~
46 Any person who knowingly provides false information in executing the affidavit required
47 by this paragraph commits the offense of false swearing within the meaning of and
48 subject to the penalties prescribed in Code Section 16-10-71 and submission of a false
49 document in violation of Code Section 16-10-20."

50

SECTION 2.

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