

House Bill 990 (COMMITTEE SUBSTITUTE)

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

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 6A of Title 35 of the Official Code of Georgia Annotated, relating to the
2 Criminal Justice Coordinating Council, so as to provide for the creation of a grant program
3 for charitable organizations that assist former handlers and adopters of retired law
4 enforcement dogs with veterinary care costs; to provide for purposes and authority of the
5 grant program; to provide for sources of funding; to provide for administration of the
6 program by the council; to establish criteria and procedures for such grants; to provide for
7 definitions; to provide for rules and regulations; to provide for related matters; to provide for
8 an effective date; to repeal conflicting laws; and for other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA

10 **SECTION 1.**

11 Chapter 6A of Title 35 of the Official Code of Georgia Annotated, relating to the Criminal
12 Justice Coordinating Council, is amended by revising Code Section 35-6A-13, which is
13 reserved, as follows:

14 "35-6A-13.

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

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

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

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

29 (4) 'Penal institution' means any place of confinement for persons accused of or
30 convicted of violating a law of this state or an ordinance of a municipality or political
31 subdivision of this state.

32 (5) 'Retired law enforcement dog' means a dog that meets the following criteria:

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

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

41 (6) 'Veterinary care' means the practice of veterinary medicine by a licensed veterinarian
42 as set forth in Code Section 43-50-3. Such term shall include annual wellness

43 examinations, vaccinations, internal and external parasite prevention treatments, testing
44 and treatment of illnesses and diseases, medications, emergency care and surgeries,
45 veterinary oncology or other specialty care, euthanasia, and cremation.

46 (b)(1) The council shall annually request funds to provide grants, subject to
47 appropriations by the General Assembly, to charitable organizations that specialize in
48 facilitating veterinary care in this state to retired law enforcement dogs. The purpose of
49 such grants shall be to provide veterinary care in this state to retired law enforcement
50 dogs in an effort to ease the financial expense former handlers and adopters of retired law
51 enforcement dogs incur in caring for such dogs, recognizing the important contributions
52 that such dogs and their former handlers and adopters make to the public safety interests
53 of this state. Law enforcement dogs provide critical support to public safety and are
54 required to undergo training and provide services that present special needs and adoption
55 limitations for such dogs upon their retirement. The grants under this Code section shall
56 serve the public interest by ensuring that law enforcement dogs are properly cared for in
57 retirement and incentivizing and enabling former handlers and potential adopters to
58 provide such care.

59 (2) At the end of each fiscal year, the amount of appropriations, if any, provided for in
60 this subsection remaining unawarded and not obligated in writing shall lapse and cease
61 to be available; provided, however, that this paragraph shall not apply to funds obtained
62 by gift, grant, donation, devise, or other contribution of money or property from private
63 individuals, corporations, nonprofit organizations, or foundations.

64 (c) The grants provided for under subsection (b) of this Code section shall be subject to
65 available funding, including appropriations by the General Assembly, and gifts, grants,
66 donations, devises, or other contributions of money or property from private individuals,
67 corporations, nonprofit organizations, or foundations, provided that such contributions are
68 voluntary and no contributor to the grant program receives any special privilege,
69 consideration, or benefit; provided, however, that gifts, grants, donations, devises, or other

70 contributions of money or property from private individuals, corporations, nonprofit
71 organizations, and foundations shall be used to exhaustion in the council's funding of grants
72 before any appropriated funds are used in the council's funding of grants.

73 (d) The council shall establish and administer:

74 (1) Eligibility and selection criteria for grant applicants, which shall include, but shall
75 not be limited to, that the charitable organization is dedicated to the protection and care
76 of retired law enforcement dogs and assisting the former handlers and adopters of retired
77 law enforcement dogs in such dogs' veterinary care in this state;

78 (2) Grant application procedures;

79 (3) Guidelines relating to grant amounts, including a mandatory requirement that all
80 awarded grant funds be expended in this state;

81 (4) Procedures for evaluating grant applications; and

82 (5) Procedures for monitoring and reporting on the use of any grant awarded under the
83 grant program and ensuring compliance with any conditions of any such grant.

84 (e) The council is authorized to promulgate such rules and regulations as may be necessary
85 to carry out the provisions of this Code section. Reserved."

86 **SECTION 2.**

87 This Act shall become effective upon its approval by the Governor or upon its becoming law
88 without such approval.

89 **SECTION 3.**

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