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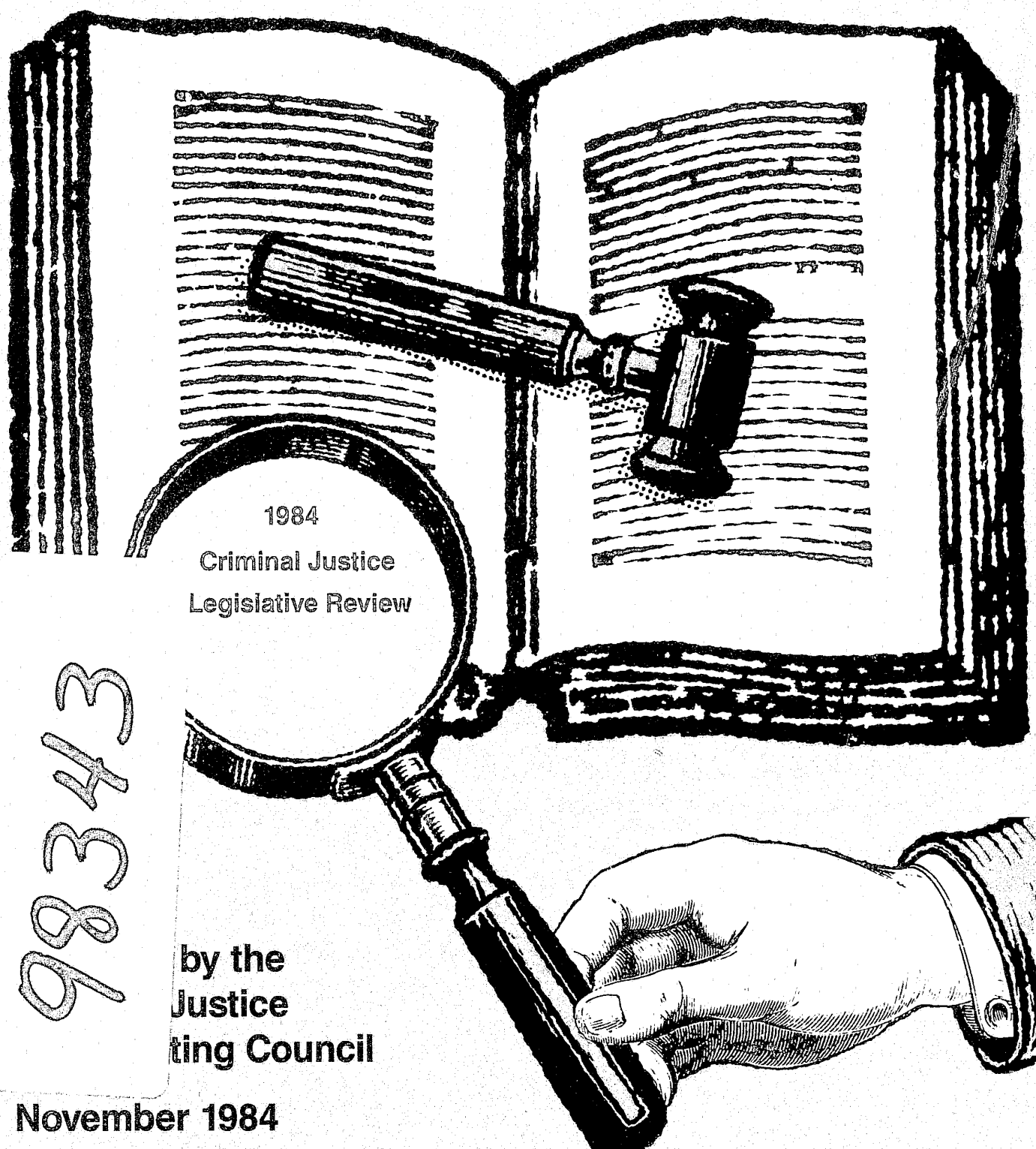
State of Georgia
1984 General Assembly



1984 Criminal Justice Legislative Review

by the
Justice
ting Council

November 1984

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CRIMINAL JUSTICE LEGISLATION REVIEW

STATE OF GEORGIA
1984 GENERAL ASSEMBLY

PREPARED BY THE STAFF OF THE

CRIMINAL JUSTICE COORDINATING COUNCIL
Balcony Level - East Tower
205 Butler Street, S. E.
Atlanta, Georgia 30334

November 1984

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TABLE OF CONTENTS

FOREWORD

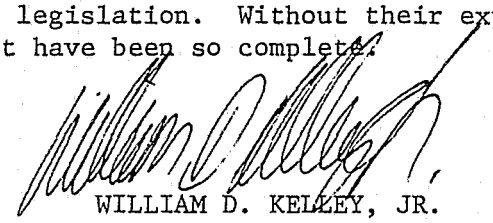
The Criminal Justice Legislation Review contains analyses of the legislation enacted by the 1984 Georgia General Assembly which impacts the foundation and operation of our criminal justice system, as well as the functions of state and local governments. The purpose of this publication is to afford criminal justice practitioners, state and local government officials, and interested members of the general public an opportunity to review the content of such legislation. This analysis is the fifth annual review of criminal justice legislation and is a further continuation of an effort commenced in 1980 by the then State Crime Commission, and continued since then by the Criminal Justice Coordinating Council.

As was done in previous publications, each major piece of legislation is analyzed in a similar manner. The first paragraph outlines the purposes of the legislation and "what the law says." The second paragraph provides insights as to what the law is expected to do, or how it affects a particular facet of the criminal justice system, or governmental entities. The third paragraph explains the background of the legislation, or "where the bill comes from." The analyses are presented in the following order: House Bills, Senate Bills, House Resolutions, and Senate Resolutions.

In addition to the synoptic review of the major legislation passed and signed into law by the Governor, legislation of local interest is listed in numerical order, by the originating Chamber, along with the title of the Act. Because of the local, rather than statewide impact of this legislation, no analysis is included. Also a further listing is provided for several criminal justice related bills which are more narrow in scope than general statewide legislation, but which impacts more widely than local legislation, or which contains a certain relevance to some criminal justice practitioners. This section is entitled "Specialized Legislation" and contains the following lists: (1) Motor Vehicle/Motor Vehicle Insurance; (2) Game and Fish; (3) Driver's License; and (4) Criminal Justice System Retirement Legislation.

It is hoped that this fifth publication analyzing criminal justice legislation will help to bring about a greater understanding and belief in the laws of our state, and thus insure their successful implementation and use. We have continued to receive comments indicating the usefulness of the publication, and that increased understanding is being achieved.

Special acknowledgement is made to two interns from the Governor's Intern Program, who provided significant assistance during the initial legislation review process, and during the preparation of this Review. Without the outstanding assistance of Jeff Gladstein and Lloyd Gruber, preparation of the publication would have been far more difficult and far less timely. The booklet, "Summary of General Statutes Enacted At The 1984 Session of the General Assembly of Georgia," prepared by the Legislative Services Committee and the Office of Legislative Counsel, was of considerable assistance. Also acknowledged is that assistance of many criminal justice organizations and agencies throughout the state, which were responsive to staff inquiries concerning the impact of many pieces of legislation. Without their expertise and insight, our analyses would not have been so complete.



WILLIAM D. KELLEY, JR.
DIRECTOR

INTRODUCTION

The 1984 General Assembly considered legislation pending from the 1983 Session, as well as new legislation. Laws and Resolutions resulting from this legislation, which have an impact on a statewide basis upon the criminal justice system, are reviewed in this publication. Acts and Resolutions of a localized nature, systemwide retirement legislation, and several related specialized items of legislation are also listed for the convenience of interested persons.

The House considered a total of 1,228 bills. Of these, 423 were pending from the 1983 Session and 805 were new bills. Of these, 618 were passed, 606 were signed into law by the Governor and 55 are reviewed in this publication. Additionally, 153 local or specialized bills are listed. The House also considered 582 Resolutions, 48 pending from the 1983 Session, and 534 new Resolutions. Of these, 489 were adopted and 10 are reviewed. Also listed are 18 Resolutions of a local or specialized nature.

The Senate considered a total of 430 bills. Of these, 176 were pending from the 1983 Session and 254 were new bills. A total of 165 were passed and 161 were signed into law by the Governor. Reviewed herein are 29 of these new laws and 30 local or specialized bills are listed. Additionally, the Senate considered 231 Resolutions, 14 pending from the 1983 Session and 217 new Resolutions. Of these, 194 were adopted, 17 of these Resolutions are reviewed, and 6 of a local or specialized nature are listed.

Users of this publication can readily see the impact of the statewide criminal justice legislation which was enacted into law. The staff of the Criminal Justice Coordinating Council tracked and analyzed almost 500 separate items of legislation. That which passed affects all of the citizens of the State and occupied a considerable amount of the General Assembly's deliberative time and effort. The real impact of this new legislation will be felt throughout the state as the various components of the criminal justice system and state and local governmental agencies become aware of them and they are implemented. This publication is in furtherance of the effort to contribute to that awareness.

HOUSE BILLS

HOUSE BILLS

H.B. 213 - CRIMES AGAINST ELDERLY: MANDATORY IMPRISONMENT - ACT 1146

H.B. 213 amends OCGA, Sections 16-5-21, 16-5-24, 16-8-12 and 16-8-40. It provides for a term of imprisonment for not less than three nor more than 20 years for persons convicted of the offense of aggravated assault against a person who is 65 years of age or older. It provides for imprisonment for not less than five nor more than 20 years for persons convicted of the offense of aggravated battery against a person who is 65 years of age or older. It further provides that when any person commits the offense of theft by deception when the property which was the subject of the theft exceeded $500.00 in value and the victim was a person 65 years of age or older, the offender shall, upon conviction, be punished by imprisonment for not less than five nor more than 10 years. It further provides that any person convicted of the offense of robbery against a person 65 years of age or older, shall be punished by imprisonment for not less than five nor more than 20 years. Effective March 28, 1984.

H.B. 213 provides for substantial increases in terms of incarceration for persons convicted for committing certain offenses against persons 65 years of age or older. It generally increases minimum sentences from one year to a term of five years, while maintaining the previous maximum sentences of 20 years (aggravated battery and robbery) or 10 years (aggravated assault and theft by deception). It should result in longer prison terms for those convicted of the enumerated offenses against the eldery, and contribute to some increase in Georgia's prison population. It should serve as a deterrent against commission of crimes against the elderly citizens of Georgia.

H.B. 213 is in partial response to a perceived increase in the incidence of crime against elderly persons, and the relative inability of elderly persons to defend themselves against such crimes. It responds to publicity concerning the fears of the elderly and their reluctance to leave the safety of their homes. It was supported by organizations representing the interests of the elderly, and received no significant opposition from any source.

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H.B. 425 - SUPERIOR COURT CLERKS: SERVE IN OTHER: COMPENSATION - ACT 834

H.B. 425 amends OCGA, Section 15-6-89. It changes provisions relative to the supplemental compensation of clerks of superior court for services in other courts. It provides that such compensation shall apply to services

in juvenile court, as well as services in state court, county court, city court, or civil court. It also increases the amount of such compensation from $100 to $200 per month. It retains the provision that such compensation shall be in addition to minimum salaries prescribed in OCGA, Section 15-6-88, and provides that such compensation shall be in addition to any compensation specified by local law. It provides that such compensation shall cease if such other court is abolished. Effective March 14, 1984.

H.B. 425 should serve toward assuring the retention and attraction of well-qualified individuals to stand for election to the office of clerk of the superior court, by providing for potential increased compensation commensurate with the workload of clerks of superior court. It will require additional expenditures from county funds in all counties in which the clerk of the superior court serves the other courts enumerated.

H.B. 425 responds to the potential designation of separate juvenile courts in all counties, which was authorized by statute in 1982. It also reflects the need to make compensation for clerks more commensurate with the additional workload they may encounter in serving other courts.

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H.B. 511 - SEXUAL OFFENSES: CHILD MOLESTATION: PENALTIES - ACT 1319

H.B. 511 contains two major provisions. First, it amends OCGA, Sections 16-6-4 and 16-6-5, relative to the offenses of child molestation and enticing a child for indecent purposes. It provides that, upon a first conviction for the offense of child molestation, the judge may probate the sentence, and such probation may be upon the special condition that the defendant undergo a mandatory period of counseling administered by a licensed psychiatrist or a licensed psychologist. It also provides that if the judge finds such probation should not be imposed, he shall sentence the defendant to imprisonment, provided that upon being incarcerated on a conviction for a first offense, the Department of Offender Rehabilitation shall provide counseling to the defendant. It also provides that upon a second or third conviction, the defendant shall be punished by imprisonment for not less than five years, and that for a fourth or subsequent conviction, the defendant shall be punished by imprisonment for 20 years. It also provides that adjudication of guilt or imposition of sentence for a conviction of a third, fourth, or subsequent offense of child molestation, including a plea of nolo contendere,

shall not be suspended, probated, deferred, or withheld. It further provides that a person commits the offense of enticing a child for indecent purposes when he solicits, entices, or takes any child under the age of 14 to any place whatsoever for the purpose of child molestation or indecent acts. It provides the same range of punishment (1 to 20 years) as for the offense of child molestation (above) and provides the same, identical sentencing options.

H.B. 511's second major provision amends OCGA, Section 16-12-102 et seq. relating to the sale and distribution of obscene materials to minors, by repealing Code Sections 16-12-102 through 16-12-104 and replaces them with new Code Sections 16-12-102 through 16-12-104. It defines "harmful to minors" as that quality of description or representation, in whatever form, of nudity, sexual conduct, sexual excitement, or sadomasochistic abuse when it (1) taken as a whole, predominantly appeals to the prurient, shameful, or morbid interest of minors; (2) is patently offensive to prevailing standards in the adult community as a whole with respect to what is suitable material for minors; and (3) is, when taken as a whole, lacking in serious literary, artistic, political, or scientific value for minors. It defines a "minor" as a person less than 18 years of age. It provides that it is unlawful for any person knowingly to sell or loan for monetary consideration, or otherwise furnish or disseminate to a minor: (1) any picture, photograph, drawing, sculpture, motion picture film, or similar visual representation or image of a person or portion of the human body which depicts sexually explicit nudity, sexual conduct, or sadomasochistic abuse harmful to minors; or (2) any book, pamphlet, magazine, printed matter, however reproduced, or sound recording which contains any matter enumerated in (1) above, or explicit and detailed verbal descriptions or narrative accounts of sexual excitement, sexual conduct, or sadomasochistic abuse and which, taken as a whole, is harmful to minors. It prohibits one from knowingly selling or furnishing a minor a ticket to a motion picture or other presentation which depicts sexual conduct harmful to minors. It makes it unlawful for a minor to falsely represent himself to anyone for the purpose of violating this statute, and unlawful for a parent or guardian to so misrepresent. It makes it unlawful for any person knowingly to exhibit, expose, or display in public, at newsstands or any other business or commercial establishment, or at any other public place frequented by minors or where minors are or may be invited as part of the general public: (1) any picture, photograph, drawing, sculpture, motion picture film, or similar visual representation of the human body which depicts sexually explicit nudity, sexual conduct, or sadomasochistic abuse and which is harmful to minors; or (2) any book, pamphlet, magazine, printed matter, however reproduced, or sound recording which contains any matter enumerated in (1), or explicit and detailed verbal descriptions or narrative accounts of sexual excitement, sexual conduct, or sadomasochistic abuse and which, taken as a whole, is harmful to

minors. It specifically exempts any public library operated by the state or any of its political subdivisions and any library operated as part of any school, college, or university from its provisions. Both major provisions of H.B. 511 are effective July 1, 1984.

H.B. 511, in its first major provision, provides sentencing judges several options in sentencing those found guilty of child molestation or enticement for child molestation. It affords the opportunity for psychological treatment as a sentencing option for the first offense if probation is ordered, and for treatment while in the custody of the Department of Offender Rehabilitation if incarceration is ordered. It may place an additional financial and personnel burden upon the Department if sentencing to incarceration is the most chosen sentencing option. It may result in reducing the incidence of repeated child molestation through its psychological treatment option.

H.B. 511, in its second major provision, places strict controls over the accessibility of certain so-called obscene materials, both visual and verbal, for those under the age of 18. It will probably result in many books and magazines being displayed in only certain segregated areas of book and news outlets, as well as film distribution outlets. It should prevent casual observation of these materials by youth in convenience and other retail outlets. It will place a considerable burden of proof upon those who deal in these materials, to establish the age of one wishing to peruse or purchase them, as well as a physical and mechanical burden to ensure adequate segregation of these materials. It should presumeably retard a minor's introduction to sexual behavior via pornographic literature. Its special exemptions concerning libraries should quiet the concern of those who felt many books, etc., would have to be segregated in libraries. It may force those engaged in "kiddie porn" out of business and force a greater legitimacy in book/magazine dealerships.

H.B. 511, as a whole, is a reflection of the continuing efforts to preclude youth from being exposed to sexually explicit material, and from being exploited or abused physically or sexually. It recognizes the increased incidence of child molestation and enticement and the severity of those crimes and the severe adverse impact upon its victims. It responds to increased incidence of "kiddy porn" and the proliferation of sex-oriented books, magazines, films, and materials. The restrictive provisions' intent is to make it increasingly more difficult for children to see/be involved with prohibited materials/acts, and makes prosecution for violations simpler and more certain. It was supported in both of its provisions by child advocacy groups. There remains considerable disagreement concerning the legality/constitutionality of its restrictive provisions relative to obscene materials.

H.B. 518 - EMERGENCY TELEPHONE SYSTEM (911): LIABILITY - ACT 963

H.B. 518 enacts OCGA, Section 46-5-131. It provides that the state, any political subdivision of the state, or any employees, agents or representatives of the state or political subdivision, shall not be liable for a death or injury or damage to property occurring as a result of establishing or participating in the operation of the '911' emergency telephone system. It provides for exceptions in cases of misconduct, gross negligence or bad faith. Effective July 1, 1984.

H.B. 518 should decrease the number of lawsuits being filed against municipalities or counties that operate in the '911' system. It will lessen the threat of financial disaster or bankruptcy, especially for the smaller municipalities. It may increase the number of subscribers in the system by eliminating some of the risks involved in the operation. It may, however, afford little protection due to the possibility or probability of labeling any mistake or malfunction of the system as gross negligence on behalf of the operator.

H.B. 518 is an apparent response to the need to protect small municipalities and counties that expose themselves to law suits due to the operation of the '911' emergency telephone system. It, in a lesser sense, indicates that the '911' is not and cannot be a foolproof panacea to remedy all emergencies which confront individuals and communities.

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H.B. 520 - POST-MORTEM EXAM: AMEND PROVISIONS RELATING TO CORONER - ACT 1120

H.B. 520 amends OCGA, Sections 45-16-22, 45-16-24, 45-16-26, 45-16-27, 45-16-32, 45-16-41, 45-16-46 and 45-16-48. It provides that not only the peace officer, but also the coroner shall be consulted by the medical examiner as to the necessity of an autopsy or dissection. It further provides that when a person dies in the county in a suspicious or unusual manner, the coroner shall be notified immediately. It further provides that when there is no coroner or the coroner is absent from the county, the deputy coroner may act as coroner or the judge of the probate court may designate someone to act as coroner in lieu of a judge of any court having county-wide jurisdiction, other than the superior court, acting as coroner. It also provides that if there is a full-time assistant to the coroner paid by the county, the assistant may act as coroner and shall receive compensation for such services. It further provides that the coroner's investigation fee shall be $75.00, rather than the current $50.00 where no jury is impaneled for the investigation. It provides that this sum shall be paid upon receipt of a monthly statement to the county treasurer. It provides that the deputy coroner shall receive

the same fees as the coroner when acting for the coroner. It further provides that the coroner shall maintain permanent records of post-mortem or autopsy reports and investigation reports, rather than file them with the superior court of the county. It further provides that any juror failing to attend and serve on a coroner's inquest may be fined $100.00, rather than the current $10.00. It provides that the medical examiner or designee may charge a fee of $20.00, rather than the current $10.00 for obtaining blood samples from persons unable to give their consent. Finally, it provides that a coroner may employ a court reporter to record the proceedings of any inquest and that the cost of the reporter's services shall be paid from the funds of the county where the inquest is held. Effective July 1, 1984.

H.B. 520 should allow the coroner to become more involved in decisions made regarding post-mortem examinations through consultation by the medical examiner and also through the immediate notification of an unusual death. It should take the burden off of the judge of any court having county-wide jurisdiction to act as coroner. It should force those counties not currently paying deputy or assistant coroners, when they act as coroner, to compensate for such. In addition, it should result in the deputy or assistant coroner being in the county at all times. It proscribes rules for payment of coroner's investigation fees which currently vary in the method and time of payment. By providing that the coroner keep permanent records, it will require additional training for coroners in records maintenance and will yield better organization of the coroner's office. It could result in demands for additional personnel for the maintaining of these records which may have some impact on county budgets. In allowing a coroner to employ a court reporter, paid by the county, to record proceedings of any inquest (in the past, the court reporter was paid by the coroner) it may place an extra burden on the court reporter to record the coroner's inquest in addition to all other duties the court reporter is on call for in the county.

H.B. 520 is a continuation of past efforts to clarify the Post-Mortem Act. It is also part of the continuing effort to professionalize and better organize the office of county coroner in Georgia.

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H.B. 536 - PROBATION: REPORT RESIDENCE TO SUPERVISOR - ACT 1277

H.B. 536 amends OCGA, Section 42-8-36. It changes the provisions relating to the duty of probationers to inform their probation supervisor of their residence, by providing greater flexibility to the Probation Division in establishing the manner in which to report. It

provides that, when the running of a criminal sentence is tolled because a probationer has not reported his whereabouts or is missing, the date of the tolling of the sentence shall be the date on which the judge signs the order tolling the sentence. It further provides that, when the entire balance of a probated sentence is revoked, all the conditions of probation, including fines, restitution, or other moneys to be paid as a condition of probation, are negated by the imprisonment, unless only a portion of the probated sentence is revoked. Effective April 4, 1984.

H.B. 536 will provide for legal clarification of procedures which currently are being used by the Department of Offender Rehabilitation's (DOR's) Probation Division concerning the tolling of sentences, reporting procedures, and collection of unpaid balances due as a condition of probation. It quite simply provides the "force of law" to procedures currently being followed.

H.B. 536 responds to the efforts of DOR's Probation Division to clarify and clearly authorize certain current procedures.

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H.B. 571 - LITTER CONTROL VIOLATIONS: POST BOND OR DRIVER'S LICENSE - ACT 1317

H.B. 571 amends OCGA, Section 16-7-44. It provides that whenever any litter which is dumped, deposited, thrown or left on public or private property, is discovered to contain any articles which display the name of a person, it shall be a rebuttable presumption that such person violated the "Litter Control Law". Effective July 1, 1984.

H.B. 571 establishes that if a person's name is found on articles throughout the trash, then that person is presumed to have owned and dumped the trash. It should cause a decrease in the random dumping of trash on public and private property. It would hold the person whose name is found on articles in the trash responsible for the litter, and would give the state or the property owner where the trash was dumped, a legal remedy to pursue. It may, however, be difficult to enforce, especially in cases where there is more than one name found in the trash, or when the person whose name is found on articles in the trash relinquished responsibility for the trash by employing some other person or service to pick up the trash.

H.B. 571 is in response to the problem of bags of trash being dumped in undesignated dumping areas, especially on private property in rural areas. It is in these rural areas that require the transporting of the trash from a home to a designated dumping area, where it is then picked up by a sanitation department.

H.B. 644 - RADAR: MINIMUM SPECIFICATIONS - ACT 871

H.B. 644 amends OCGA, Section 40-14-1. It provides that radar speed detection devices used by state and local law enforcement agencies, shall not be required to be approved by the Department of Public Safety, but shall be required to meet or exceed minimum performance standards established by the Department. Effective March 15, 1984.

H.B. 644 should lessen the burden on the Department of Public Safety relative to approving each manufacturer's radar speed detection device and by placing the burden on the manufacturer to meet the Department of Public Safety's standards. It may cause difficulties if the standards adopted by the Department of Public Safety conflict with or are dissimilar to the National Highway Traffic and Safety Administration's (NHTSA's) recommended specifications, due to the fact that NHTSA has provided independent testing of the devices and the Department of Public Safety currently does not provide such testing.

H.B. 644 is an apparent response to the need to clarify which radar speed detection devices may be utilized effectively by local law enforcement agencies. It was supported by the Department of Public Safety. It may be opposed by those manufacturers who have to upgrade or change their radar speed detection devices in order to meet the established minimum standards.

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H.B. 706 - SHERIFFS: QUALIFICATIONS/ELIGIBILITY - ACT 1292

H.B. 706 amends OCGA, Section 15-16-1. It provides that an individual who has been convicted, and later pardoned for the specific felony of homicide by vehicle, may be eligible to hold the office of sheriff. It places three specific conditions which must be met in order for a candidate to be eligible to hold such office:

1. The conviction must have occurred prior to January 1, 1965; and

2. The specific circumstances of the incident cannot involve driving a motor vehicle under the influence of alcohol or drugs; and

3. The individual must have received a pardon for the convicted offense.

Effective July 1, 1984.

H.B. 706 should have minimal impact upon increasing the number of persons eligible to hold the office of sheriff, because there are few persons who meet the three specific conditions mandated. It could have some impact upon the public's confidence in the office, since it represents a minor reduction in those eligibility standards previously in effect. It represents the first deviation from previous law making a convicted felon ineligible to hold this office. It does, however, take cognizance of the principle that an individual who has paid his debt to society, been pardoned, and has maintained a clean record for over 20 years, may be considered rehabilitated.

H.B. 706 responds to the concerns of a particular individual interested in seeking the office of sheriff, who had been convicted previously of what he and many others in his community considered a relatively minor felony. It was opposed, in principle, by many members of the law enforcement community; however, many persons expressed their belief that, since the specific conditions were placed upon this exception to current eligibility requirements, the bill would have relatively little impact upon the criminal justice system and would have significant impact upon those individuals who can meet those specific conditions and desire to be a sheriff.

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H.B. 815 - PUBLIC SCHOOL DISCIPLINARY TRIBUNALS: MANDATORY PROCEDURE - ACT 1150

H.B. 815 enacts OCGA, Sections 20-2-753 through 20-2-758. It provides disciplinary procedures to be followed in any case where a public school student is alleged to have committed an assault or battery on a teacher or school employee or official; an assault or battery upon another student, which could justify expulsion or long-term suspension; or damage to personal property which could justify expulsion or long-term suspension. It provides for a disciplinary hearing and appeal to the Board of Education. It further provides that disciplinary procedures shall not be subject to laws relating to open records or open meetings. It further provides that the school administration, disciplinary hearing officer, panel, tribunal of school officials, or the local Board of Education may, if an afore-cited incident occurs, report the incident to the appropriate law enforcement agency or officer for investigation, to determine if criminal charges or delinquent proceedings shall be initiated. Effective March 28, 1984.

H.B. 815 should result in the appointment of a disciplinary hearing officer, panel, or tribunal of school officials in every public school, to conduct disciplinary hearings following certain instances of alleged misconduct on

the part of students. It should thereby result in schools taking more responsibility for the effective disposition of incidents of serious misconduct involving students. However, its provisions will not preclude the intervention of law enforcement agencies.

H.B. 815 responds to the silence of previous statutes concerning disposition of school children involved in assault or other delinquent or criminal conduct where teachers or other students have been the victims. It is an effort to strengthen the relationship between schools and local law enforcement agencies, as well as to strengthen the ability of schools to maintain effective discipline and order.

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H.B. 830 - WORKERS' COMPENSATION: CERTAIN VOLUNTEER LAW ENFORCEMENT OFFICERS - ACT 1121

H.B. 830 amends OCGA, Sections 34-9-1 and 34-9-260. It redefines the term "employee" to include volunteer law enforcement officers within the class of persons governed by workers' compensation law, and provides for the computation of the average weekly wage of such officers. It further provides that volunteer law enforcement officers shall be covered by workers' compensation insurance only if the governing authority of the county or municipality for which the volunteer renders services shall adopt an appropriate resolution including the volunteer law enforcement officers as covered employees. Effective March 28, 1984.

H.B. 830's impact is difficult to predict without some indication of how many local units of government elect to include their volunteer law enforcement officers under workers' compensation. It will, however, result in some added costs to those units of government which take such action. The bill should lead to enhanced participation in local volunteer officer programs and improved morale within these volunteer units. Local units of government which elect to include their volunteer law enforcement officers under workers' compensation insurance programs, may, in fact, discover that the increased volunteer participation which this law should encourage, may more than offset the increased insurance costs by savings in manpower costs.

H.B. 830 responds to concerns expressed by local volunteer law enforcement personnel and law enforcement executives who rely quite heavily upon these personnel for added manpower. Liability concerns relative to injuries to volunteer personnel have been expressed for several years by law enforcement executives. This bill offers the same workers' compensation insurance benefits to law enforcement volunteers as those which currently are available to volunteer firefighters.

H.B. 877 - APPEALS: CASES REQUIRING APPLICATION - ACT 916

H.B. 877 amends OCGA, Sections 5-6-34 and 5-6-35, relating to judgments and rulings deemed directly appealable to the Georgia Supreme Court and the Georgia Court of Appeals. It deletes from those issues before the lower courts which are directly appealable, all judgments or orders rendered after hearing continuing in effect, modifying, vacating, or refusing to continue, modify, or vacate a temporary restraining order. It adds the following types of cases to those in which an application for appeal is required: (1) appeals from decisions of the superior courts reviewing decisions of the State Board of Education; (2) certain appeals from judgments or orders in divorce, alimony, child custody, and other domestic relations cases; (3) appeals from cases involving distress or dispossessory warrants in which the only issue to be resolved is the amount of rent due, such amount being $2,500 or less; (4) appeals from cases involving garnishment or attachment except as provided in Paragraph (5) of subsection (a) of Code Section 5-6-34 (pertains to restraining orders discussed above); (5) appeals from orders revoking probation; (6) appeals in actions for damages in which the judgment is $2,500 or less; (7) appeals, when separate from an original appeal, from the denial of an extraordinary motion for new trial; (8) appeals from orders under subsection (d) of Code Section 9-11-60 denying a motion to set aside a judgment or under subsection (3) of Code Section 9-11-60 denying relief upon a complaint in equity to set aside a judgment; and (9) appeals from orders granting or denying temporary restraining orders. Effective July 1, 1984.

H.B. 877's amendments to Code Section 5-6-34 should limit direct appeals to the state's appellate courts concerning temporary restraining orders. It should have the effect of reducing the number of appeals which must be considered by the appellate courts, thus contributing to the efficiency of the judicial system and a reduction of workload. (Note: the changes effected by this Code Section generally are applicable to the Supreme Court only.) Its amendments to Section 5-6-35 should discourage frivolous appeals in a wide variety of civil and criminal cases of relative unimportance in terms of length of incarceration or amount of civil monetary penalties, as well as contested decisions of the State Board of Education. (Note: several other boards and agencies' decisions previously required application for appeal.) It will require the appellant to go through a specific series of steps in applying for an appeal. Once application is made according to the prescribed manner, there is no guarantee the appeal will be heard. It provides for the additional discretionary authority of those courts to grant or deny appeal, and should reduce the number of appeals to the appellate courts.

H.B. 877 is the culmination of several years effort to streamline and improve court functioning in Georgia. It stems partially from the unification of the courts established by the new State Constitution, and responds

to suggestions for improvement set forth by several appellate judges. It was supported by the Criminal Justice Coordinating Council.

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H.B. 910 - COUNTY: UNINFORPORATED AREAS ADOPT ORDINANCES - ACT 1229

H.B. 910 enacts OCGA, Section 36-1-20. It provides that the governing authority of each county is authorized to adopt ordinances for the governing and policing of the unincorporated areas of the county. It further provides that such ordinances may be punishable by fine or imprisonment, or both, and that each ordinance shall specify the maximum punishment which may be imposed. It provides that no maximum punishment can exceed a fine of $500.00 or imprisonment for 60 days, or both. It provides that jurisdiction over violations of county ordinances shall be in the magistrate court of the county and that enforcement of the ordinances shall be in accordance with Article 4, Chapter 10, Title 15, OCGA; except that jurisdiction over traffic ordinances will remain within the courts currently having jurisdiction over state traffic offenses. Effective July 1, 1984.

H.B. 910 is viewed by the Association County Commissioners of Georgia as a "landmark in home rule". It represents the first time that a general law has delegated, on a statewide basis, the authority for a county to set criminal penalties for violations of its own local ordinances. Prior to this Act, all counties seeking such authority had to do so through a local act of the General Assembly and approximately 25 counties had done so. It should result in a reduction in the number of local bills considered annually by the General Assembly and an increase in the discretionary authority of county governing bodies concerning criminal penalties at the local level.

H.B. 910 was originally sought and supported by the Association County Commissioners of Georgia in an effort to clarify local county authority relative to establishing penalties for litter control and waste management offenses. It was then modified by legislative personnel concerned about the volume of local acts which became necessary each year in order to establish the authority for setting criminal penalties for a variety of local ordinances.

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H.B. 933 - FAIR BUSINESS PRACTICES: DISTRIBUTION OF INFORMATION - ACT 838

H.B. 933 amends OCGA, Section 10-1-404, relating to certain powers of the administrator of the "Fair Business Practices Act of 1975", (Administrator, Governor's Office of Consumer Affairs). It repeals subsection (d) and inserts a new one providing that information obtained pursuant to investigative demands, subpoenas, oaths, affirmations, or hearings enforced by the Office, may be disclosed by the administrator to any federal, state, or local law enforcement agency when such information is subpoenaed by such agency. It further provides that state and local law enforcement are authorized to provide any information to the administrator when the administrator issues an investigative demand or subpoena for such information. Effective March 14, 1984.

H.B. 933 is a technical bill which removes an impediment to the exchange of information between law enforcement, investigatory, or court related agencies. Under previous law, the Attorney General would have had to oppose subpoenas for information from the Office of Consumer Affairs, and this removes that requirement and thereby facilitates information exchange.

H.B. 933 is an Administration Bill. It responds to the desires of the Governor's Office of Consumer Affairs to facilitate informational exchange concerning the enforcement of the Fair Business Practices Act, so that enforcement of that Act does not impede related criminal investigations.

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H.B. 934 - MISDEMEANORS: COUNTY JAILS: SHERIFF'S APPROVAL - ACT 919

H.B. 934 amends OCGA, Section 42-5-51. It changes current legal provisions which prohibit the Board of Offender Rehabilitation and the Commissioner, Department of Offender Rehabilitation (DOR) from assigning misdemeanants sentenced to state custody to be housed in a county jail, so as to allow the Commissioner of DOR to assign state misdemeanants to a county jail if:

1. The misdemeanant who is under state custody is participating in a state-sponsored project; and

2. The sheriff or the jail administrator have approved such assignment.

It also transfers certain duties with respect to the assignment of inmates from the Board of Offender Rehabilitation to the Commissioner. Effective March 19, 1984.

H.B. 934 should serve to improve the feasibility of including some county jails under the Local Jail Improvement Project which currently is being conducted by DOR and the Department of Community Affairs. Current law required DOR to transport such inmates back to the nearest state operated facility each day after completion of work at a jail improvement site. It also shortens the decision-making process for transfer assignments of inmates by granting the Commissioner the authority to make such decisions without having to seek the approval of the Board of Offender Rehabilitation. It should result in more county jails being eligible for jail improvement projects and result in lowered costs to the state for such projects that are conducted at county jails located long distances from state operated correctional facilities.

H.B. 934 responds to concerns expressed by some sheriffs and jail administrators whose requests for jail improvement projects were not being approved, due to the problems associated with the large cost of transporting state inmates to remote sites. It was supported by DOR officials and others associated with the Local Jail Improvement Projects. It further responds to an effort by DOR to streamline procedures relative to transfer and assignment of inmates.

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H.B. 946 - MAGISTRATE COURT: COUNTERCLAIMS: JURISDICTION - ACT 1231

H.B. 946 amends OCGA, Chapter 15-10, relating to magistrate courts. It prescribes that the clerk of the superior court shall enter the oath of office of the magistrate court judge(s) on the minutes of the superior court and that the chief judge of the superior court shall issue the commission, in lieu of the probate judge doing so. It further prescribes that in the absence of local law, the Governor may provide that the probate judge shall be reappointed as chief magistrate until January 1, 1989, provided such appointment shall be made before May 23, 1984. It increases the minimum age for magistrates from 21 to 25 years, and requires that all magistrates shall complete periodic training courses (previous law exempted a magistrate who was an active member of the State Bar of Georgia). It further provides that appeals from judgments of the magistrate court may be taken to the superior court or state court of the county. It provides that in civil suits, if a counterclaim exceeds the jurisdictional limits of the magistrate court, the case shall be transferred to any court of the county which has jurisdictional limits which exceed the amount of the counterclaim, provided that if more than one court has jurisdictional capability, the parties agree on the court to which the action is transferred, or the judge of the magistrate court

shall determine which court to transfer the action. It further provides that actions concerning money judgments in civil cases in the superior courts shall be applicable and govern the magistrate courts. It further provides that the accused shall not be arrested prior to time of trial except for the offenses of public drunkeness or disorderly conduct, and that the sheriff of the county shall receive and house persons sentenced to confinement for contempt or arrested, or sentenced to confinement, for violation of county ordinances. It authorizes costs, in the event of conviction for violation of county ordinances, of not more than $30.00, rather than the previous mandatory court costs of $30.00. It provides that in order to maintain the status of a certified magistrate judge, all judges shall complete 20 hours of additional training per annum. Effective March 29, 1984.

H.B. 946's most numerous provisions are technical or housekeeping in nature. However, its provisions increasing the minimum age of the judge, and the mandatory training requirements imposed, should result in more highly qualified, mature, and competent personnel seeking and holding the office of magistrate court judge. Its technical provisions regarding arrest and confinement of public inebriants and persons involved in disorderly conduct, codify existing practice in many locales.

H.B. 946 was supported, in part, by the Council of Magistrate Court Judges, who urged enactment of the age and training provisions. Its final version contained provisions from several other bills impacting the operation of the magistrate courts. It responds to local experience in operation of the magistrate courts since their creation under the new State Constitution. There was no organized opposition to any of the provisions of this omnibus legislation.

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H.B. 949 - HANDICAPPED PARKING: VIOLATIONS: PENALTY - ACT 1268

H.B. 949 amends OCGA, Sections 40-6-221 and 40-6-225. It enacts OCGA, Section 40-6-226. It changes the definition of 'handicapped parking place' to mean those parking places with a marking on the pavement bearing the word 'handicapped', or a symbol representing a person in a wheelchair. It also defines a 'handicapped parking place' as a parking place where a sign is erected bearing the same word or symbol. It further provides that an ambulance or emergency vehicle may stop or park in such parking place. It provides that anyone violating the 'handicapped parking law' shall be subject to a fine of $100.00 for the first offense, $100.00 to $200.00

for a second offense and $200.00 to $500.00 for a third or subsequent offense. It provides that in addition to any fine imposed, any vehicle which is parked in a handicapped parking place without the appropriate sticker, may be towed at the expense of the owner. It also provides that the 'handicapped parking laws' are applicable to both public and private property. Effective July 1, 1984.

H.B. 949 will allow for the towing of vehicles parked in handicapped spaces without the appropriate decal and will raise the potential fines imposed for violating the handicapped parking law from the current $5.00 minimum to $40.00 maximum, to a $100.00 minimum and a $500.00 maximum. If widely publicized, it could serve as a strong deterrent to those persons parking illegally in handicapped parking places.

H.B. 949 is an apparent response to the lack of enforcement of 'handicapped parking laws' due to the minimal fines currently imposed and the lack of ability to tow the illegally parked vehicle. It also responds to a wide-scale effort to accommodate the special needs of the handicapped or disabled person in private and public places.

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H.B. 950 - BAIL: COURTS OF INQUIRY: ESTABLISH SCHEDULES - ACT 973

H.B. 950 amends OCGA, Section 17-6-1, to provide that the judge of any court of inquiry may, by written order, establish a schedule of bails. It authorizes the judge to determine the conditions under which the schedule of bail shall be used. It specifically excludes release on bail under its provisions for any offense listed in subsection (b) of OCGA, Section 17-6-1 (prohibition against release on bail for certain offenses). Effective July 1, 1984.

H.B. 950 authorizes a prescribed, published, established schedule of bail for any court of inquiry. It should lead to more standardized bail in given locales, resolve any confusion concerning the amount of bail required for release for specific offenses, and expedite the release of some offenders on bail. Its provisions will safeguard the prohibition for release on bail for certain, more serious offenses which are prohibited by current law.

H.B. 950 responds to the perception that a bail schedule would ensure equity concerning the release procedures for courts of inquiry, as well as expedite bail releases.

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H.B. 968 - FORTUNETELLING: COUNTY REGULATIONS - ACT 874

H.B. 968 amends OCGA, Section 36-1-15, relating to prohibition, regulation, and taxation of fortunetelling and similar practices to provide for county regulation by ordinance, rather than order or resolution. It further provides that such ordinance may prescribe punishment to be imposed for violations, not to exceed imprisonment for 60 days or a fine of $500, or both. It further provides that violations shall be prosecuted in the magistrate court of the county. Effective March 15, 1984.

H.B. 968 makes a technical correction to existing law to provide for regulation of fortunetelling and similar practices by county ordinance. It should contribute to more effective regulation of fortunetellers et al at the local government level. It may result in some prosecutions at the county level for those individuals engaged in the proscribed practices, who violate the provisions of any county ordinance adopted. It may have some minor impact upon the caseload of local magistrate courts where such violations shall be prosecuted.

H.B. 968 responds to the need to clarify existing law regarding adoption of county ordinances in rural counties which regulate fortunetelling and other practices. Its punishment provisions remove ambiguity concerning punishments contained in existing law.

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H.B. 981 - PROBATE COURT JUDGE: SERVICE AS CHIEF MAGISTRATE: COMPENSATION - ACT 839

H.B. 981 amends OCGA, Section 15-10-20(g) to provide that where a probate judge serves as chief magistrate of the magistrate court, said probate judge shall be compensated for his services as chief magistrate in an amount no less than $200 per month. Effective January 1, 1985.

H.B. 981 is an equalization of pay bill in that the clerk of the superior court, who also serves as clerk of the magistrate court, was previously authorized to receive an additional $200 compensation per month. In some counties where the probate judge also served as chief magistrate, no additional compensation was authorized by the county governing authority, and this legislation corrects that apparent inequity. It will have some minor impact upon county budgets in those counties not currently reimbursing the judge.

H.B. 981 was supported by the Probate Court Judges Association in an effort to achieve a compensation level at least equal to that of the clerk of the superior court, where both the judge and the clerk served in dual capacities.

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H.B. 982 - HANDGUNS: LICENSE RENEWAL: INVESTIGATION - ACT 1158

H.B. 982 amends OCGA, Section 16-11-129. It allows the judge of the probate court, at his discretion, to direct the local county law enforcement agency to search the criminal history and wanted persons files of the Georgia Crime Information Center (GCIC) by computer access from that county, when there is an application for renewal of a license to carry a pistol or revolver. It provides that this search would be in lieu of transmitting the application and forms. Effective March 28, 1984.

H.B. 982 would expedite the process of handgun license renewal. It would lessen the burden on the GCIC to check the files on every handgun license renewal application. It may result in the issuance of license renewals to those persons with records, due to the fact that the majority of local law enforcement agencies do not have computer capability to identify positively individuals based upon a fingerprint search.

H.B. 982 is an apparent response to the need to expedite handgun license renewals due to the time limitation placed on the probate court to issue or revoke the renewal. (If license renewal reports are not returned to the probate court within the specified 50-day waiting period, the judge may then issue the license renewal.) It was supported by the Georgia Crime Information Center and the Probate Court Judges Association of Georgia.

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H.B. 998 - AGGRAVATED CHILD MOLESTATION: CERTAIN OFFENSES - ACT 977

H.B. 998 amends OCGA, Section 16-6-4, relating to the offense of child molestation, by adding new subsections (c) and (d) which define the offense of aggravated child molestation as one which results in physical injury to the child or involves an act of sodomy, and provides punishment therefor by imprisonment for not less than one nor more than 30 years. Effective July 1, 1984.

H.B. 998 prescribes a new offense of aggravated child molestation as one which involves injury to the child or an act of sodomy. It will probably result in increased levels of prosecution and conviction for this offense, with some related deterrent impact upon child molesters. It should facilitate the ease of prosecution in child molestation cases, as most of them involve some physical injury, if not the act of sodomy. It may contribute to some increase in prison populations.

H.B. 998 responds to the increased concern of public officials and private citizens regarding an apparent rise or an apparent increase in acknowledgement of child abuse/molestation cases, both locally and nationally. This concern is manifested as a result of increased media attention regarding this issue. Its severe punishment provisions reflect the perceived seriousness of the offenses proscribed.

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H.B. 1024 - CERTAIN STATE OFFICIALS: SALARIES - ACT 841

H.B. 1024 amends OCGA, Section 45-7-4. It raises the salary of each Justice of the Supreme Court of Georgia from the current $46,000.00 to $63,700.00 annually. It also raises the salary of each judge of the Court of Appeals of Georgia from the current $45,500.00 to $63,210.00 annually. Effective July 1, 1984.

H.B. 1024 increases the salaries of the Supreme Court Justices and judges of the Court of Appeals by $17,700 and $17,710, respectively. It should contribute toward recruitment and retention of highly qualified, competent personnel in these positions, regardless of the method by which they are selected.

H.B. 1024 recognizes the need for salary increases for the Appellate Court judges of Georgia. It further recognizes the desire to compensate these judges at a level commensurate with their duties, functions, responsibilities and experience.

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H.B. 1033 - PARDONS/PAROLES: SECRETARY OF BOARD: SELECTION - ACT 979

H.B. 1033 amends OCGA, Sections 42-9-6 and 42-9-19. It deletes the requirement that the State Board of Pardons and Paroles select a secretary from the membership of the Board. It further changes the provisions and methods requiring the Board to report annually to the General Assembly, by eliminating language describing the specific details of such report and including the General Assembly on the list of public officials to receive a copy of a required annual written report of the Board's "activities". Effective March 21, 1984.

H.B. 1033 will eliminate a legal requirement for what had become a titular position primarily. The work volume of the Board had necessitated the appointment of an administrative person to serve as Secretary to the Board.

It should result in better utilization of Board members and administrative staff. It should also result in eliminating some duplication of reports to other bodies and decrease the amount of time involved in preparing the detailed report which was required by the General Assembly.

H.B. 1033 was sought and supported by the Board of Pardons and Paroles. It was aimed toward the efficiency of the Board's operations by eliminating what were perceived as antiquated and counterproductive requirements.

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H.B. 1037 - COURTS: COLLECTION OF FINES, FORFEITURES - ACT 1131

H.B. 1037 amends OCGA, Sections 15-18-6, 15-21-2 and 15-21-4. It removes all statutory provisions relating to collection and distribution of fines by prosecuting attorneys and provides instead for distribution of fines to be made by the clerk of court. Effective July 1, 1984.

H.B. 1037 eliminates all statutory requirements for prosecuting attorneys to collect fines, forfeitures, and court costs, making such functions the responsibility of the clerks of the court. It essentially codifies current practice, but removes ambiguity and confusion from the statutory role of district attorneys. It should clearly remove the potential burden of "clerical" duties from prosecuting attorneys.

H.B. 1037 responds to the efforts of the District Attorneys' Association to remove district attorneys from any fine/forfeiture/cost collection function and assign such functions specifically to the clerk of the court. This eliminates confusion which has arisen in recent years, most particularly since passage of the Peace Officer and Prosecutor Training Fund Act regarding collection and distribution of funds from add-on fines and forfeitures.

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H.B. 1038 - ASSISTANT DISTRICT ATTORNEYS: REVISE PROVISIONS - ACT 1248

H.B. 1038 comprehensively revises OCGA, Section 15-18-14, and amends OCGA, Section 15-18-15. It establishes four levels of assistant district attorney, based on education, training and experience. It

establishes assistant district attorneys Grades I through IV, and sets minimum qualifications and years of experience in relationship to minimum qualifications established in OCGA, Section 15-18-21, and additional years of active practice of law as the grade level increases, i.e., from two years experience for Assistant District Attorney II, to six years for Assistant District Attorney IV. It further establishes minimum annual salaries to be paid by the state for each level of assistant district attorney, setting forth a minimum base salary and a maximum salary not to exceed a percentage of the salary of the district attorney. These range from not less than $19,185, nor more than 65 percent of the compensation of the district attorney, for Assistant District Attorney I, to not less than $29,845, nor more than 90 percent of the compensation for the district attorney, for Assistant District Attorney IV. It provides that these salaries may be supplemented by county governments. It provides for the "initial" appointment of currently employed assistant district attorneys at the appropriate class and salary step which provides an annual salary nearest to, but greater than, the annual salary the assistant district attorney was receiving on June 30, 1984. It further provides for higher salary steps, above entry level, for certain background, training, and experience. It provides for annual step increases, and for establishment of class and salary schedules by the Department of Administrative Services in cooperation with the Prosecuting Attorneys' Council of Georgia. It provides for future revisions of the salary schedules and entry level salaries to include cost of living increases granted to members of the classified service of the State Merit System of Personnel Administration. It further amends Code Section 15-18-15, pertaining to appointment of a chief assistant district attorney, to clarify language and provide for additional compensation for the chief assistant in an amount not to exceed $1,200 per annum. Effective July 1, 1984.

H.B. 1038 is basically a compensation bill. It should provide a systematic procedure of personnel administration for the offices/staffs of district attorneys. It will result in increased expenditure of state funds to compensate at higher salary levels upon its implementation, and for future cost of living and other compensatory raises. Its provisions, taken collectively, should result in increased professionalism among district attorneys and their staffs, by promoting recruitment and increased retention of qualified, competent personnel.

H.B. 1038 is the culmination of a long effort by the Prosecuting Attorneys' Council and the District Attorneys' Association to achieve adequate positional recognition, career development, and compensation for assistant prosecuting attorneys. It reflects several compromises as this legislation made its way through the committee process, and is supported by those professional organizations who initially sought the new formal structure embodied in H.B. 1038.

H.B. 1042 - CONTROLLED SUBSTANCES: REVISE LIST - ACT 1214

H.B. 1042 amends OCGA, Sections 16-13-25, 16-13-29 and 16-13-71. It deletes any compound, mixture or preparation containing loperamide and it also deletes dextranomer from the codified list of controlled substances and dangerous drugs, respectively. It adds methylenedioxtmethamphetamine to the list of controlled substances and miconazole and nitrous oxide, when used in a certain manner, to the codified list of dangerous drugs. Effective March 29, 1984.

H.B. 1042 should assure that the list of substances and drugs subject to control, is current and updated, inclusive of all substances and drugs subject to abuse, and void of substances and drugs which do not present a potential for abuse or danger.

H.B. 1042 is a continuation of past efforts to update, revise and keep current, lists of controlled substances and dangerous drugs. It is part of a comprehensive effort to control the use of such substances in Georgia. It also reflects increased medical knowledge concerning harmful effects of new drugs which continue to become available and may be subject to abuse in use or dispensing.

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H.B. 1046 - LAW ENFORCEMENT: ANNUAL TRAINING: CHIEFS/DEPARTMENT HEADS - ACT 1257

H.B. 1046 enacts OCGA, Section 35-8-20. It mandates 20 hours of training annually for chiefs of police, the heads of a law enforcement unit, and for wardens of state institutions. It further authorizes the Georgia Peace Officer Standards and Training (P.O.S.T.) Council to expend funds to pay for the costs of such training, other than supplies and travel expenses, which shall be paid by the employing law enforcement unit. It provides a penalty of the loss of powers of arrest for persons failing to comply with the Act's provisions, and makes provision for a waiver of the required training, at the discretion of the P.O.S.T. Council, for medical disability, providential cause, or other justifiable reasons. Effective July 1, 1984.

H.B. 1046 should result in the development of training programs designed to improve the effectiveness of law enforcement agency heads and prison wardens. It will result in those agency heads from very small police departments, who previously had difficulty in attending training programs, being able to do so. It should lead to ensuring the public those agency heads who possess the powers of arrest, have maintained their knowledge

of arrest laws and techniques and their police skill levels current with existing standards. It should also serve to boost the morale of law enforcement and correctional personnel through the knowledge that their leadership has received the most current training available.

H.B. 1046 was sought and supported by the Georgia Association of Chiefs of Police. It had widespread support from the Georgia Municipal Association, Georgia Sheriffs' Association, the Criminal Justice Coordinating Council, the Department of Offender Rehabilitation, and the Prison Wardens' Association. It responds to a desire of many law enforcement agency heads to ensure that they receive, at a minimum, the same amount of training required for sheriffs and the amount and type of training commensurate with the demands of the duties incumbent upon law enforcement executives.

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H.B. 1070 - LAW ENFORCEMENT: IDENTIFICATION INFORMATION: DECEASED/MISSING - ACT 980

H.B. 1070 amends OCGA, Sections 15-1-8 and 35-3-4. It provides that it shall be the duty of every law enforcement agency and the Georgia Bureau of Investigation (GBI) to acquire, collect, classify and preserve any information which would assist in the identification of any deceased individual or in the location of any missing person, including any minor. It also provides for the exchange of such records and information with other law enforcement agencies of Georgia, or the United States. More specifically, it provides that the GBI shall exchange such information with authorized officials of the federal government, the states, cities, counties, and penal and other institutions. It further provides that in both instances, with respect to missing minors, the information shall be transmitted immediately to other agencies. Effective July 1, 1984.

H.B. 1070 should assist in the identification of deceased persons and in the location of missing persons. It will expand the files of the Georgia Crime Information Center (GCIC) to include an unidentified deceased/missing persons file. It will allow GCIC to take requests from law enforcement agencies regarding missing persons and attempt to match this information with the unidentified deceased/missing persons files. With respect to missing minors, it will expedite the transmission of information from the local law enforcement agency to other agencies statewide, which would enable other agencies to become aware of or involved in the search.

H.B. 1070 responds in part to the concern expressed by forensic dentists relative to law enforcement officers, to preserving or retaining dental charts in order to facilitate the identification of deceased individuals.

It further responds to continuing efforts, at the federal/national level, to alert and equip the criminal justice system to deal more effectively with the issue of runaway and missing children.

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H.B. 1087 - PROBATION: SPECIAL ALTERNATIVE INCARCERATION - ACT 843

H.B. 1087 amends OCGA, Section 42-8-35.1. It amends the law authorizing judges to order certain offenders placed on probation to complete a program of incarceration in a special alternative incarceration unit, so as to reduce from 180 days to 90 days the period of such incarceration. It also eliminates grants of earned time for sentences under this program and states that its provisions apply only to offenders sentenced for offenses committed on or before January 1, 1984. It provides that individuals so sentenced shall be delivered to the designated facility of the Department of Offender Rehabilitation (DOR) within 15 days after receipt by DOR of appropriate sentencing documents from the clerk of court. It removes certain requirements that probation personnel must certify the physical and mental qualifications of offenders. Effective March 14, 1984.

H.B. 1087 will ensure that DOR's "special alternative incarceration" program, or "shock incarceration" program, is consistent with the intent of H.B. 505 which was passed during the 1983 General Assembly Session, by eliminating the awarding of earned time. It should result in no real decrease in the actual number of days served by offenders sentenced to this program, since the old system of awarding earned time normally resulted in only 90 days to serve. It also will serve to clarify the role of the Chief Probation Officer in ensuring an offender's mental and physical qualifications for serving in such a program.

H.B. 1087 was requested and supported by DOR to clarify inconsistencies between the Act creating this special program and H.B. 505, 1983 General Assembly Session. It further sought to eliminate questions concerning the liability of Chief Probation Officers which the law required to "certify" to medical fitness requirements that they were not professionally trained nor competent to do. Under this new bill, they are simply required to investigate and report on an offender's medical fitness for the Department to grant "provisional approval" of such fitness for the program.

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H.B. 1088 - OFFENDER REHABILITATION: PERSONNEL: REMOVE CERTAIN REQUIREMENTS - ACT 1161

H.B. 1088 amends OCGA, Section 42-2-9. It removes the requirement that the Commissioner of the Department of Offender Rehabilitation (DOR) obtain the consent and approval of the Board of Offender Rehabilitation for employment of personnel of the Department. Effective July 1, 1984.

H.B. 1088 will eliminate the legal requirement for the Board to take official action on the numerous clerical employees that are hired by the Department. It should allow the Board to concentrate on more significant policy decisions at its meetings and place the responsibility for employment decisions under the Commissioner, who is held accountable for the operations of the Department.

H.B. 1088 was requested and supported by DOR to eliminate the need for the Board to become involved in decisions relative to the hiring of personnel.

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H.B. 1089 - ABANDONED PROPERTY: CERTAIN PRISONERS: SALE AFTER ONE YEAR - ACT 880

H.B. 1089 amends OCGA, Section 44-12-199. It reduces the period of time which the Department of Offender Rehabilitation (DOR) must retain all tangible personal property held by the Department on behalf of an inmate, from five years to one year from the date of death, discharge, parole, or escape of such inmate. It provides that after the Department has held such property for a one-year period and no valid claim has been made in writing by the owner or his heirs, the property shall be deemed to have been abandoned. It provides that the property will then be disposed of by public sale, as directed by the Commissioner, DOR, and all proceeds deposited in the state treasury. It further provides that the Commissioner, DOR, has sole authority over such property and that the disposition thereof is exempt from all other requirements under Article 5, Chapter 12, Title 44, OCGA. Effective March 15, 1984.

H.B. 1089 should result in relieving DOR from burdensome administrative reports and processes relative to the disposal of abandoned personal property in state custody. It should also lessen the need for storage space for these articles, most of which are of relatively little value. It will eliminate numerous reports to the Revenue Commissioner and required notices and publication of lists in official public newspapers and provide the Commissioner with greater discretion in accounting for and disposing of items abandoned by persons under his custody.

H.B. 1089 was sought and supported by DOR. It eliminates statutory requirements which were designed for the disposal of property, usually of significant value, by courts, public officials, and financial institutions, but which also governed the Department of Offender Rehabilitations's actions. With the increase in the number of persons being discharged and paroled from prisons, the disposal of abandoned property had become an administrative burden under existing laws. DOR believed that the relative value of the abandoned articles did not usually warrant such a lengthy, complex administrative procedure.

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H.B. 1090 - SHERIFFS: PERSONAL MOTOR VEHICLE: FLASHING BLUE LIGHTS - ACT 1250

H.B. 1090 amends OCGA, Section 40-8-90. It provides that any elected sheriff who, pursuant to an agreement between the sheriff and the county governing authority, is using his personal motor vehicle in a law enforcement activity (see H.B. 1091 below), is authorized to use flashing or revolving blue lights on his personal motor vehicles. It provides that such use is subject to those requirements contained in OCGA, Section 40-8-91, relative to required markings on such vehicles. Effective March 29, 1984.

H.B. 1090 should have minimal impact upon the number of sheriffs using their personal vehicles; however, as a companion bill to H.B. 1091, it will provide those desiring to do so the authority to use a blue light while on official duty. Since it still requires that any vehicle being used for official business to make arrests for traffic violations, be marked in accordance with law, it should not create problems for the public concerning who is making a traffic stop. It is permissive legislation to help facilitate H.B. 1091.

H.B. 1090 responds to the desires of a sheriff in one specific county to use his personal vehicle when on official law enforcement business. It is the result of local complaints concerning the use of a county owned vehicle by a sheriff when on personal business. The bill was sought by that sheriff and supported by the Georgia Sheriffs' Association as the best means to ensure that the sheriff is available for response around the clock and, at the same time, avoid the potential political embarrassment which can result from the use of government owned property when not on an "official duty status."

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H.B. 1091 - SHERIFFS: VEHICLE ALLOWANCE - ACT 881

H.B. 1091 amends OCGA, Section 15-16-20. It authorizes the governing authority of each county to provide a monthly vehicle allowance to a county sheriff for the use of his personally owned vehicle in carrying out his official duties. It provides that such allowance is to be paid in addition to any salary or fees provided under other code sections and is to be an amount determined by the agreement of the county governing authority, the sheriff, and the budget officer of the county. Effective July 1, 1984.

H.B. 1091 should make it more feasible for a sheriff to respond on an as-needed basis, 24 hours per day, without the concern for political ramifications, should he be in a county owned vehicle, on personal business, when such calls arise. It should alleviate public concerns which have been expressed about sheriffs who use a county owned vehicle 24 hours per day, 7 days per week. It is a companion bill to H.B. 1090.

H.B. 1091 responds to complaints in one specific county concerning the use of a county owned vehicle by a sheriff when on personal business. The bill was sought by that sheriff and supported by the Georgia Sheriffs' Association as the best means to ensure that the sheriff is available for response around the clock and at the same time, avoid the potential political embarrassment which can result from the use of government owned property when not on an "official duty status."

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H.B. 1101 - CERTAIN OFFENDERS: COMMUNITY SERVICE: SCHEDULE - ACT 767

H.B. 1101 amends OCGA, Section 42-8-73, and enacts OCGA, Sections 42-8-80 through 42-8-83. It changes the procedures for the scheduling of an offender's community service work (required as a condition of probation) to ensure that the community service officer, to the extent practicable, takes into consideration the regular employment schedule of the offender so as to avoid any potential conflict with his normal work routine. It eliminates a previous phrase which required such schedule to be developed "so as not to cause termination of employment." It provides that community service officers shall not be required to reschedule previously scheduled community service if the offender's employment schedule changes. It also authorizes the Department of Offender Rehabilitation (DOR) to establish and operate pretrial release and diversion programs for persons charged with misdemeanors and felonies for which bond is permitted, and to promulgate rules and regulations governing such programs operated by the Department. It provides for release upon recognizance of program participants. It provides for a

waiver of speedy trial rights, upon the agreement of program participants, only after consultation with legal counsel. It authorizes DOR to enter into contracts with counties for the operation of such pretrial programs, and ensures that programs established in accordance with this Act do not affect those programs established by the Correctional Services Division, Department of Labor. It further specifies that DOR can establish such pretrial programs only with the unanimous consent of the superior court judges, the district attorney, the solicitor where applicable, and the sheriff of the county. Effective March 14, 1984.

H.B. 1101 will help clarify the role of the community service officer in establishing an offender's community service work schedule and alleviate any liability which that officer might have, under existing law, should the offender lose his employment as a result of meeting the requirements of his sentence. It also provides legal authorization and establishes procedures for the operation of pretrial release programs which DOR is currently operating at the request of superior court judges in five judicial circuits. It should serve to clarify DOR's authority and role in operating such programs, and thereby centralize, simplify, and expedite the creation of uniform, standardized pretrial programs in Georgia. Should DOR choose to expand its activities in the pretrial services area, at the request of county governments, these programs could help in further relieving jail overcrowding. Such an expansion would, however, involve an increase in pretrial program costs, but should also result in lessening the need for capital outlay costs for major jail construction programs. It could result in significant changes in local bond release methods, from those based primarily on financial considerations to programs based more on likelihood of the offender's return to court due to community ties (job, family, home, etc.). It ultimately should also reduce the number of crimes committed by individuals released from custody pending trial.

H.B. 1101 was sought and supported by DOR as a means to clarify the Department's role and authority in currently existing programs and to alleviate concerns expressed by local community service officers concerning liability for an offender's job loss due to the carrying out of a judicial sentence for community service. It also responds to local governmental concerns for jail overcrowding problems and the lack of centralized direction and action relative to the implementation of pretrial programs in Georgia.

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H.B. 1131 - ATLANTA JUDICIAL CIRCUIT: ADDITIONAL JUDGE - ACT 845

H.B. 1131 amends OCGA, Section 15-6-2. It adds one superior court judge and the amenities of judgeship to the Atlanta Judicial Circuit, for a term beginning July 1, 1985. It increases the number of judges in the Circuit to twelve. Effective March 14, 1984.

H.B. 1131 should result in reducing the caseload of the Atlanta Judicial Circuit's current eleven judges. Additionally, it should reduce case backlog and expedite the disposition of cases there. Its cost for implementation will be approximately $112,500.00 in state funds. It may also result in some additional costs to the county in the Circuit, related to salary supplements, fringe benefits, support personnel, office space and supplies.

H.B. 1131 is in response to recommendations of the Judicial Council of Georgia. The Council recommended that additional judgeships be created in seven circuits. These recommendations are based on empirical analyses of caseload statistics in all judicial circuits.

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H.B. 1132 - HANDGUNS: RETIRED FEDERAL OFFICERS: EXEMPT LICENSE FEES - ACT 1299

H.B. 1132 amends OCGA, Section 16-11-129. It grants federal law enforcement officers the same exemption from fees for licenses to carry a pistol or revolver which is granted to retired state and local law enforcement officers. Effective March 28, 1984.

H.B. 1132 should convey a degree of respect and appreciation to retired federal officers; further, it may indirectly contribute to some increase in public safety and may result in a slight decrease in funds for local governments collecting license fees.

H.B. 1132 is an apparent response to retired federal officers' desires to receive benefits commensurate with those of state and local officers.

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H.B. 1150 - SUPERIOR COURTS: JUDGES: SALARY - ACT 841

H.B. 1150 amends OCGA, Section 45-7-4. It increases the minimum annual salaries of the judges of the superior court to $54,500.00 and the minimum annual salaries of district attorneys to $48,000.00. It retains the provision of prior law allowing superior court judges and district attorneys

to receive any supplement paid to them by the county or counties of their judicial circuits provided for by law. Effective July 1, 1984.

H.B. 1150 increases the current annual base salary of superior court judges by $16,000.00 and the current annual base salary of district attorneys by $14,000.00. It will have a budgetary impact upon the state in that the base salaries of superior court judges and district attorneys are paid from state funds. It should contribute to increased court efficiency by attracting capable, dedicated candidates for the office of superior court judge and district attorney due to increased compensation.

H.B. 1150 is in continued response to past efforts to increase judicial salaries in this state. It further responds to inflationary pressures and the desire to compensate judges and district attorneys at a level commensurate with their duties, functions, responsibilities, experience and number of clients the courts serve.

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H.B. 1165 - USED MOTOR VEHICLE DISMANTLERS, REBUILDERS, ETC., BOARD OF: COMPOSITION - ACT 885

H.B. 1165 amends OCGA, Section 43-48-3. It adds salvage pool dealers to the members who shall be appointed to the State Board of Registration for Used Motor Vehicle Dismantlers, Rebuilders, and Salvage Dealers. Effective July 1, 1984.

H.B. 1165 will allow for the representation of salvage pool dealers on the Board of Registration for Used Motor Vehicle Dismantlers, Rebuilders and Salvage Dealers in recognition of the fact that salvage pool dealers are independent agents working very closely with the other groups represented on the Board, in that wrecked or demolished motor vehicles are stored on their lots by insurance companies in order to auction the parts off to motor vehicle dismantlers, rebuilders, etc.

H.B. 1165 responds to the concerns of salvage pool dealers in that their industry was being regulated by a board on which they had no representation. It was supported by the Secretary of State's Office.

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H.B. 1191 - SHERIFFS: MERIT BOARD: ACTIONS: DEPUTIES AND EMPLOYEES - ACT 886

H.B. 1191 enacts OCGA, Section 15-16-28. It provides that any county may, by local act of the General Assembly, create a merit board to hear and decide appeals from disciplinary actions against deputies and other employees of the sheriff of the county. It further requires that no such board may become effective until approved and adopted by the sheriff. It is, therefore, permissive legislation, subject to the approval of the sheriff. Effective March 15, 1984.

H.B. 1191 will serve as a legal vehicle to allow the establishment of merit boards for employees of a sheriff's department in those counties in which the sheriff desires to create such a board. It could lead to greater continuity in personnel from one administration to another, should an incumbent sheriff fail to get re-elected or decline to run again. It has the potential for enhancing job security in some sheriffs' departments and should thus increase the confidence and morale of those employees afforded such merit protections. It aids in the creation of a professional career service for sheriffs' deputies.

H.B. 1191 responds to the concerns of a sheriff who desired to establish a merit board for his employees, but found no statewide statute authorizing merit boards for employees of the sheriff. It was supported by the Georgia Sheriffs' Association as an excellent legal vehicle for authorizing the creation of merit boards for employees of the sheriff, on a local option basis.

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H.B. 1197 - BAD CHECKS: SERVICE CHARGE - ACT 1309

H.B. 1197 amends OCGA, Section 16-9-20. It increases the allowable minimum service charge which may be imposed by the holder of a bad check, from the greater of $5.00 or 5 percent of the check, to $15.00 or 5 percent of the check. Effective July 1, 1984.

H.B. 1197 will provide the potential for increased reimbursement for costs incurred by merchants to process bad checks and thereby serve to minimize the financial loss to such holder(s). It may serve as an increased deterrent to those considering passing a bad check.

H.B. 1197 responds to the increase of costs incurred by merchants in processing bad checks. It further responds to the continual incidents of bad checks being passed for the purchase of services and goods in the retail market.

H.B. 1215 - EVIDENCE: WITNESS FEES: CAMPUS POLICE - ACT 1168

H.B. 1215 amends OCGA, Section 24-10-27. It includes campus policemen, as defined in OCGA, Section 20-8-1, within the group of persons authorized to collect witness fees for testimony on behalf of the state during any hours except the regular duty hours to which the officer is assigned. It requires that any campus policeman claiming such witness fees does so under the same conditions and procedures as other law enforcement personnel eligible for such fees. Effective March 28, 1984.

H.B. 1215 should have relatively little financial impact upon the courts, since most courts currently reimburse these officers. It does, however, clarify certain legal questions which have arisen concerning the statutory authorization for payment of such claims. It will serve to ensure that campus policemen receive the same remuneration for their services to the courts as other law enforcement personnel.

H.B. 1215 responds to concerns expressed by at least one county governing authority as to the legal authorization for payments to campus policemen who are required by subpoena to serve as a witness on behalf of the state in cases before the courts.

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H.B. 1230 - JURY DUTY: CERTAIN EXEMPTIONS - ACT 1337

H.B. 1230 amends OCGA, Section 15-12-1, and repeals OCGA, Section 15-12-1.1. It repeals all categories of exemptions from jury duty, civil or criminal, whether a jury is selected by drawing from a box or by electronic or mechanical means. It provides that any person who shows that (s)he will be engaged during his term of jury duty in work necessary to the public health, safety, or good order or other good cause why (s)he should be exempt from jury duty may be excused by the judge of the court to which summoned, or by some other person who has been duly appointed by order of the chief judge to excuse jurors. It further provides that such an appointed person may exercise such authority only after the establishment by court order of guidelines governing excuses, and that the order must provide that, except for permanently mentally or physically disabled persons, such excuses shall be deferred to a date and time certain within that term or the next succeeding term, or shall be deferred as set forth in the court order. Effective April 7, 1984.

H.B. 1230 repeals automatic exemptions from jury duty of a wide array of persons engaged in specific professions, or otherwise exempt. It will

greatly expand the jury pool and make it much more representative of the population from which the jury pool is formed. Consequently, such juries should yield verdicts more commensurate with the founding fathers' concept of justice.

H.B. 1230 is a direct response to recommendations of the Governor's Medical Liability Advisory Commission. It also responds to efforts to equalize jury strikes in criminal cases in the superior courts of this state, which have failed to receive the support of the General Assembly in the past several years. It appears, in that sense, to be a compromise, expanding the jury pool and minimizing exemptions, thus affording an opportunity for a more representative jury. It was not openly supported or opposed by any representative groups, and received very little public attention as it worked its way through the legislative process.

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H.B. 1278 - IDENTIFICATION CARD: PASSPORT NUMBER: CERTAIN PERSONS - ACT 1326

H.B. 1278 amends OCGA, Section 40-5-100. It provides that an identification card issued by the Department of Public Safety to a person who does not have a driver's license, shall, in place of a social security number, bear the passport number of the person to whom the card is issued if that person is not a citizen of the United States. Effective April 6, 1984.

H.B. 1278 will enable a person who is not a citizen of the United States to be issued an identification card by the Department of Public Safety, and thereby enhance the commercial foreign business potential of the State of Georgia by allowing foreigners to retain official identification.

H.B. 1278 is in response to the needs of major international corporations based in Georgia, who work closely with foreign consultants and businessmen who are visiting the corporations in order to fill orders, to train, to observe business operations, etc. It is in response to a request of the Cobb County Chamber of Commerce.

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H.B. 1294 - PESTICIDE USE/APPLICATION: LICENSING SANCTIONS - ACT 1140

H.B. 1294 amends OCGA, Section 2-7-102, relating to grounds for denial, suspension, revocation, or modification of licenses, permits, or certifications under the "Georgia Pesticide Use and Application Act of 1976."

It provides that the Commissioner of Agriculture may suspend any pesticide contractor's license or any certified commercial pesticide applicator's license, pending inquiry, for not longer than ten days, and after opportunity for a hearing, may deny, suspend, or revoke such license for a period not to exceed five years, upon a finding that (1) the applicant for or holder of such license has been convicted of or has pleaded guilty to a violation of Code Section 16-13-31 (trafficking in illegal drugs); (2) the conviction occurred or the plea was entered on or after January 1, 1984; (3) the conviction occurred or the plea was entered within the immediately preceding five years; and (4) an aircraft was used in the commission of such violation. Effective March 28, 1984.

H.B. 1294 provides a specific administrative method for the Commissioner of Agriculture to deny or revoke licenses where individuals have used an airplane in the furtherance of illegal drug trafficking. This is in addition to any legal action that may be taken in the courts. It may deter potential drug traffickers from using airplanes normally construed to be used in pesticide extermination in carrying out their illegal activities.

H.B. 1294 responds to the perceived need to deny the use of pesticide extermination aircraft to drug traffickers. In view of the fact that airplanes are used in drug smuggling operations, and the presence of many small but serviceable airfields throughout Georgia, this legislation may inhibit illegal use of what are commonly construed to be legitimate craft engaged in legitimate agricultural operations.

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H.B. 1312 - CLAYTON JUDICIAL CIRCUIT: NUMBER OF JUDGES - ACT 850

H.B. 1312 amends OCGA, Section 15-6-2. It adds one superior court judge and the amenities of judgeship to the Clayton Judicial Circuit for a term beginning July 1, 1985. It increases the number of judges in the Circuit to four. Effective March 14, 1984.

H.B. 1312 should result in reducing the caseload of the Clayton Judicial Circuit's current three judges. Additionally, it should reduce case backlog and expedite the disposition of cases there. Its cost for implementation will be approximately $112,500.00 in state funds. It may also result in some additional costs to the county in the Circuit related to salary supplements, fringe benefits, support personnel, office space and supplies.

H.B. 1312 is the result of recommendations of the Judicial Council of Georgia. The Council recommended that additional judgeships be created

in seven circuits. These recommendations are based on empirical analyses of caseload statistics in all judicial circuits.

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H.B. 1314 - COURT BAILIFFS: COMPENSATION - ACT 927

H.B. 1314 amends OCGA, Section 15-12-7, relating to compensation of court bailiffs to raise such compensation from a minimum of $5.00 and a maximum of $40.00 per diem, to a maximum of $50.00 per diem. Effective March 19, 1984.

H.B. 1314 increases the maximum compensation of court bailiffs in superior courts by $10 per diem, to a maximum of $50. It will impact upon the budget of county governing authorities as bailiffs are paid through county funds.

H.B. 1314 is a response to inflationary pressures and the recognition that court bailiffs should be compensated at a reasonable level more commensurate with their duties.

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H.B. 1332 - JUDICIAL CIRCUITS: CERTAIN LAW CLERKS: COMPENSATION - ACT 986

H.B. 1332 amends OCGA, Section 15-6-28.1, relating to law clerks for judicial circuits containing institutions designated for carrying out death sentences. It provides for increases in the salaries of law clerks authorized for these circuits. It provides that to be eligible for the position as law clerk, a person must be an active member of the State Bar of Georgia or eligible to take the State Bar examination. It further provides that such individual shall be in the unclassified service of the State Merit System of Personnel Administration, and possess additional qualifications as determined by the Chief Judge. It sets the salary for the law clerk at not more than $18,500 per year from state funds appropriated for the operation of the superior courts, and provides that each county within the judicial circuit is authorized to supplement the salary of the law clerk. Effective March 31, 1984.

H.B. 1332 establishes additional qualifications and salary for the law clerk authorized in the judicial circuits where the death penalty may be imposed (currently Butts County, Flint Circuit, location of the Georgia Diagnostic and Classification Center). It recognizes this is the judicial circuit where many death penalty related court actions, to include habeas corpus, are filed and provides a qualified individual to assist the judges of the circuit in these death penalty court actions.

H.B. 1332 responds to the need to have a fully qualified and competent law clerk to assist in death penalty actions. It was further in partial response to criticism concerning the length of time legal actions were taking in the Flint Circuit regarding death penalty cases, specifically, and was supported by the Judicial Council of Georgia.

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H.B. 1337 - PRIVATE DETECTIVE/SECURITY BUSINESSES: BOND - ACT 1287

H.B. 1337 amends OCGA, Chapter 43-38. It repeals the requirement regarding the submission of net worth affidavit to the joint-secretary in the case of a partnership in a private detective or security business. It repeals the requirement that the joint-secretary's office hold the surety bond of an applicant for a private detective or security business license if the applicant has any court action filed against him/her. It further repeals the requirement of the joint-secretary's office to liquidate a portion or all of the surety bond if judgment is rendered against the applicant and damages have not been paid by the applicant within ten days. It provides that the Georgia State Board of Private Detective and Security Agencies may revoke the licensee's license if the surety or licensee cancels the bond or net worth statement and a new bond or net worth statement is not submitted within ten days of cancellation. It further provides that the Board need only forward the necessary fingerprints from each licensee and registrant to the Georgia Crime Information Center or the Georgia Bureau of Investigation. It adds a provision whereby the Board may refuse to grant a license or registration, may revoke the license or registration, or may discipline a person licensed or registered, if a majority of the Board finds that the licensee, registrant, or applicant has failed to demonstrate that he/she meets the qualifications or standards for a license or registration. It does provide, however, that the individual may appear before the Board after the decision if he/she so desires. It further provides that if the Board finds that an applicant or prospective registrant is unqualified to be registered, the Board may deny application or it may limit the license or registration for a definite period of time. It provides that if the Board revokes a license or registration, in addition to applying current remedies, it may also fine the person up to $500.00. It adds that no municipality, county or other political subdivision of the state may grant a business license to any person until the Board has taken action on the license, other than acting to refuse, cancel, revoke or fail to renew. Finally, it provides that a person engaging in the private detective or security business not legally licensed to do so, shall be charged with committing a separate offense each day or part of a day that he/she practices illegally. Effective April 4, 1984.

H.B. 1337 is generally a procedural bill which provides for stricter control over the Private Detective and Security Businesses. It should intensify supervision over these agencies. It should ensure sufficient administrative clout necessary in order to police these businesses efficiently.

H.B. 1337 responds to a recommendation by the Secretary of State's Office to change the Private Detective and Security Business Act in order to establish more stringent control and supervision of such businesses.

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H.B. 1354 - JUVENILE COURTS: DELINQUENTS: COURSE OF STUDY - ACT 1142

H.B. 1354 amends OCGA, Sections 15-11-35 and 17-10-1. It provides that, in any case where a child is found to have committed a delinquent act and has not achieved a high school diploma or the equivalent, the court may require as a condition of probation, that the child pursue a course of study which will lead to achieving a high school diploma or the equivalent. It further provides that, in any case in which such a condition of probation may be imposed, the court shall give express consideration to whether such a condition should be imposed. It requires similar consideration of such a condition of probation or suspension of sentence for minor defendants in adult courts, and where such condition or probation may be imposed, requires the court to give express consideration to whether such a condition should be imposed. Effective July 1, 1984.

H.B. 1354 provides an additional sentencing option for juvenile court judges, and judges sentencing a minor defendant in misdemeanor and felony cases. It may cause a significant number of youthful offenders, who have not graduated from high school, to pursue a course of study leading toward a high school diploma or equialent, and perhaps indirectly contribute toward the rehabilitation of young offenders.

H.B. 1354 is an expression of the realization that the perusal of study which could lead to a high school diploma for a youthful offender who has never achieved that status, may be a beneficial rehabilitation tool for use by the courts. It places a certain degree of responsibility upon those probated or suspended, and could lead to an increased understanding of an individual's delinquent behavior and its subsequent avoidance. It was supported by children and youth advocates.

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H.B. 1364 - UNIFORM DIVISION/DEPARTMENT OF PUBLIC SAFETY: APPOINTMENT - ACT 1143

H.B. 1364 amends OCGA, Section 35-2-43. It provides that no former member of the armed forces of the United States who has been discharged with a discharge less than an honorable discharge, shall be eligible for appointment or reappointment to the Uniform Division of the Department of Public Safety. It clarifies existing language which is outdated. Previous language only mentioned discharges from the Army, Navy, or Marine Corps, and thus exempted other branches of the U. S. Armed Forces. It also changes ambiguous language which stated "with a character less than excellent" by naming a specific type of service related discharge. Effective March 28, 1984.

H.B. 1364 will aid the personnel section of the Georgia State Patrol in carrying out its applicant screening process by clarifying the legislative intent of one of the pre-employment criteria. It will serve to ensure that no person who has been discharged from the armed forces of the United States, with less than an honorable discharge, is appointed to the Uniformed Division. It could avoid future legal actions against the Department of Public Safety, should they deny appointment to persons not identified in the existing law, and should avoid the need for a judicial interpretation of what constitutes "character less than excellent."

H.B. 1364 responds to a needed clarification of the legislative intent in establishing pre-employment criteria for uniform personnel of the Department of Public Safety. It uses a specific type of service discharge to define the legislature's meaning and, thus, limits the discretion of the Department of Public Safety to define excellent character.

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H.B. 1390 - HOUSTON JUDICIAL CIRCUIT: ADD JUDGE - ACT 851

H.B. 1390 amends OCGA, Section 15-6-2. It adds one superior court judge and the amenities of judgeship to the Houston Judicial Circuit for a term beginning July 1, 1985. It increases the number of judges in the Circuit to two. Effective March 14, 1984.

H.B. 1390 should result in reducing the caseload of the Houston Judicial Circuit's current one judge. Additionally, it should reduce case backlog and expedite the disposition of cases there. Its cost for implementation will be approximately $112,500.00 in state funds. It may also result in some additional costs to the counties in the Circuit related to salary supplements, fringe benefits, support personnel, office space and supplies.

H.B. 1390 is the result of recommendations of the Judicial Council of Georgia. The Council recommended that additional judgeships be created in seven circuits. These recommendations are based on empirical analyses of caseload statistics in all judicial circuits.

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H.B. 1416 - EXAMINING BOARDS: INVESTIGATORS: BONDS TO CARRY FIREARMS - ACT 987

H.B. 1416 amends OCGA, Section 43-1-5. It repeals the provision requiring investigators for the examining boards and the Office of the Joint-Secretary of the Secretary of State's Office to file a bond of at least $500.00 before they can be authorized to carry a firearm. Effective July 1, 1984.

H.B. 1416 will remove a financial burden on the Secretary of State's Office by eliminating the requirement of a $500.00 bond for each of its investigators who carry a handgun. It could save that office several hundred dollars annually in that there are eighteen investigators and the cost incurred to file the bond is approximately $50.00 per investigator each year. It will remove a requirement of the Secretary of State's Office which is not required of other state enforcement agencies retaining investigators.

H.B. 1416 is a result of recommendations by the Legislative Budget Office to eliminate seemingly unjustifiable expense from the Secretary of State's budget. It was also supported by the Secretary of State's Office.

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H.B. 1494 - ASSISTANT ATTORNEYS GENERAL: REPRESENT CRIMINAL DEFENDANTS - ACT 1289

H.B. 1494 amends OCGA, Section 45-15-30 relating to assistant attorneys general. It stipulates that where any attorney at law under independent contract to the Department of Law, has been appointed or designated either specially or generally as an assistant attorney general, representation of a defendant in criminal proceedings by such designated assistant attorney general shall not constitute a conflict of interest if (1) that attorney provides written disclosure of such appointment or designation to the defendant prior to accepting employment; or (2) when a court has appointed an assistant attorney general to represent an indigent criminal defendant, disclosures to the defendant and to the court are reflected in the record of that court regarding such appointment or designation as assistant attorney general. Effective July 1, 1984.

H.B. 1494 statutorily removes any potential or possible conflict of interest between an independently contracted attorney who has been designated an assistant attorney general in the Department of Law and represents a criminal defendant in private practice. It provides a legal method for such specially designated attorneys to continue a private practice, as well as retain any special appointment. The required disclosures should preempt potential conflicts of interest which could arise as a result of the special appointment.

H.B. 1494 responds to the necessity to provide for protection against conflict of interest charges which could result against contract assistant attorneys general who perform contract work on a continuing type of appointment. Charges concerning conflict of interest in similar situations have been raised in other states and this legislation provides protection for Georgia attorneys. In its absence, difficulty would be encountered in engaging contract attorneys for such functions as "family and children" child support cases throughout the state.

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H.B. 1506 - INMATE FILES: CERTAIN INFORMATION CONFIDENTIAL - ACT 1290

H.B. 1506 amends OCGA, Section 42-5-36. It provides that all institutional inmate files and central office inmate files maintained by the Department of Offender Rehabilitation (DOR) are classified as confidential state secrets and privileged under law, unless declassified in writing by the DOR Commissioner. Previously existing state law did not protect such files from open inspection under the Public Records Act. This bill makes the current DOR Rules and Regulations governing protection of inmate files, a matter of state law. It does provide also that such records shall be subject to court subpoena. Effective April 4, 1984.

H.B. 1506 recognizes the importance of maintaining confidentiality of inmate records as an institutional control technique and as a means of protecting inmates from retributive attacks. It should ensure inmates, who cooperate with prison personnel, that anything contained within their records will not be subject to public inspection or inspection by other inmates. It may limit the number of inmate reprisals against those who provide information relative to institutional control to prison staff. It will also ensure inmates that, as personnel records, their files will receive the same privacy and security protections provided to the general public concerning personnel records.

H.B. 1506 was sought and supported by DOR as a means to protect inmate files due to a compelling state purpose for such protection. DOR was

experiencing an increase in requests for inspection of inmate files under the Public Records Act. In some cases, the requests were from other inmates.

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SENATE BILLS

SENATE BILLS

S.B. 23 - STOLEN MOTOR VEHICLE: STORAGE FEES - Act 951

S.B. 23 amends OCGA, Section 35-1-4. It provides that it shall be the duty of any person reporting a motor vehicle theft to provide the law enforcement agency and the Department of Public Safety with sufficient information in order to contact the owner or the successor in interest to the owner of the stolen motor vehicle, if the vehicle is recovered. It further provides that the Department of Public Safety or the recovering law enforcement agency shall notify the appropriate person within 72 hours of recovery of the stolen motor vehicle and that such person shall not be charged any storage fee on such vehicle for 24 hours following the notification. It provides that if the Department of Public Safety or the recovering law enforcement agency is unable to contact anyone regarding the recovery of the stolen motor vehicle, this shall be recorded and filed with incident reports. It further provides that these provisions will not affect the responsibilities of the Georgia Crime Information Center regarding their retention of files on stolen motor vehicles. Effective July 1, 1984.

S.B. 23, in requiring a 72-hour follow-up by the law enforcement agencies to notify the appropriate person once a stolen motor vehicle is recovered, would prevent the owners or the successors in interest to the owner of the stolen motor vehicle from paying extensive storage fees due to a lack of knowledge regarding the recovery. It should provide for the refinement of the process of reporting, recovery notification of a stolen motor vehicle and the filing of reports connected with the theft.

S.B. 23 is an apparent response to delays in contacting the appropriate person(s) regarding the recovery of their stolen motor vehicle(s). It is also responsive to the problem of excessive storage fees connected with such delays in notification. It was supported by the Department of Public Safety.

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S.B. 61 - TRAFFIC OFFENSES: MODIFYING JUDGMENTS - ACT 1240

S.B. 61 enacts OCGA, Section 40-13-32. It provides that no court having jurisdiction over cases arising out of the traffic laws of this state, or of any county or municipal government, shall change or modify a traffic law sentence or judgment rendered pursuant to a conviction, plea of guilty, or plea of nolo contendere after 90 days from the date of the judgment, except

for the purpose of correcting clerical errors therein, unless there is strict compliance with all of the following requirements: (1) a motion to change or modify the sentence or judgment is made by the defendant to the court rendering the judgment; (2) notice, including a copy of the motion and rule nisi, is given to the prosecuting official who brought the original charge, at least ten days prior to the motion hearing; and (3) a hearing is held with opportunity for the state to be heard. It provides that if the original judgment is changed or modified, the judge shall certify to the Department of Public Safety that such change or modification is a true and correct copy and that the three requirements set forth above have been met. It provides that except for orders correcting clerical errors, the Department of Public Safety shall not recognize as valid nor make any changes to a driver's history unless that change or modification is submitted to the Department in strict compliance with this Act. It further provides that in the case of municipal courts, notice to the city attorney or the solicitor where the court has one, shall be deemed to be the required notice. It further stipulates that where notice is required, it will be sufficient if sent by certified mail, return receipt, with adequate postage to the correct address of the prosecuting official. Effective March 29, 1984.

S.B. 61 should result in a significant reduction in the number of changes or modifications made to a driver's history as a result of the courts' response to requests for such changes. It establishes a precise procedure for changing drivers' records once the requirements of the statute have been met. It should serve to deter unwarranted efforts on the part of defendants and their attorneys to reduce or strike original court findings in traffic cases, and should ultimately result in more accurate driver records being maintained by the Department of Public Safety.

S.B. 61 responds to significant publicity concerning "nunc pro tunc" (now for then) actions which have been requested in significant numbers in the past, which have resulted in reduction or elimination of charges against drivers' records maintained by the Department of Public Safety. It coincidentally responds to increased sanctions authorized against drunk drivers, and is reflective of the public outrage expressed against apparent "lenient" treatment of many traffic offenders by some courts.

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S.B. 101 - ABANDONED MOTOR VEHICLES: NOTIFICATION - ACT 892

S.B. 101 amends OCGA, Sections 40-11-1 and 40-11-3. It reduces from ten to five days the period of time after which a motor vehicle which has been left unattended on a public street or road, may be presumed to be

abandoned and be removed by a law enforcement officer who reasonably believes that the person who left the motor vehicle does not intend to remove it. Effective March 15, 1984.

S.B. 101 would allow law enforcement officers to tow abandoned vehicles much sooner than currently allowed, consequently decreasing the number of abandoned motor vehicles on Georgia's public roads and highways. It should enhance highway safety in Georgia by removing the abandoned vehicles, which can at times be difficult to distinguish, especially at night. It should allow sufficient time for the owner to arrange for the removal or repair of the vehicle.

S.B. 101 is an apparent response to the problem of increasing numbers of motor vehicles being abandoned on Georgia's roads, creating safety problems, especially in the metropolitan areas throughout Georgia. It was supported by the Department of Public Safety.

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S.B. 108 - FELONS, CERTAIN: DENY APPEAL BONDS - ACT 1099

S.B. 108 amends OCGA, Sections 17-6-1 and 17-10-7. It provides that no appeal bond shall be granted to any person who has been convicted of murder, rape, armed robbery, kidnapping, or aircraft hijacking, and has been sentenced to serve a period of incarceration of seven years or more. It provides that the granting of appeal bonds in all other cases shall be in the discretion of the convicting court. It adds the provision that a felony offender who has been convicted previously under the laws of any other state or of the United States, of a crime which, if committed in Georgia, would be a felony, and has been sentenced previously to confinement in a penal institution, shall be treated under the same repeat offender statute (OCGA, Section 17-10-7) as those persons who are repeat felony offenders based on Georgia offenses. It requires the maximum sentence prescribed by law for the repeat felony offense. Effective March 28, 1984.

S.B. 108 removes the discretion of the court in granting appeal bonds to those offenders described above. It could result in an increase in the number of serious felony offenders housed in county jails pending appeal. It should, however, serve to ensure the public that persons convicted of serious crimes will not be allowed in their community while on appeal bond. It will also allow the court to treat repeat felony offenders, whose prior offenses were committed outside the State of Georgia, in the same punitive manner as those repeat felony offenders whose crimes were committed within Georgia. It may result in an increase in the length of stay of these persons in the state correctional system and thus lead to increased prison populations.

It may deter felony offenders residing outside Georgia from moving into this state to continue their criminal careers.

S.B. 108 responds to the rising public concern over repeated criminal behavior and sensational examples of convicted and sentenced offenders who have committed further crimes while in the community on an appeal bond. It was supported by the Criminal Justice Coordinating Council, law enforcement personnel, and judicial interests.

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S.B. 191 - INDEMNIFICATION: CERTAIN EMPLOYEES: HUMAN RESOURCES - ACT 1100

S.B. 191 amends OCGA, Sections 45-9-81 and 45-9-83. It expands the types of public safety employees eligible for indemnification as a result of death or permanent disability occurring in the line of duty, by adding probation supervisors and parole officers who are required to be certified under the Peace Officer Standards and Training Act; employees of the Department of Human Resources (DHR) who have the duty to investigate and apprehend delinquent and unruly children who have escaped from a DHR facility; and any employee of the state or a political subdivision whose principal duties include the supervision of youth who are charged with, or adjudicated for, an act which, if committed by adults, would be considered a crime. It also adds the Director, Division of Youth Services, Department of Human Resources, to the membership of Georgia State Indemnification Commission. Effective March 28, 1984.

S.B. 191 should have a positive impact upon the morale of those employees added to the list of eligibles to receive indemnification benefits, and their families. It may aid in the recruitment and retention of better qualified employees, since it provides an additional insurance benefit. It may result in an increased workload, administrative duties, and needs for additional state funds for the Georgia State Indemnification Commission. It results in a large increase in the number of persons eligible for indemnification benefits.

S.B. 191 responds to the desires of youth service workers and other employees of the Department of Human Resources to receive the same benefits for their services that public safety employees in the adult criminal justice system receive. Adult probation and parole personnel sought the amendment to this Act which added them to the list of eligibles. The bill was supported by the Department of Human Resources, Department of Offender Rehabilitation and the Board of Pardons and Paroles.

S.B. 232 - JUVENILE COURTS: PROTECTIVE ORDERS - ACT 896

S.B. 232 amends OCGA, Section 15-11-5. It provides that upon application, or upon its own motion, the juvenile court may make an order restraining or controlling the conduct of a person if an order of disposition of a child has been or is about to be made under the juvenile code, and due notice of the application or motion, and the grounds therefor, and an opportunity to be heard has been given to the person against whom the order is directed. Such an order may require any such person: (1) to stay away from the home or the child; (2) to permit a parent to visit the child at stated periods; (3) to abstain from offensive conduct against the child, his parent, or any person to whom custody of the child is awarded; (4) to give proper attention to the care of the home; (5) to cooperate in good faith with an agency to which custody of a child is entrusted by the court or with an agency or association to which the child is referred by the court; (6) to refrain from acts of commission or omission that tend to make the home not a proper place for the child; (7) to ensure that the child attends school pursuant to any valid law relating to compulsory attendance; and (8) to participate with the child in any counseling or treatment deemed necessary after consideration of employment and other family needs. It further provides for modification or extension of the protective order, or termination if the court finds that the best interests of the child and the public will be served. It provides that protective orders may be enforced by citation to show cause for contempt of court by reason of any violation thereof and, where protection of the welfare of the child so requires, by the issuance of a warrant to take the alleged violator into custody and bring him before the court. Effective July 1, 1984.

S.B. 232 will allow the juvenile court extended authority to make certain protective actions to better protect a child under the jurisdiction of the court. These actions either compel one to do something or refrain from doing something, the effect of either of which is detrimental to the welfare of the child. It should yield more authority to juvenile court judges in enforcing their orders and in ensuring the protection and welfare of a child.

S.B. 232 responds to the perceived need to give juvenile court judges, and superior court judges sitting as juvenile court judges, additional authority to protect children under its jurisdiction from acts of commission or omission from those near or about the child, which acts influence the conduct of the child, and the rehabilitative program the court has directed. It was supported by juvenile justice advocates and child welfare proponents.

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S.B. 254 - PARDONS AND PAROLES: SUPERVISION FEES - ACT 1102

S.B. 254 amends OCGA, Section 42-9-42. It provides that the State Board of Pardons and Paroles may require the payment of a parole supervision fee of not more than $10.00 per month, for not more than 24 months, as a condition of parole. It further provides that the Board may require the fee to be paid in advance of the time to be spent on parole and that all such fees shall be paid into the general fund of the state treasury. Effective March 28, 1984.

S.B. 254 should result in some offenders helping to defray the costs of providing parole supervision. It could generate $600,000 to $700,000 annually into the state treasury, to help offset the costs of operating the State Board of Pardons and Paroles.

S.B. 254 is partially in response to the success of the probation supervision fee for probationers in the "intensive supervision program." The success of this program in practically paying for itself, leads many persons to inquire about a similar requirement for parolees. It was supported by the Board of Pardons and Paroles.

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S.B. 312 - JUVENILE COURT: JUDGES' COMMISSION - ACT 897

S.B. 312 enacts OCGA, Section 15-11-3.1, and amends OCGA, Sections 21-2-502 and 45-3-30. It provides that when a juvenile court judge is appointed, the clerk of the superior court shall forward to the Secretary of State and to the Council of Juvenile Court Judges a certified copy of the order of appointment. It specifies the information to be included in such certification and requires the Secretary of State to issue a commission as is done for superior court judges. It further specifies that whenever a referee is appointed to serve in a juvenile court, the clerk of the court will forward a certified copy of the order of appointment to the Council of Juvenile Court Judges. It adds judges of the juvenile court (where elected) to the enumeration of officials to whom a commission under the great seal of Georgia is issued by the Governor and the Secretary of State. It includes juvenile court judges and the Commissioner of Insurance as individuals to whom commissions under the great seal of the state shall be issued. Effective July 1, 1984, and applicable to juvenile court judges elected or appointed after that date.

S.B. 312 is essentially a procedural bill which places judges of the juvenile courts on equal footing with superior court judges and other officials in regard to issuance of commissions of office. It will add

somewhat to the workload of the Office of the Secretary of State and should contribute toward increased prestige of juvenile court officials. It will contribute to accuracy of records maintained by the Council of Juvenile Court Judges.

S.B. 312 responds to the widening understanding and appreciation of the role of the juvenile courts, their judges and referees, in the judicial system. It provides recognition on equal footing with other elected and appointed officials regarding state commissions of office. It was supported by the Council of Juvenile Court Judges and other juvenile court advocates.

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S.B. 332 - PUBLIC OFFICIALS: SUSPEND FROM OFFICE: FELONY - ACT 1271

S.B. 332 amends OCGA, Sections 45-5-6 and 15-16-26. It provides a procedure for the suspension of any of the following officials who are indicted for a felony which relates to the activities of the office of the official: elected county officers, elected members of county governing authorities, elected members of consolidated governments, members of boards of education, school superintendents, state court solicitors, members of municipal governing authorities, members of the Public Service Commission and district attorneys. It provides, however, that in the case of a federal indictment, the suspension procedure shall apply only to sheriffs. It provides that upon indictment, the Attorney General or district attorney shall transmit a certified copy of the indictment to the Governor who shall appoint a review commission. It provides that no commission shall be appointed for a period of 14 days from the day the Governor receives the indictment, which period may be extended by the Governor. It provides that during this period of time, the indicted public official may, in writing, authorize the Governor to suspend him from office. It provides that any such voluntary suspension shall be subject to the same conditions for review, reinstatement, or declaration of vacancy as provided for non-voluntary suspension. It stipulates that when the Commission is appointed by the Governor, it shall be composed of the Attorney General and two public officials who hold the same office as the individual indicted, and provides for reimbursement of any expenses incurred in connection with the investigation from funds appropriated by the Executive Branch. It further provides that in the event the Attorney General brings the indictment against the public official, the Attorney General shall not serve on the commission and the Governor shall appoint a retired Supreme Court Justice or a retired Court of Appeals Judge in his stead. It provides that unless a longer period of time is granted by the Governor, the commission shall make a written report to the Governor within 14 days of its composition. It provides that if the commission determines that the

indictment relates to and adversely affects the administration of the office of the indicted public official, and that the rights and interests of the public are adversely affected thereby, the commission shall recommend that the public official be suspended from office. It provides that if, and only if, the commission recommends suspension, then the Governor shall review the findings and recommendations and may suspend the public officer from office immediately and without further action pending the final disposition of the case or until the expiration of his term of office, whichever occurs first. It provides that while a public official is suspended under this Code Section and until final conviction, the public official shall continue to receive the compensation of his office. It further provides that during the term of office to which the suspended official was elected and in which the indictment occurred, if a nolle prosequi is entered, if the official is acquitted, or if after conviction the conviction is later overturned as a result of any direct appeal or application for a writ of certiorari, the public official shall be reinstated immediately to the office from which he was suspended. It further provides that for the duration of any suspension of any elected member of any municipal or consolidated city-county governing authority, a replacement officer for the public officer suspended shall be appointed as provided for in any general law, local law, ordinance, or resolution governing the filling of a temporary vacancy in the public office affected. It provides that for the duration of any suspension of any other public official, a replacement officer for the public official shall be appointed as provided for in any applicable general or local law governing the filling of a temporary vacancy in the public office affected. It provides that if no such general law, local law, ordinance or resolution governing the filling of a temporary vacancy is applicable, then the Governor shall appoint a replacement officer for the public official suspended. It stipulates that upon the final conviction, the office of the public official shall be vacated immediately without further action, and the vacancy shall be filled in the manner provided by law for filling vacancies in such office. It further provides for review or suspension by petition to the Governor, who may reappoint the commission to review the suspension, and it shall make a written report in 14 days. It provides that if, at that time, the commission recommends that the public official be reinstated, he shall immediately be reinstated to office. It further provides for confidentiality of reports and records of the commission and prohibits their use as evidence in any court for any purpose, and that the report and records shall not be open to the public. It further provides that if a public official who is suspended from office under these provisions is not tried in the next regular or special term following the indictment, the suspension shall be terminated and the public official shall be reinstated to office; however, such reinstatement shall not take place if he is not so tried based on a continuance

granted upon a motion made only by the defendant. It additionally provides that in investigations of charges against a sheriff, the chief judge of the superior court of the county of the sheriff's residence shall appoint a person who meets the qualifications for sheriffs pursuant to OCGA, Section 15-16-1, to assume the duties and responsibilities of the office of sheriff during any period of suspension. However, it provides that upon indictment of a sheriff for a felony, the provisions (OCGA, Section 45-5-6) applicable to other public officials shall apply. Effective April 4, 1984, and applicable to indictments handed down on or after January 1, 1985.

S.B. 332 provides a codified, systematic method to handle charges against public officials which result in felony indictments by grand juries in this state (or the United States as pertains to sheriffs). It provides a methodology, through the commission investigation, to determine if the indictment relates to the performance or activities of the office of any public official, for suspension procedures, appeal procedures, and in some cases, reinstatement procedures. It calls attention to situations wherein public officials have been indicted in this state in the past and have refused to vacate their office. It completely details procedural safeguards for the indicted public official, as well as for the review procedures on the part of the state. Wide knowledge of its provisions may have a reductive impact upon some public officials' personal conduct which borders upon, or actually is, criminal conduct.

S.B. 332 is an Administration Bill. Its final, compromise version is somewhat less precise in language and methodology than the original version which was introduced in the Senate; however, it is reflective of the input of many public officials and private citizens, as well as members of the General Assembly, in arriving at a workable solution to the problem of public corruption and its prosecution. It is reflective of the concerns of the Administration and the citizens of Georgia of charges of public corruption which have been brought against elected and other public officials within the state.

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S.B. 338 - CORRECTIONAL INSTITUTIONS: CERTAIN EMPLOYEES: OFFICERS - ACT 956

S.B. 338 amends OCGA, Sections 42-5-30, 43-5-31 and 42-5-37, by deleting all references to the title of "guard" and provides that the Board of Offender Rehabilitation shall, by rule and regulation, specify appropriate titles of personnel employed in state and county correctional institutions. It further specifies that none of such personnel shall be known as or designated by the Board as "guards" or "prison guards." Effective July 1, 1984.

S.B. 338 should enhance the professional image of correctional officers by deleting specific legal references to an outdated job title. It grants the Board of Offender Rehabilitation the authority to establish specific job titles which are more descriptive and more reflective of the actual job skills performed by all Department of Offender Rehabilitation (DOR) personnel.

S.B. 338 responds to the desires of DOR personnel to eliminate references to an outdated job title which projects negative connotations. It represents a concerted effort on the part of departmental employees to project a more professional image. It is consistent with modern correctional practices.

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S.B. 343 - MOTOR VEHICLE: MAJOR COMPONENT PART: DEFINITION - ACT 1106

S.B. 343 amends OCGA, Section 40-3-2. It changes the definitions of the terms "major component part" and "salvage motor vehicle" as used in the "Motor Vehicle Certificate of Title Act". It provides that the frame of a motor vehicle and a complete side of a motor vehicle shall each constitute a major component part. It also provides that a motor vehicle which has been repaired without a transfer of title, shall not be a salvage motor vehicle. Effective July 1, 1984.

S.B. 343 should contribute toward prevention of the representation of repaired/rebuilt vehicles as "new". It should reduce the incidence of stolen component parts being used for vehicles sold in legitimate markets.

S.B. 343 responds generally to a continuing effort to assure that collusion between legitimate used/salvage vehicle dealers and illegitimate dealers or auto thieves is not a common occurrence.

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S.B. 351 - SUPERIOR COURT CLERKS: SALARY: POPULATION BRACKETS - ACT 908

S.B. 351 amends OCGA, Section 15-6-88. It provides that in the event the population of a county, according to the U. S. decennial census of 1980 or any future census, is less than the population of the county according to U. S. decennial census of 1970, the population of the county according to the 1970 census shall be utilized for the purpose of establishing minimum annual salary of the clerks of the superior courts. Effective March 19, 1984.

S.B. 351 would fix the minimum annual salary of the clerks of the superior courts so as to prevent any decrease in population from causing a decrease in salary. It should have very little, if any, impact on county funds because it does not call for an increase, simply a retention of the minimum annual salary currently paid by the county to the clerk of the superior court.

S.B. 351 is an apparent response to concerns of the superior court clerks that a decrease in the population of their appropriate county would affect their minimum annual salary. It was supported by the Superior Court Clerks Association of Georgia.

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S.B. 358 - SHERIFFS: SALARY - ACT 1107

S.B. 358 amends OCGA, Section 15-16-20, and enacts OCGA, Section 15-6-20.1. It provides for an increase in the minimum annual salaries for sheriffs to be paid from county funds. It provides for a continued salary scale, based on county population, and effective January 1, 1985, increases sheriffs' minimum salaries across the board by 7%, with two exceptions (Richmond and Chatham Counties). It reduces the Richmond County Sheriff's salary by 18% and provides no increase in the Chatham County Sheriff's salary. It further provides that any sheriff who performs the duties of sheriff for a state court, probate court or magistrate court, under any applicable state law, shall receive an additional salary of $200.00 per month for his services in such court; except in those counties which have a population of 5,999 or less, in which the sheriff shall receive an additional $50.00 per month for his services in such court(s). Those counties with populations below 5,999 are: Baker, Calhoun, Clay, Dawson, Echols, Glascock, Lanier, Long, Marion, Quitman, Schley, Stewart, Taliaferro, Towns, Webster, and Wheeler. It also provides that a sheriff who serves in more than one such court may receive only one such salary addition. Effective January 1, 1985.

S.B. 358 should serve to ensure that adequate compensation for the duties of the office of sheriff is maintained. It may result in continued improvement in the quality of individuals seeking the office. It will result in increased costs to county governments for the operation of the sheriff's office. It will provide a 7% minimum salary increase over the 18-month period from July 1, 1983, to January 1, 1985. The payment of an additional monthly stipend of either $200.00 or $50.00, whichever is applicable, will result in those sheriffs serving more than one court being remunerated for their additional services. This additional pay is consistent with the principle of additional pay for services to an additional court which currently is authorized for clerks of court in OCGA, Section 15-6-89.

S.B. 358 was sought and supported by the Georgia Sheriffs' Association. The amendments which impact only Richmond and Chatham Counties are responsibe to concerns expressed by the local delegations to the General Assembly from those two areas, concerning problems in the operations of their sheriff's office. The Association County Commissioners of Georgia is on record as being in opposition to the general concept of a minimum annual salary for Constitutional officers; however, it leaves specific opposition to such legislation to the discretion of each individual county government.

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S.B. 371 - SOLICITORS: LEGAL EXPERIENCE: TIME - ACT 807

S.B. 371 amends OCGA, Section 15-7-24, relating to solicitors of state courts to reduce the requirement for a solicitor to have been admitted to practice law from three years to one year in order to qualify for office. Effective May 1, 1984.

S.B. 371 will authorize individuals with considerably less legal experience than that required previously, to seek and hold the office of solicitor of a state court. While not changing the age requirement of at least 25 years of age, it does reduce significantly the legal experience requirement.

S.B. 371 apparently responded to a specific geographic area and a specific state court. It was not supported by the State Trial Judges and Solicitors Association, nor was it actively supported by solicitors throughout the state.

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S.B. 387 - ALCOHOLIC BEVERAGES: POSSESS AND TRANSPORT: QUANTITY - ACT 1110

S.B. 387 amends OCGA, Sections 3-3-8, 3-5-21 and 3-5-60. It provides for a decrease in the maximum quantity of malt beverages an individual may possess or transport in Georgia, upon which taxes have not been paid, to 576 ounces or two cases or one 7.75 gallon keg or barrel. It entitles each individual in the motor vehicle or other conveyance this exemption, with no presumption that all the alcoholic beverages are possessed by the operator of the motor vehicle. It further provides that the Commissioner of Revenue may prescribe by regulation that no person selling,

manufacturing or distributing malt beverages may do so unless the crown or lid contains the word "Georgia" or "GA". It again decreases the maximum quantity of malt beverages upon which a tax may be levied if in excess of 576 ounces or two cases or one 7.75 gallon keg or barrel. Effective July 1, 1984.

S.B. 387 will decrease the maximum quantity of beer allowed to be possessed or transported in Georgia, from the current 1440 ounces to 576 ounces per individual, or from the current five cases to two cases, and adds the provision for a 7.75 gallon keg or barrel. It will eliminate the requirement that any bottles or cans containing malt beverages must contain the words "Georgia" or "GA" on the crown or lid and leaves the invoking of this requirement up to the discretion of the Commissioner of Revenue. This would lessen the burden on beer manufacturers to produce specific beer cans; however, it may result in retailers bringing beer in the state, illegally or untaxed, from another state. Overall, it should result in an increase in revenue for the state due to the drop in the amount allowed to be brought into Georgia untaxed.

S.B. 387 is an apparent response to the problem of the large amount of untaxed alcoholic beverages being transported into Georgia from other states. It is also responsive to the beer manufacturers by eliminating the special markings on the tops of beer cans in Georgia. Georgia is one of few states that had such a requirement.

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S.B. 405 - INVOLUNTARY MANSLAUGHTER: PUNISHMENT - ACT 812

S.B. 405 amends OCGA, Section 16-5-3, relating to involuntary manslaughter. It increases the range of punishment by imprisonment from not less than one year nor more than five years, to not more than ten years. Effective July 1, 1984.

S.B. 405 extends the range of the punishment option for judges in sentencing upon conviction of involuntary manslaughter by five years, making the sentence range from not less than one nor more than ten. It may have some impact upon jail and prison populations if the longer sentence option is used with some regularity and may deter incidents of involuntary manslaughter.

S.B. 405 is an apparent response to a perceived concept that a maximum of five years incarceration as a penalty for involuntary manslaughter was an insufficient penalty.

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S.B. 432 - CRIMINAL CASES: SUPERSEDEAS BONDS: AMEND PROVISIONS - ACT 815

S.B. 432 amends OCGA, Section 5-6-45. It provides that when an unconditional lump sum fine is imposed in a criminal case, the court may require that a supersedeas bond be conditioned upon payment of the fine at the time the sentence becomes final. It provides that when a corporation has been fined in a criminal case, the court may order that supersedeas be conditioned upon the posting of a supersedeas bond; and it provides that if a corporation fails to post such a supersedeas bond, the fine imposed may be collected by any lawful process as if the judgment had become final, subject to a refund if final judgment is entered in favor of the defendant corporation. It provides that the conditions of any supersedeas bond may at any time be reviewed and modified by the court. Effective March 14, 1984.

S.B. 432 will provide a statutory method for requiring bond to be continued during a period of time pending payment of a fine, and prevent the bond from being released until such time as the monies have been paid by an individual. Similarly, it will authorize the posting and holding of bond monies where a corporation is the defendant, and prevent such monies from being returned until such time as court action is completed and the sentence has been carried out and any fines paid. Its grant of immunity will protect officers of the court and others from civil liability in the service and collection of a judgment against a corporation.

S.B. 432 is in response to the request of a local solicitor who had been proceeding against pornography cases, where purveyors of pornography had been operating under the cloak of a legitimate corporation or business. This provides the legal basis for holding of bond monies until the case has been completed and the judgment satisfied, both in terms of individuals or corporations, and the officers thereof. It is an effort to prevent reversal on appeal of certain pornography-related cases.

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S.B. 433 - CRIMINAL CASES: SUPERSEDEAS BONDS: MOTION FOR NEW TRIAL - ACT 816

S.B. 433 amends OCGA, Section 5-5-47. It provides that provisions of OCGA, Section 5-6-45, relating to supersedeas and supersedeas bonds (see S.B. 432) when a notice of appeal is filed, shall apply equally to cases wherein a motion for new trial is filed. Effective March 14, 1984.

S.B. 433 will extend the same conditions and powers regarding supersedeas bonds in cases dealing with a motion for a new trial as those which govern cases for which notice of appeal is filed.

S.B. 433 responds to the request of a local solicitor who had been proceeding against pornography cases and experiencing difficulty in holding bond monies when a motion for a new trial was filed.

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S.B. 447 - COMMUNITY SERVICES: PROBATION OFFICERS: LIABILITY - ACT 910

S.B. 447 amends OCGA, Section 42-8-71. It provides that no agency or community officer shall be civilly liable as a result of any acts performed while participating in a community service program. It further provides that such limitations on liability do not apply to actions which constitute gross negligence, recklessness, or willful misconduct. Effective March 19, 1984.

S.B. 447 should help alleviate fears expressed by some agencies and community service officers concerning the extent of their liability for actions of offenders sentenced to community service programs for whom they are responsible. It may serve to increase the number of agencies and persons actively involved in establishing and operating community service programs. It should have minimal impact upon actual court cases concerning such liability, since there is already a large body of case law which should govern issues present in these cases.

S.B. 447 responds to the concerns expressed to the Department of Offender Rehabilitation (DOR) by probation officers, other community service officers, and organizations interested in applying for certification as a community service agency, about the limits of liability in relationship to offenders injured or otherwise harmed while performing such service. DOR sought and supported this Act as a means to clarify current case law in this regard.

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S.B. 448 - PRISONERS: CONTRABAND PROPERTY: PENALTY - ACT 911

S.B. 448 amends OCGA, Section 42-5-18. It provides that any person found to be bringing contraband drugs into an institution, shall be punished as for a felony, regardless of the amount of the drug. It further provides that any inmate found to be in possession of a gun, pistol, or any other weapon, any intoxicating liquor, amphetamines, biphetamines, or any other hallucinogenic drugs, regardless of the amount, or any other item given to the inmate without the consent and knowledge of the warden, superintendent, or his designated representative, shall be prosecuted as for a felony. Previously only institutional disciplinary measures applied to inmates receiving contraband. This Act makes it a felony violation for an inmate to receive any

contraband illegally brought into an institution. Effective March 19, 1984.

S.B. 448 should serve as a greater deterrent to persons (inmates or others) transporting contraband drugs into an institution, especially marijuana, since some jurisdictions were treating cases involving less than an ounce of marijuana as a misdemeanor. It may result in some cases which were previously handled as inmate disciplinary infractions being transferred into the courts and could increase the length of stay in prison for a considerable number of inmates.

S.B. 448 was sought and supported by the Department of Offender Rehabilitation as a means to provide greater administrative flexibility and stronger sanctions as institutional control techniques.

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S.B. 450 - MOTORCYCLE OPERATOR SAFETY TRAINING PROGRAM: PROVIDE - ACT 959

S.B. 450 enacts OCGA, Chapter 40-15. It authorizes the Department of Public Safety to adopt, promulgate, and establish rules and regulations for the operation of a 20-hour motorcycle operator safety training program to be based on the Motorcycle Safety Foundation Motorcycle Rider Course. It further authorizes the Department to provide for the entrance and enrollment of students, to prescribe fees for the course and to prescribe the ages, requirements and conditions under which the students may receive instruction. It provides that the Commissioner of the Department of Public Safety shall appoint a statewide Motorcycle Safety Coordinator to set up, establish and operate any additional programs. It authorizes the Coordinator to promote motorcycle safety throughout Georgia, and to provide consultation relating to state and local governments on motorcycle safety. It provides that instructors in the program must complete a 50-hour instructor training program based on the Motorcycle Safety Foundation's Instructor Course, in addition to passing various examinations administered by the Coordinator. It provides that the instructor training program will be held semiannually with an examination fee to be prescribed by the Coordinator. Effective when funded.

S.B. 450 would have the potential to enhance the safety of the operation of motorcycles on Georgia's roads and should result in a decrease in accidents involving motorcycles in Georgia. It should further result in increased awareness of motorcycle safety throughout Georgia due to the promotion and consultation by the Coordinator of the Motorcycle Operator Safety Training Program. S.B. 450 will be funded through an increase

in fees for motorcycle tags from the current $5.00 to $9.00, as a result of the passage of H.B. 1568. This $4.00 increase should make available approximately $450,000 to fund the program.

S.B. 450 is an apparent response to various national, state and local motorcycle associations' concern regarding motorcycle safety in Georgia.

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S.B. 452 - SHERIFFS' ANNUAL TRAINING REQUIREMENT: CERTAIN EXEMPTIONS - ACT 903

S.B. 452 amends OCGA, Section 15-16-1. It provides for a waiver, at the discretion of the Georgia Peace Officer Standards and Training (P.O.S.T.) Council, for failure by a sheriff to complete the required 20 hours of annual in-service training due to medical disability, providential cause, or other reasons judged sufficient by the Council after a review of the evidence. It also provides that irrespective of any waiver granted, a sheriff who fails to complete the required training, loses his powers of arrest until the completion of the training at some later date. The Act further provides for an exemption from the annual in-service training requirement for a sheriff who completes the basic course in the same calendar year. Effective March 15, 1984.

S.B. 452 will allow the Georgia P.O.S.T. Council discretion in the enforcement of the sheriffs' annual training requirement, provided sufficient justification is presented to warrant a waiver. It will also allow a sheriff to remain eligible for his office, provided he does not perform any duties involving the power of arrest, until he makes up the required training; and, since it allows for a sheriff to make up such training at a later date, it provides an avenue which did not previously exist, for restoration of his powers.

S.B. 452 was sought and supported by the Georgia Sheriffs' Association. It responds to problems identified with the existing Act which made no provisions for waiving training requirements for a sheriff that was medically unable to attend the required training. It also addresses a concern of the Association that once a sheriff failed to comply with the Act, there was no provision allowing for the restoration of a sheriff's arrest powers, subject to completion of the training requirements.

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S.B. 463 - CIVIL PRACTICE: PRISONERS: LIMITATION OF ACTIONS - ACT 904

S.B. 463 amends OCGA, Section 9-3-90. It provides that the statute of limitations applicable under any civil practice law of this state shall commence at the time of the act which gives rise to the civil action accruing to any person imprisoned. It further provides a period of one year from July 1, 1984, to July 1, 1985, for any person imprisoned, to bring civil actions before the court for any act which occurred prior to July 1, 1984, and in which the statute of limitations was previously postponed until that person's release from imprisonment. Effective July 1, 1984.

S.B. 463 will require prison inmates to bring civil actions against the state or any other party on a more timely basis and should thus place state and local governments in a better position to offer a defense while the purported event is still fresh in the minds of all parties. It should lead to a better defense of the state's or local government's position, less costly court awards and judgments, and should result in substantial cost savings to government. The current practice of allowing inmates to bring suit many years after the actual action, has made it difficult for governments to defend against charges.

S.B. 463 was sought and supported by the Department of Offender Rehabilitation as a cost saving measure. It also responds to a recent court decision, Cobb v. McDonald, 545 F. Supp. 1290 (N.D. Ga. 1982), which stated, in part, that although prisoners are no longer prohibited from initiating legal actions and the reason for applying this section (9-3-90, OCGA) to prisoners may no longer exist, this clear and unambiguous statute tolling the statute of limitations for persons imprisoned must be applied until abrogated by the General Assembly.

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S.B. 477 - MOTOR VEHICLES: REFLECTIVE WINDSHIELDS - ACT 1258

S.B. 477 amends OCGA, Section 40-8-73.1. It makes it unlawful for any resident person to operate a motor vehicle in this state which has material and glazing applied or affixed to the front windshield, which reduces light transmission through the windshield, or which has material and glazing applied or affixed to the front door windows which reduces light transmission through the windows to less than 32 percent. It defines "light transmission" as the ratio of the amount of total light, expressed in percentages, which is allowed to pass through a surface to the amount of light falling on the surface. Its provisions do not

apply to (1) adjustable sun visors which are mounted forward of the side windows and are not attached to the glass; (2) signs, stickers, or other matter which is displayed in a seven-inch square in the lower corner of the windshield farthest removed from the driver; or signs, stickers, or other matter which is displayed in a five-inch square in the lower corner of the windshield nearest to the driver; (3) direction, destination, or termination signs upon a passenger common carrier motor vehicle if the signs do not interfere with the driver's clear view of approaching traffic; (4) any transparent item which is not red or amber in color which is placed on the uppermost six inches of the windshield; or (5) any federal, state, or local sticker or certificate which is required by law to be placed on any windshield or window. It requires each manufacturer to certify to the Department of Public Safety that any material he produces, which is sold in Georgia, shall, when applied or affixed to a window, not reduce light transmission to less than 32 percent. It provides that each person who sells or installs materials produced by a manufacturer, shall inform, in writing, the consumer that the material may be unlawful in certain states. It provides for the Department of Public Safety to make exceptions based upon medical physical conditions and limitations, and requires the Department to promulgate such rules and regulations as may be necessary to carry out these provisions. It provides that any person who violates subsection (b) (transmission requirements) shall be guilty of a misdemeanor. Effective April 3, 1984, and applicable on and after January 1, 1985.

S.B. 477, through the restrictions placed upon transmission factors of materials which may be affixed to the front windshield and left and right side windows, could ultimately curb the proliferation of reflective coverings on such windows which has taken place recently, most specifically on recreation vehicles. Its restrictions will increase the safety of law enforcement personnel who maintain that opaque coverings on windows create risk to them when they approach vehicles which have been stopped for violations or other legitimate purposes. However, during the early periods of enforcing the provisions of S.B. 477, law enforcement officers will presumably be stopping vehicles which have opaque coverings on all windows in order to enforce S.B. 477 - this may create an initial increased hazard for law enforcement officers. The requirement for manufacturers to provide certain certification may reduce attempts by manufacturers and installers to circumvent its provisions. Strict enforcement of its provisions may increase the workload of all law enforcement agencies, and may increase the number of related court cases.

S.B. 477 is a new effort to curb the proliferation of opaque covering on vehicle windows since S.B. 2, passed during the 1983 General Assembly concerning the same issues, was declared unconstitutional. It reflects further culmination of efforts of law enforcement agencies, supported by

the Georgia Municipal Association, to reduce the proliferation of vehicle window coverings and their subsequent threat to law enforcement officials. This version is the result of public hearings, and a basic compromise between the various interested parties which both favored and opposed its passage. Similar legislation was supported by the Criminal Justice Coordinating Council.

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S.B. 483 - ALCOHOLIC BEVERAGES: SUNDAY SALES: SPECIAL ELECTIONS: CERTAIN LOCAL GOVERNMENTS - ACT 1333

S.B. 483 amends OCGA, Section 43-3-20. It repeals OCGA, Section 21-2-595. It provides that no person shall sell alcoholic beverages on any election day; however, it also provides for an exception to this prohibition. It provides that the local governing authority of any county and the local governing authority of any municipality in which the sale of alcoholic beverages is authorized, may, by ordinance, resolution, or referendum, authorize the sale of alcoholic beverages on local election days. It repeals the provision making such sale a misdemeanor. Effective July 1, 1984.

S.B. 483 provides that any local governing authority of any municipality and any county in which the sale of alcoholic beverages is authorized, may permit the sale of such beverages on local election days. The current law only provided for such sale in counties of Georgia having a population of 35,000 or more, according to the 1980 census or any future census. This would eliminate any population requirement. It should provide increased tax revenue based upon the amount of alcohol that may be sold on local election days. It was initiated by the Georgia Municipal Association.

S.B. 483 is an apparent response to requests by city officials in Georgia to eliminate the county population requirement in order to sell alcoholic beverages on local election days, due to the fact that most of the county population is concentrated within the larger cities of the county. It was felt that the provision for the sale of alcoholic beverages on local election days would increase the growth of tax revenue and of the cities.

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S.B. 527 - GEORGIA CRIMINAL JUSTICE IMPROVEMENT COUNCIL: COMPOSITION - ACT 824

S.B. 527 amends OCGA, Section 28-8-1, relating to the creation of the Georgia Criminal Justice Improvement Council. It changes a reference to

the membership of the Chairman of the Senate Special Judiciary, to that of Chairman of the Senate Judiciary and Constitutional Law Committee, reflecting the name change of the Committee. It increases by one the number of "at-large" members of the Senate who may be appointed to the Council by the President of the Senate, and increases by one the number of "at-large" members of the House who may be appointed by the Speaker, authorizing both officials to appoint two members. Effective March 14, 1984.

S.B. 527 makes a housekeeping change in the name of a Senate committee whose chairman is by law an ex-officio member of the Improvement Council, and it adds two additional members to the Council, raising the membership to 14. It should broaden the representation of the Criminal Justice Improvement Council and allow the appointment of additional Representatives and Senators with an interest and involvement in the criminal justice area.

S.B. 527 responds to necessary updating of committee names, and reflects the desire of the leadership of the General Assembly and the Criminal Justice Improvement Council to broaden the membership of the Criminal Justice Improvement Council.

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S.B. 537 - COLLEGES: CAMPUS POLICE: JURISDICTION - ACT 914

S.B. 537 amends OCGA, Section 20-8-1. It redefines the term "campus" so as to extend the jurisdiction of campus policemen of private colleges and universities and public schools under the authority of the State Board of Education, consistent with the authority and jurisdiction granted to campus policemen of public institutions operated by the Board of Regents. It includes any public or private property within 500 yards of the property of an educational facility within the campus police jurisdiction. It applies only to to campuses located within a county having a population of 400,000 or more, according to the latest U. S. decennial census. Currently it applies only to Fulton and DeKalb Counties. Effective March 19, 1984.

S.B. 537 should improve relationships between educational facilities and private property owners located adjacent to or within 500 yeards of the institution. It will allow campus policemen to better control student parking, traffic flow, and vandalism which adversely affects nearby property owners. It will allow campus policemen to assist local police in the enforcement of laws on property located nearby an institution, especially when the volume of such violations are directly attributable to the proximity of the educational facility.

S.B. 537 responds to complaints in DeKalb County concerning college students parking on and damaging private property located near private colleges. It was supported by the DeKalb County Police Department as a way to provide them with police support in resolving this problem, with no additional cost to the County.

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S.B. 544 - COBB JUDICIAL CIRCUIT: INCREASE NUMBER OF JUDGES - ACT 827

S.B. amends OCGA, Section 15-6-2. It adds one superior court judge and the amenities of judgeship to the Cobb Judicial Circuit for a term beginning on July 1, 1984. It increases the number of judges in the Circuit to six.

S.B. 544 should result in reducing the caseload of the Cobb Judicial Circuit's current five judges. Additionally, it should reduce case backlog and expedite the disposition of cases there. Its cost for implementation will be approximately $112,500.00 in state funds. It may also result in some additional costs to the county in the Circuit related to salary supplenents, fringe benefits, support personnel, office space and supplies.

S.B. 544 is the result of recommendations of the Judicial Council of Georgia. The Council recommended that additional judgeships be created in seven circuits. These recommendations are based on empirical analyses of caseload statistics in all judicial circuits.

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S.B. 545 - PRISONERS: MERCHANDISE, ETC.: SALE TO PRIVATE COLLEGES/ UNIVERSITIES - ACT 962

S.B. 545 amends OCGA, Section 42-5-60. It provides that private colleges and universities may purchase goods, wares, or merchandise manufactured, produced or mined by inmates of state and county correctional institutions operated under the jurisdiction of the Board of Offender Rehabilitation. Previous law had prohibited any private entity from the purchase of such goods. Effective March 21, 1984.

S.B. 545 should assist private colleges and universities in lowering the cost of operations by purchasing those institutional supplies produced by Correctional Industries, which are less expensive than those

available on the commercial market. It should help those institutions to keep costs competitive with other private institutions located in states which already allow such purchases. It also will serve to widen the scope of training available to inmates as it increases the amount of purchases from correctional industries.

S.B. 545 responds to requests from an association of private colleges and universities for assistance in holding down their operating costs by allowing such purchases. It is consistent with laws in effect in other states, some of which allow correctional industry sales to any private, non-profit entities. Although this Act was not sought by the Georgia Correctional Industries Administration, it did receive its support as a means of increasing the amount and scope of job skills training available for inmates under the custody of the Department of Offender Rehabilitation.

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HOUSE RESOLUTIONS

HOUSE RESOLUTIONS

H.R. 448 - GOVERNOR'S JUDICIAL PROCESS REVIEW COMMISSION: CREATE - RESOLUTION 82

H.R. 448 creates the Governor's Judicial Process Review Commission. It recognizes the need for meaningful improvements in the judicial process since a similar 1971 commission made its report. It recognizes that many changes in the judicial process have occurred in recent years and the new Constitution of Georgia requires uniform rules, practices, and procedures to facilitate speedy, efficient, and inexpensive resolution of disputes. It provides that the Governor's Judicial Process Review Commission shall consist of 25 members: five shall be appointed by the Chief Justice of the Supreme Court; five shall be appointed by the President of the Senate; five shall be appointed by the Speaker of the House; and ten members shall be appointed by the Governor. It provides that a majority of the appointees named by each appointing officer shall be members in good standing of the State Bar of Georgia. It provides that the Governor will appoint the Chairman of the Commission and the Commission shall select a Vice Chairman to preside in the absence of the Chairman. It provides that the Commission may establish such quorum attendance and other rules it deems necessary and that the Chairman may designate and appoint committees to perform such functions as he may deem necessary. It charges the Commission with studying all aspects of the judicial system of the state, and with studying the coordination, design, and functions of all the courts, agencies and programs currently operating to deliver judicial services to the citizens of Georgia. It provides that the Commission shall make a report of its findings and recommendations, including any proposed legislation, to the Governor and all members of the General Assembly on or before December 1, 1985. It provides that members of the Commission are entitled to that expense allowance and travel costs reimbursement allowed by Code Section 45-7-21 for members of boards and commissions. However, it provides that if a member is a state employee or a member of another state agency or board, reimbursement is to be made by the other state agency or board. Legislative members shall receive the compensation, per diem, expenses, and allowances authorized for legislative members of interim legislative committees. It provides that the Criminal Justice Coordinating Council shall provide staff assistance to the Commission. The Commission shall stand abolished January 1, 1986, and this Resolution shall stand repealed on January 1, 1986.

H.R. 448 should result in a thorough study of judicial processes in this state. It has the potential to result in recommendations for executive, legislative, or judicial action to effect standardization, uniformity and other improvements both in the court structure and in judicial processes.

It has the potential to resolve several fundamental, long-standing and controversial issues impacting the operations of Georgia's courts. It has the potential for broad-based representation of both the judicial and legislative branches of government, as well as citizen input as the study process develops.

H.R. 448 is an Administration Resolution. It responds in part to the perceived need to study the judicial branch of government and judicial functions as a result of the changes in the judicial branch required by the new State Constitution. It is in further response to a recommendation for the establishment of such a review commission by the Chief Justice of the Supreme Court of Georgia. It was supported by the Criminal Justice Coordinating Council.

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H.R. 471 - APPEALS IN CRIMINAL CASES: URGE REFORM BY CONGRESS

H.R. 471 urges the Congress of the United States to undertake needed reforms in practices and procedures relative to unified appeals in criminal cases in federal courts. It sets forth citizens' concerns regarding the rate and incidence of crime, and the repetitive appeal channels used to challenge convictions. It sets forth that convictions for capital felonies committed in Georgia over ten years ago, are still being challenged through the federal courts. It urges Congress to take all appropriate actions to adopt a system of unified appeals procedures in the federal courts.

H.R. 471 should call to the attention of members of the United States Congress the concern of the Georgia General Assembly, and ultimately the citizens of Georgia, regarding the seemingly endless appeals process of convictions through the federal courts. The adoption of a unified appeal procedure in capital cases in Georgia in 1981, has expedited the appellate process in this state, and a similar unified appeal procedure established for the federal courts may result in similar beneficial effects regarding the finality of the judicial process.

H.R. 471 responds to the general state of concern in Georgia, and in the United States, regarding the lack of finality in criminal cases. This situation has received considerable publicity in the various news media, particularly concerning death penalty cases and their seemingly endless appeal routes.

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H.R. 570 - CHILDREN AND YOUTH STUDY COMMITTEE: CREATE

H.R. 570 creates the Children and Youth Study Committee of the House of Representatives, consisting of four members of the House and two citizens at large, appointed by the Speaker of the House. It outlines the concern by members of the General Assembly regarding the effect crime and violence is having on youth, particularly in the school systems in Georgia. It requires the Committee to make a study of the entire juvenile justice system of this state regarding the handling of troubled children and child abuse and neglect, and regarding the handling of behavioral problems of students from elementary through high school, and to identify and make recommendations relative to improvements needed in the present juvenile justice system, and also to determine if alternative procedures and programs are needed. It provides that the Committee shall work closely with the standing Senate Children and Youth Committee and the Department of Education, and that other state agencies shall assist and support the Committee in its study. The Committee shall stand abolished on December 1, 1984.

H.R. 570 should result in a thorough study of the juvenile justice system in Georgia and the improvements needed in the system's ability to handle troubled and abused children, and behavioral problems of students. It may result in recommendations concerning the initiation of new programs and procedures to more effectively deal with the problem. The ultimate goal of the study appears to be the reduction of crime and violence by juveniles, consequently lessening the effect such disruption is having on the school systems.

H.R. 570 responds to concerns expressed regarding the large number of children suspended, expelled and dropping out from school, which costs the state in terms of lost revenue and human potential. It also responds to community concerns of child abuse and neglect which have increased considerably in recent years.

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H.R. 669 - ORGANIZED CRIME AND DRUG/ALCOHOL ABUSE: URGE EFFORTS TO CURB

H.R. 669 urges the Georgia Congressional Delegation to continue its strong efforts to curb organized crime and to address the problems of drug and alcohol abuse. It is identical to H.R. 671.

H.R. 669 should serve to impress upon our representatives in the U. S. Congress, the great concerns of all Georgians relative to the many problems of drug and alcohol abuse and the related organized criminal activities associated with these problems. It may lead to stronger national policies and

programs designed to address alcohol and drug abuse and, therefore, impact upon the criminal activities which such abuse fosters.

H.R. 669 responds to the general public concerns currently being expressed about rampant alcohol and drug abuse. It also addresses public fear of crime, especially fear of crimes related to substance abuse.

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H.R. 671 - ORGANIZED CRIME AND DRUG/ALCOHOL ABUSE: URGE EFFORTS TO CONTROL

H.R. 671 urges the Georgia Congressional Delegation to continue its strong efforts to curb organized crime and to address the problems of drug and alcohol abuse. It is identical to H.R. 669.

This Resolution should serve to impress upon our representatives in the U. S. Congress the great concerns of all Georgians relative to the many problems of drug and alcohol abuse and the related organized criminal activities associated with these problems. It may lead to stronger national policies and programs designed to address alcohol and drug abuse and, therefore, impact upon the criminal activities which such abuse fosters.

H.R. 671 responds to the general public concerns currently being expressed about rampant alcohol and drug abuse. It also addresses public fear of crime, especially fear of crimes related to substance abuse.

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H.R. 697 - ANTIQUE GAMBLING DEVICE STUDY COMMITTEE: CREATE

H.R. 697 creates the Antique Gambling Device Study Committee of the House of Representatives, consisting of five members of the House, to be appointed by the Speaker of the House. It outlines concerns of members of the General Assembly regarding Georgia law which currently prohibits the manufacture, commercial transfer, or possession of any device designed for gambling purposes; however, the laws of this state make no exception for individuals who collect antique gambling devices purely for their aesthetic value and are not used for any gambling purposes whatsoever. It requires the Committee to study the level of public interest in antique gambling devices, the changes necessary to

permit the collection of such devices in Georgia, and the laws adopted by other states. It provides that the G.B.I. shall cooperate fully with the Committee and make available information concerning the potential problems to be considered in allowing the collection of antique gambling devices which are not used for gambling purposes. It provides that the Committee shall make a report to the 1985 General Assembly at which time the Committee shall stand abolished.

H.B. 697 should result in a thorough study of the level of public interest in antique gambling devices in Georgia and laws which have been adopted by other states regarding the collection of the devices. It may result in recommendations to amend Georgia law so as to allow for the collection of antique gambling devices. The ultimate goal of the Committee appears to be the recognition of the growing interest in the collection of the gambling devices and consequently, the initiation of changes necessary to permit such collection in Georgia.

H.R. 697 responds to concerns expressed regarding current Georgia law prohibiting the possession of any device designed for gambling purposes, with no exception for the collection of the antique gambling devices which are not used in this manner. It is part of a continuing effort to allow for the collection, due to the fact that the number of individuals in Georgia interested in collecting antique gambling devices purely for their aesthetic value seems to be increasing.

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H.R. 753 - FALSE IDENTIFICATION STUDY COMMITTEE: CREATE

H.R. 753 creates the False Identification Study Committee of the House of Representatives, consisting of five members of the House, appointed by the Speaker of the House. It outlines the concern of members of the General Assembly regarding use of false identification in relation to the purchase of alcoholic beverages. It requires the Committee to make a study of the laws regarding the manufacture and use of false identification in relation to the purchase of alcoholic beverages, and to identify and make recommendations relative to changes in the law that may be needed to improve the effectiveness and administration of them. It provides that the Committee shall make a report of its findings and recommendations to the Governor and to the General Assembly by not later than the date the General Assembly convenes in regular Session in January 1985, on which date the Committee shall stand abolished.

H.R. 753 should result in a thorough study of the laws concerning the manufacture of false identification which is used to facilitate the purchase

of alcoholic beverages, and for other purposes. It may result in recommendations which could reduce the illegal use of identification or illegal alterations to identification. The ultimate goal of the study appears to be reduction in illegal purchase of alcoholic beverages by minors.

H.R. 753 responds to concerns expressed regarding the ease with which some identification cards or devices can be altered to reflect a different birth date to facilitate purchase of alcoholic beverages by minors. It is, moreover, part of a larger effort to restrict the availability of alcohol to underage persons, and ultimately to raise the drinking age in this state.

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H.R. 760 - LAW ENFORCEMENT OFFICER DAY: DESIGNATE FEBRUARY 14, 1984

H.R. 760 designates February 14, 1984, as "Law Enforcement Officer Day in the State of Georgia." It commends law enforcement officers throughout Georgia for their outstanding and dedicated services to the citizens of the state. It has a companion Resolution in the Senate, S.R. 326.

H.R. 760 should serve to provide, on behalf of all the citizens of Georgia, the deserving recognition and support to our state's law enforcement personnel for the services which they provide and the sacrifices which they have made for the betterment of our communities. It should help boost the morale of those who serve and go unrecognized for their contributions, all too often.

H.R. 760 is a sincere expression by the Legislature of their gratitude for the services provided by law enforcement officers. It is tendered on behalf of the citizens who are represented by the members of the Georgia House of Representatives.

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H.R. 786 - TELEPHONE HARASSMENT STUDY COMMITTEE: CREATE

H.R. 786 creates the Telephone Harassment Study Committee of the House of Representatives, consisting of five members of the House, appointed by the Speaker. It recognizes that telephone solicitations for the sale of products and services provide employment for many Georgia

citizens. It further recognizes the technological innovations of the past few years whereby automatic dialing and recorded message players can place hundreds of simultaneous telephone calls, and that there is evidence that these devices and other solicitation practices have been used by certain unscrupulous individuals and organizations to harass the public, or to commit deceptive business practices. It sets forth that Virginia has adopted a Code of Ethics concerning telephone solicitation which represents a comprehensive non-legislative approach to the problem of controlling unsolicited commercial telephone calls, and that 15 states now have laws concerning the issue. It requires the Committee to make a study of telephone solicitations, harassing telephone calls, automatic dialing and recorded message players, and the needs of responsible businesses and charitable organizations, and other topics of concern relative to the use of the telecommunications system within the State of Georgia. It provides that the Committee shall make a report of its findings and recommendations to the Governor and to the General Assembly by not later than the date the General Assembly convenes in regular session in January 1985, on which date the Committee shall stand abolished.

H.R. 786 should result in a thorough study of the problem of telephone solicitation and solicitation practices. It may result in recommendations for legislative or other action to control solicitation, regulate solicitation devices, and establish a standard of ethics. It may serve ultimately to reduce the number and content of telephone solicitations, with the primary goal of reduction of harassment of the general public via telecommunication facilities.

H.R. 786 is in apparent response to citizens' complaints regarding the number and type of telephone solicitations occurring in Georgia. While most solicitation messages, live or recorded, are legitimate and may include requests for charitable contributions, apparently recorded messages soliciting purchase of products, etc., are disturbing to citizens who cannot respond to these unwanted solicitations, other than by breaking the telephone connection with same.

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H.R. 940 - STOP DRUGS AT THE SOURCE: RELATIVE TO

H.R. 940 expressed gratitude and appreciation to the agencies, corporations, and associations for responding to the 1972 resolution of the Georgia General Assembly and for providing leadership in the Mayor's Treaty to Stop Drugs at the Source Petition, Treaty and Action campaign to implement the policy to keep drugs away from the children in the United States and the world. It sets forth that the President of the United States, Governors,

county and city executive officials have cosigned or will cosign the United States Executive Stop Drugs at the Source Treaty. It sets forth that federal, state, county and city legislative officials have cosigned or will cosign the United States Stop Drugs at the Source Treaty and that federal, state, county and city judges of primary jurisdiction are to cosign the United States Judicial Stop Drugs at the Source Treaty.

H.R. 940 should call to the attention of the members of the Georgia General Assembly, and ultimately, the citizens of Georgia, the participation and dedication of the following agencies, corporations, and associations in the Mayor's Treaty to Stop Drugs at the Source Petition, Treaty and Action campaign: Chevron U.S.A., Inc., Department of Human Resources, The Atlanta Journal, 3 M Company, Honeywell Inc., First Atlanta Corporation, Georgia Municipal Association, Georgia Association of Broadcasters, Roswell Police Department, Executive Park Amoco, Georgia District of Kiwanis International, Georgia School Boards Association and the Business Council of Georgia.

H.R. 940 responds to the general state of concern in Georgia and the United States, regarding the availability of harmful and illicit drugs to our children.

SENATE RESOLUTIONS

SENATE RESOLUTIONS

S.R. 267 - JUDGES: REMOVAL FROM OFFICE: FELONY CONVICTION - CA - RESOLUTION 88

S.R. 267 proposes a Constitutional Amendment. It proposes to strike Paragraph VII of Article VI, Section VII, of the Constitution, pertaining to discipline, removal, and involuntary retirement of judges and replace it with a new Paragraph VII. It provides that upon indictment of a judge for a felony by a grand jury of this state or by a grand jury of the United States, the Attorney General or district attorney shall transmit a certified copy of the indictment to the Judicial Qualifications Commission. It provides that the Commission shall not review the indictment for a period of 14 days from the day it is received and that this period of time may be extended by the Commission. It provides that during this period, the indicted judge may, in writing, authorize the Commission to suspend him from office. It provides that any such voluntary suspension shall be subject to the same conditions for review, reinstatement, or declaration of vacancy as are provided for a nonvoluntary suspension. It provides that subsequent to the 14-day period, the Commission shall review the indictment, and if it determines that the indictment relates to and adversely affects the administration of the office of the indicted judge, and that the rights and interests of the public are adversely affected thereby, the Commission shall suspend the judge immediately and without further action pending the final disposition of the case, or until the expiration of the judge's term of office, whichever occurs first. It further provides that during the term of office to which such judge was elected and in which the indictment occurred, if a nolle prosequi is entered, if the judge is acquitted, or if, after conviction, the conviction is later overturned as a result of any direct appeal or application for a writ of certiorari, the judge shall be reinstated immediately to the office from which suspended. It provides that while a judge is suspended and until final conviction, the judge shall continue to receive the compensation from his office and that during the period of suspension, the Governor shall appoint a replacement judge. It provides that upon a final conviction with no appeal or review pending, the office shall be declared vacant and a successor to that office shall be chosen as is provided in the Constitution or laws enacted in pursuance thereof. It further provides that after suspension is imposed, the suspended judge may petition the Commission for a review, and if it is determined that the judge should no longer be suspended, he shall be reinstated to office immediately. It provides that the findings and records of the Commission and the fact that the public official has or has not been suspended, shall not be admissable in evidence in any court for any purpose and that the findings and records of the Commission shall not be open to the public. It further provides that if a judge who is suspended from office is not first tried at

the next regular or special term following the indictment, the suspension shall be terminated and the judge shall be reinstated to office. It provides that there shall be no reinstatement if the judge is so tried based on a continuance granted upon a motion made only by the defendant. It provides that these provisions shall not apply to any indictment handed down prior to January 1, 1985. It further provides that this proposed amendment shall be published and submitted to the voters at the next general election and it provides for language therefor.

S.R. 267 relates to S.B. 332 regarding the suspension of public officials, and to S.R. 268, also referring to suspension pf public officials at the state level. It provides a codified systematic method to handle charges against a judge who has been indicted for a felony. It provides a methodology for the Judicial Qualifications Commission to determine if the indictment relates to the performance or activities of the office of the judge, for suspension procedures, appeal procedures, and in some cases, reinstatement. It, along with the aforementioned Senate Bill and Resolution, calls attention to situations wherein public officials have been indicted in this state in the past and have refused to vacate their office. It completely details procedural safeguards for the indicted judge. It should have a reductive impact upon any potential conduct of judges which could lead to grand jury indictment.

S.R. 332 is an Administration Resolution. It is part of an overall effort to provide for suspension/removal of public officials who have been indicted for felonies, wherein the offense relates to the performance or activities of the office of the public official. It is reflective of the concerns of the Administration and the citizens of Georgia of charges of public corruption which have been brought against some elected and other public officials of this state in the recent past.

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S.R. 268 - PUBLIC OFFICIALS: REMOVAL FROM OFFICE: FELONY INDICTMENT - CA - RESOLUTION 87

S.R. 268 proposes a Constitutional Amendment. It proposes to amend the Constitution by adding at the end of Article II thereof, a new Section III entitled "Suspension and Removal of Public Officials." It defines the term "public official" to mean the Governor, the Lieutenant Governor, the Secretary of State, the Attorney General, the State School Superintendent, the Commissioner of Insurance, the Commissioner of Agriculture, the Commissioner of Labor, and any member of the General Assembly. It provides that upon indictment for a felony by a grand jury of this state, if the

indictment relates to the performance or activities of the office of enumerated public official, the Attorney General or district attorney shall transmit a certified copy of the indictment to the Governor, or, if the indicted public official is the Governor, to the Lieutenant Governor, who shall appoint a review commission. It provides, however, that no commission shall be appointed for a period of 14 days from the day the indictment is received and that this period of time may be extended by the Governor. It provides that during this period of time, the indicted public official may, in writing, authorize the Governor, or if the Governor is the indicted official, the Lieutenant Governor, to suspend him from office. It provides that any such voluntary suspension shall be subject to the same conditions for review, reinstatement, or declaration of vacancy as is hereafter provided. It provides that if the public official indicted is the Governor, the commission shall be composed of (1) the Attorney General, (2) the Secretary of State, (3) the State School Superintendent, (4) the Commissioner of Insurance, (5) the Commissioner of Agriculture, and (6) the Commissioner of Labor. It provides that if the public official indicted is the Attorney General, the commission shall be composed of three other public officials who are not members of the General Assembly. It provides that if the indicted public official is not the Governor, the Attorney General, or a member of the General Assembly, the commission shall be composed of the Attorney General and two other public officials who are not members of the General Assembly. It provides that if the public official indicted is a member of the General Assembly, the commission shall be composed of the Attorney General and one member of the Senate and one member of the House of Representatives. It further provides that if the Attorney General brings the indictment against the public official, the Attorney General shall not serve on the commission and in his place, the Governor shall appoint a retired Supreme Court Justice or a retired Court of Appeals Judge. It provides that the commission shall provide for a speedy hearing, including notice of the nature and cause of the hearing, process for obtaining witnesses, and the assistance of counsel. It provides that unless a longer period of time is granted by the appointing authority, the commission shall make a written report within 14 days. It provides that if the commission determines that the indictment relates to and adversely affects the administration of the office of the indicted public official and that the rights and interests of the public are adversely affected thereby, the Governor, or, as required, the Lieutenant Governor, shall suspend the public official immediately and without further action pending the final disposition of the case or until the expiration of the officer's term of office, whichever occurs first. It further provides that during the term of office to which such officer was elected and in which the indictment occurred, if a nolle prosequi is entered, if the public official is acquitted, or if after conviction the conviction is later overturned as a result of any direct appeal or application for a writ of certiorari, the officer shall be reinstated immediately to the office from which suspended. It provides that while a public official is suspended

under these provisions, and until final conviction, the officer shall continue to receive the compensation from his office. It further provides that unless the Governor is under suspension, for the duration of any suspension the Governor shall appoint a replacement officer except in the case of a member of the General Assembly. It provides that if the Governor is the public officer under suspension, the provisions of Article V, Section I, Paragraph V of the Constitution shall apply as if the Governor were temporarily disabled. It stipulates that upon a final conviction with no appeal or review pending, the office shall be declared vacant and a successor to that office shall be chosen as provided by the Constitution or the laws enacted in pursuance thereof. It further provides that after any suspension is imposed, the suspended public official may petition the appointing authority for review and the appointing authority may reappoint the commission to review the suspension. It provides that the commission shall make a written report within 14 days and if it recommends that the public official be reinstated, he shall be reinstated immediately. It further provides for safeguarding of the report and records and that they shall not be open to the public. It provides that if a public official who is suspended is not first tried at the next regular or special term following the indictment, the suspension shall be terminated and the public official shall be reinstated; however such reinstatement shall not take place if he is not so tried based on a continuance granted upon a motion made only by the defendant. It provides that these provisions shall not apply to any indictment handed down prior to January 1, 1985.

S.R. 268 relates to S.R. 267 and S.B. 332. If adopted by the electorate of this state, it would provide a codified, systematic method to handle charges against public officials which result in felony indictments by grand juries in this state. It provides a methodology, through the commission investigation, to determine if the indictment relates to the performance or activities of the office of any public official specified, for suspension procedures, appeal procedures, and in some cases, reinstatement procedures. It completely details procedural safeguards for the indicted public official, as well as for the review procedures. It should have a reductive impact upon any public officials' personal conduct which may border upon, or actually is criminal conduct.

S.B. 268 is an Administration Resolution. Its final, compromise version, is somewhat less precise in language and methodology than the original version which was introduced in the Senate; however, it is reflective of the input of many public officials and private citizens, as well as members of the General Assembly, in arriving at a workable solution relative to public corruption and its prosecution. It is reflective of the concerns of the Administration and the citizens of Georgia of charges

of public corruption which have been brought against elected and other public officials within the state, and the indictment of at least one public official at the state level for public corruption.

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S.R. 282 - SUPERIOR COURT: JUDGES CASELOAD: URGE REPORTING SYSTEM

S.R. 282, a joint resolution, calls upon the Governor's Judicial Process Review Commission, created by H.R. 448, to undertake an investigation of the advisability and feasibility of the adoption of court rules and record-keeping rules by the Supreme Court of Georgia which would establish a system for the reporting of judges' caseloads in the superior courts of this state, and which would establish a system of random assignment of similar numbers of cases to each judge in the multi-judge superior court judicial circuits. It sets forth that it is the sense of the General Assembly that it may promote judicial economy and efficiency to require each judge of superior courts to report periodically to the appropriate authorities of the judicial branch the number of cases assigned to, pending before, and disposed of by the judge and to authorize public dissemination of such reports. It further sets forth the sense of the General Assembly that it may further promote judicial economy and efficiency and would promote the integrity of the judicial process to require the random assignment of similar numbers of cases to the superior court judges of those judicial circuits having more than one superior court judge.

S.R. 282 should result in an in-depth analysis of court/judge caseloads and could result in subsequent recommendations which would serve to equalize the caseloads, and provide a reporting system to monitor them. It may result in rules of the Supreme Court to address the caseload issue, and may contribute to enhanced public confidence in the superior courts of the state. It may serve ultimately to clarify current misunderstanding regarding the distribution of cases among judges of the superior courts.

S.R. 282 is an apparent response to what appear to be inequities in the distribution of judge caseloads in multi-judge circuits. Notwithstanding the fact that the Administrative Office of the Courts conducts a caseload study annually to determine the need for additional judges, examining caseloads from the perspective of distribution between judges may contribute to procedures which will speed the judicial process and respond to criticism of lengthy trial delays.

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S.R. 298 - AUTO REPAIR INDUSTRY STUDY COMMITTEE: CREATE

S.R. 298 creates the Senate Auto Repair Industry Study Committee to be composed of five members of the Senate, appointed by the President of the Senate, who shall also designate the Chairman. It recognizes that the increasing complexity of the automobile has magnified both the potential for deception and the probability of mechanical incompetence in the performance of auto repairs. It further recognizes the large number of motor vehicles owned by Georgia residents represents billions of dollars a year for auto maintenance and repair which may result in other expenditures or losses due to automobile accidents caused by improper motor vehicle maintenance, mechanical defects and faulty repairs. It authorizes the Committee to meet for not more than ten days and to be compensated as members of interim legislative committees with funds provided by the Legislative Branch of Government. It requires the Committee to report its findings and recommendations to the 1985 Session of the General Assembly, at which time it shall stand abolished.

S.R. 298 creates a special study committee to study common complaints involving automobile repair, including such problems as mechanical incompetence, false estimates and misleading statements by facility operators. It may produce recommendations including possible legislation, which could result in auto repair laws being adopted which focus on consumer disclosure, facility licensing, and mechanic licensing. It should serve to focus public and legislative attention on any problems of mechanical incompetence and deception that may exist in the auto repair industry in Georgia.

S.R. 298 is an apparent response to the need to develop background information and data concerning deceptive auto repair and maintenance practices, with a view toward improving state efforts to prevent such practices.

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S.R. 314 - 1982/83 SOUTHERN LEGISLATORS' CONFERENCES ON CHILDREN AND YOUTH: RELATIVE TO

S.R. 314 expresses the gratitude of the Georgia Senate to the States of Virginia and South Carolina for their outstanding work in making the 1982 and 1983 Southern Legislators' Conferences on Children and Youth a hugh success and for their commitment to children and youth in the South. It sets forth that the Georgia Senate Juvenile Justice Study Committee established this conference in 1981 to provide a forum for legislators to examine critical issues affecting children and youth and their families in the South and to shape effective approaches for addressing such issues

during upcoming legislative sessions. It recognizes that South Carolina, in 1982, and Virginia, in 1983, continued the conference which provides a unique opportunity for legislators from fifteen southern states and Puerto Rico to discuss major issues with judges and service providers without the pressures of a legislative session. It directs transmission of copies of the Resolution to the appropriate officials honored by it.

S.R. 314 commends the States of Virginia and South Carolina regarding their continuation of the Southern Legislators' Conference on Children and Youth. It may result in proposed legislation which would address the critical issues affecting children and youth. It may contribute toward the continuation or expansion of the Conference in other southern states.

S.R. 314 is an expression of appreciation to the efforts of the States of Virginia and South Carolina in their continued commitment to the issues facing children, youth and their families, as evidenced by their participation in continuing the Southern Legislators' Conferences on Children and Youth in 1982 and 1983.

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S.R. 326 - LAW ENFORCEMENT OFFICER DAY: DESIGNATE FEBRUARY 14, 1984

S.R. 326 designates February 14, 1984, as "Law Enforcement Officer Day in the State of Georgia." It commends law enforcement officers throughout Georgia for their outstanding and dedicated services to the citizens of the state. It is a companion Resolution to House Resolution 760.

S.R. 326 should serve to provide, on behalf of all the citizens of Georgia, the deserving recognition and support to our state's law enforcement personnel for the services which they provide and the sacrifices which they have made for the betterment of our communities. It should help boost the morale of those who serve and go unrecognized for their contributions, all too often.

S.R. 326 is a sincere expression by the Legislature of their gratitude for the services of law enforcement officers. It is tendered on behalf of the citizens who are represented by the members of the Georgia Senate.

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S.R. 341 - MOTOR VEHICLE: EQUIPMENT AND SAFETY AWARENESS: RELATIVE TO

S.R. 341 resolves that the Senate of Georgia urges the Department of Public Safety and all county and municipal law enforcement officers and agencies

to establish training programs to promote an increased awareness of motor vehicle equipment and safety laws and standards and to intensify their enforcement of such laws and standards. It further resolves that a copy of the Resolution be transmitted by the Secretary of the Senate of Georgia to the Department of Public Safety.

S.R. 341 expresses that due to the repeal of the "Georgia Motor Vehicle Safety Inspection Act", there has been an increase in the operation of unsafe motor vehicles on public roads and that existing law provides that the condition of all motor vehicles operated on the highways should not endanger the driver or occupant or any other person on the highway. It should result in increased knowledge and a heightened awareness of these safety requirements by all law enforcement officers and agencies in Georgia.

S.R. 341 is an apparent response to the repeal of the "Georgia Motor Vehicle Safety Inspection Act". It is a symbolic expression of concern of Georgians over the lack of any means to enforce the safety laws and standards of this state. It is closely related to S.R. 389 which creates the Senate Motor Vehicle Inspection Study Committee.

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S.R. 362 - PROBLEM DRINKER AND HIGHWAY SAFETY STUDY COMMITTEE: CREATE

S.R. 362 creates the Senate Problem Drinker and Highway Safety Study Committee to be composed of five members of the Senate and three citizens of Georgia interested in highway safety, all appointed by the President of the Senate who shall also designate the Chairman. It sets forth that studies show that 75% of all drunk drivers are in the late stages of alcoholism and that evaluation for alcoholism as a result of DUI offense provides early identification and intervention for effective treatment and prevention of repeat offenders. It also sets forth that drunk drivers who are assessed as alcoholics and treated, complete treatment 75% of the time and are three times less likely to be repeat DUI offenders. It authorizes the Committee to meet for not more than ten days unless additional days are authorized by the President of the Senate. It authorizes the Senate members of the Committee to be compensated for travel and other expenses provided by law for attending meetings of the Committee. However, it provides that citizen members of the Committee shall not be compensated for service on the Committee. It requires the Committee to report its findings and recommendations to the Governor and the General Assembly by January 1, 1985, at which time it shall stand abolished.

S.R. 362 creates a special study committee to study ways in which the State of Georgia may support and encourage identification, evaluation and treatment of drivers who are dependent on alcohol. It should address the costs to the public and service availability in support of mandated evaluation and treatment of DUI offenders. It may produce recommendations, including possible legislation, which could result in the initiation of programs providing effective evaluation and treatment of those convicted of DUI who may be dependent on alcohol. It could result ultimately in a reduction in the number of Georgians killed or seriously injured in alcohol related crashes.

S.R. 362 is an apparent response to continued efforts and increased concern on the part of the General Assembly, and the people of Georgia, regarding the violence and death on the highways of this state caused by drunk drivers. It addresses the prevention and treatment aspect of the DUI controversy. It is also responsive to the success of existing agreements in Georgia between some courts and community health centers and court evaluators, provided by highway safety grants, which could provide models for an effective statewide program.

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S.R. 363 - DUI: ARRESTS: STATISTICAL INFORMATION

S.R. 363 resolves that the Senate of Georgia requests the Director of the Governor's Office of Highway Safety, in cooperation with the Department of Public Safety, the Georgia Crime Information Center, the Department of Transportation, and local police officers throughout the state to compile for the General Assembly statistical information regarding the number of DUI arrests, the number of alcohol related traffic accidents, and the number of alcohol related fatal traffic accidents for the years 1974 through 1983. It further resolves that the Senate of Georgia requests the Director of the Governor's Office of Highway Safety to compile the same information by age of drivers in categories 16-18, 19-20, 21-24, and 25 or over. It further resolves that this statistical information should be compiled and submitted to the Secretary of the Senate by December 1, 1984, and that the Secretary of the Senate should distribute a copy to all members of the General Assembly. It also calls upon the Secretary of the Senate to transmit a copy of the Resolution to the Director of the Governor's Office of Highway Safety, the Safety Engineer of the Department of Transportation and the Commissioner of Public Safety.

S.R. 363 requests the development of information on arrests for driving under the influence (DUI) and alcohol related traffic accidents. It should result in a compilation of information which reveals that a large percentage of

Georgians involved in alcohol related accidents are teenagers. It may result ultimately in legislation which could result in a law being adopted to increase the legal minimum drinking age in Georgia to 21.

S.R. 363 is an apparent response to the failure of S.B. 4 to pass the 1984 Georgia General Assembly, which would have increased the legal minimum drinking age in Georgia to 21. Its failure to pass has been attributed by some interests to a lack of statistical information from the State of Georgia concerning alcohol related accidents.

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S.R. 365 - STAGGERED REGISTRATION OF MOTOR VEHICLES STUDY COMMITTEE: CREATE

S.R. 365 creates the Senate Staggered Registration of Motor Vehicles Study Committee to be composed of five members of the Senate, appointed by the President of the Senate, who shall also appoint the Chairman. It recognizes that the April 1 deadline for registration of motor vehicles and the payment of ad valorem taxes, results in extremely long lines at the courthouses and other related inconveniences to the citizens of Georgia. It further recognizes that tax commissioners or local tag agents have to hire additional personnel to handle the tremendous volume of work in the first quarter of each year. It authorizes the Committee to meet for not more than ten days and to be compensated as members of interim legislative committees with funds provided by the Legislative Branch of Government. It requires the Committee to report its findings and recommendations no later than December 31, 1984, at which time the Committee shall stand abolished.

S.R. 365 creates a special study committee to study the feasibility of providing for staggered registration of motor vehicles in Georgia and the accompanying payment of ad valorem taxes on such motor vehicles. It may yield proposed legislation which could provide for such registration of motor vehicles throughout the calendar year.

S.R. 365 is an apparent response to the concerns of the members of the General Assembly and the residents of Georgia regarding inconveniences resulting from Georgia's April 1 deadline of motor vehicle registration and payment of ad valorem taxes. It also responds to the realization that 44 other states provide for staggered registration.

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S.R. 382 - SENATE STUDY COMMITTEE ON POLYGRAPH OPERATIONS: CREATE

S.R. 382 creates a Senate Study Committee on Polygraph Operations for the purpose of studying problems related to: (1) the reliability of polygraph tests, (2) the abuse of polygraph tests, (3) the use of sanctions by employers for failure to submit to polygraph tests, and (4) standards relative to polygraphers. The Committee is to be composed of seven members of the Senate to be appointed by the President of the Senate. It authorizes Committee members to receive the standard committee per diem for 10 meeting days and directs it to publish a report of its findings and recommendations no later than December 15, 1984, at which time the Committee stands abolished.

S.R. 382 may result in legislation to correct deficiencies in polygraph operations which the Committee identifies. It may result in some limitations on the extent of employer sanctions initiated as a result of polygraph examinations. It should result in a thorough review of current polygraph practices.

S.R. 382 responds to concerns expressed by some citizens about the extensive use of polygraph examinations in employee personnel decisions. Fears have been expressed that the polygraph has become the sole criterion for personnel decisions affecting employment rights. Many of these persons have requested limitations upon the use of a polygraph test as a major determinate in personnel decisions, due to questions concerning the validity of such tests.

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S.R. 387 - PEACE OFFICERS' ANNUITY AND BENEFIT FUND STUDY COMMITTEE: CREATE

S.R. 387 creates the Senate Peace Officer Annuity and Benefit (POAB) Fund Study Committee for the purpose of conducting a comprehensive study of the fund. The Committee is to be comprised of five members of the Senate, appointed by the President of the Senate. The Resolution authorizes Committee members to receive the allowances authorized for legislative members of interim legislative committees for ten meeting days. The findings of the Committee are to be published in a report to be submitted to the General Assembly no later than December 1, 1984, at which time the Committee stands abolished.

The Committee should provide the members of the General Assembly with the first legislative review of the rules, regulations, and procedures relative to eligibility for membership and disbursements from the POAB Fund, in several years. It should serve to better protect the peace officers of this state by ensuring that the administrative procedures and policies of the Peace Officers Annuity and Benefit Fund are equitable to all persons eligible for membership. It may lead to legislative changes, should the Committee find such actions necessary.

S.R. 387 responds to complaints made to legislators over the past several years concerning POAB Fund's admission to membership practices and the formulas used for benefits disbursement. The Georgia Municipal Association and law enforcement associations have had committees studying the POAB Fund's activities for several years. The Resolution also responds to an overall public concern about state pension programs currently in existence.

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S.R. 389 - SENATE MOTOR VEHICLE INSPECTION STUDY COMMITTEE: CREATE

S.R. 389 creates the Senate Motor Vehicle Inspection Study Committee to be composed of five members of the Senate, appointed by the President of the Senate, who shall also appoint one of the members as Chairman. It recognizes that H.B. 1156, which passed at the 1982 regular session of the General Assembly of Georgia, eliminated the formerly required annual motor vehicle safety inspection. It further recognizes that many motor vehicles being operated on Georgia's highways have inadequate equipment and are dangerous to persons traveling on the highways of this state. It authorizes the Committee to meet for not more than ten days, to be compensated as members of interim legislative committees, with funds provided by the Legislative Branch of government. It requires the Committee to report its findings and recommendations not later than December 31, 1984, when it shall stand abolished.

S.R. 389 creates a special study committee to determine if a motor vehicle inspection law is needed in this state. It may produce recommendations, including possible legislation, which would result in the reinstatement of the annual motor vehicle safety inspection. It should serve to focus public and legislative attention on the problem of any unsafe and inadequate motor vehicles being operated on Georgia's highways.

S.R. 389 is an apparent response to the repeal of the "Georgia Motor Vehicle Safety Inspection Act". It expresses concern over the poor condition of motor vehicles traveling the highways which endanger not only the driver and passengers, but also others on the highway. It is closely related to S.R. 341 which urges the Department of Public Safety and all county and municipal law enforcement agencies to establish training programs to promote increased awareness and enforcement of motor vehicle equipment and safety laws and standards.

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S.R. 439 - SENATE CHILDREN AND YOUTH COORDINATING COUNCIL STUDY COMMITTEE: CREATE

S.R. 439 creates the Senate Children and Youth Coordinating Council Study Committee composed of five members of the Senate, appointed by the President of the Senate, who shall also appoint one of the members as Chairman. It sets forth that children and youth services must be better coordinated, intensified, and, therefore, made more effective in all components of the social services, juvenile justice, and education systems, in order to help alleviate gaps and unnecessary overlaps in services and expenditures. It points out that over ten state agencies expend funds on children and youth programs and that a Coordinating Council may provide the necessary leadership to coordinate the major children and youth services programs. It requires the Committee to study the feasibility of establishing a children's trust fund to fund exemplary children and youth programs, and to consider and examine children and youth subsidy programs to counties and judicial circuits. It requires the Committee to coordinate its study with any House standing or study committee which may also study this subject, and requires coordination with state agencies which provide children and youth services, with input and assistance from the Governor's Advisory Council on Juvenile Justice and Delinquency Prevention. It provides for holding meetings of the Committee and for the allowances authorized for legislative members of interim legislative committees, but for not more than five days. The Committee shall make a report of its findings and recommendations, with suggestions for proposed legislation, if any, no later than December 31, 1984, at which time it shall stand abolished.

S.R. 439 creates, for the first time, a legislative study committee to determine the feasibility of organizing a Children and Youth Coordinating Council with ultimate responsibility of assisting in coordinating the many children and youth programs/agencies in Georgia. Its study may produce recommendations concerning youth programs and their funding, as well as a recommendation to form a Council. It provides a forum for discussion of a whole range of children and youth issues, with the potential for concrete recommendations for improvement.

S.R. 439 is in partial response to the need to find a truly representative manner in which to provide leadership within the juvenile justice community. It appears to respond to the perceived successes of the Governor's Criminal Justice Coordinating Council (which has juvenile/youth representatives thereon) and the General Assembly's Criminal Justice Improvement Council.

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S.R. 458
S.R. 459 - STOP DRUGS AT THE SOURCE CAMPAIGN: RELATIVE TO
S.R. 460

S.R. 458, 459 and 460 are almost identical Senate Resolutions. S.R. 458 expresses the gratitude of the Georgia Senate to Chevron U.S.A. Inc. S.R. 459 expresses the gratitude of the Georgia Senate to twelve organizations and agencies, while S.R. 460 expresses gratitude to Executive Park Amoco. They recognize their efforts in response to the Georgia General Assembly's support of the Mayor's Treaty to Stop Drugs at the Source Petition, Treaty and Action campaign. The Resolutions recognize that the availability of harmful and illicit drugs to our children is a violation of human rights and that Georgia, in 1972, recognized this threat and initiated the Stop Drugs at the Source Campaign Petition through a Resolution of the General Assembly, signed by all of its Senators and Representatives. It further sets forth that many national and world leaders have signed and support the Treaty, and that it will be cosigned by county and city legislative officials. The Resolutions direct that copies be provided by the Secretary of the Senate to the organizations being honored:

Department of Human Resources
The Atlanta Journal
3 M Company
Honeywell, Inc.
First Atlanta Corporation
Georgia Municipal Association
Georgia Association of Broadcasters
Roswell Police Department
Executive Park Amoco
Georgia District of Kiwanis International
Georgia School Boards Association
Business Council of Georgia

S.R. 458, 459 and 460 are a continuation of the symbolic expressions of support for the Stop Drugs at the Source campaign. They are part of a continuing effort to expand the petition campaign and obtain the largest number of signatures, both of citizens, corporate entities, and other leaders. These Resolutions may contribute to an enhanced public relations campaign to foster increased anti-drug sentiment, and may provide impetus to the Treaty campaign.

S.R. 458, 459 and 460 are in response to the continuing efforts of the Georgia General Assembly to support the Stop Drugs at the Source campaign,

and to call attention to the problems inherent in our society, caused by the availability and use of harmful and illicit drugs. All of these Resolutions relate and are similar to House Resolution 940.

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SPECIALIZED LEGISLATION

MOTOR VEHICLE/MOTOR VEHICLE INSURANCE

H.B. 931 - Motor Vehicle: Transfer Registration Time - Act No. 918

H.B. 1025 - Motor Vehicle: Liability Insurance: Coverage - Act No. 1129

H.B. 1036 - Motor Vehicle Insurance: Subrogation: Annual Provisions - Act No. 879

H.B. 1220 - Motor Vehicle Insurance: Policy For One Year: Certain Violations - Act No. 1284

H.R. 735 - Motor Vehicle Insurance: Renewal Date Study Committee: Create

S.B. 392 - Motor Vehicle Insurance: Proof: Rules: Regulation - Act No. 1262

GAME AND FISH

H.B. 531 - Racing Boats: Eliminate Flotation Device Requirements - Act No. 1255

H.B. 1195 - Game and Fish Code: Amend - Act No. 887

H.B. 1250 - Hunting on Lands of Another: Written Authorization - Act No. 891

S.B. 174 - State Parks, Etc.: Certain Boats: Operating Hours - Act No. 801

S.B. 415 - Hunting: Feral Hogs: Restrictions - Act No. 899

S.B. 442 - Game and Fish: Oysters and Clams: Amend Provisions For Taking - Act No. 817

S.B. 482 - Game and Fish: Taking of Certain Fish: Seines - Act No. 1114

S.B. 523 - Trappers and Fur Dealers: Amend Provisions - Act No. 1115

DRIVER'S LICENSE

H.B. 1199 - Driver's License: Suspension: Restoration Fee - Act No. 1222

H.B. 1200 - DUI: Conviction in Another State: License Suspension - Act No. 926

H.B. 1201 - Motor Vehicle Insurance: Proof: License Suspension: Restoration Fee - Act No. 984

H.B. 1568 - Motorcycles: License Fees - Act No. 1144

S.B. 426 - Driver's License: Revocation: Habitual Violators - Act No. 1113

CRIMINAL JUSTICE SYSTEM RETIREMENT LEGISLATION

H.B. 272 - Peace Officers' Annuity/Benefit Fund: Definition - Act No. 1206

H.B. 975 - Peace Officers' Annuity/Benefit Fund: Composition of Board - Act No. 1155

H.B. 976 - Trial Judges/Solicitors Retirement Fund: Definitions - Act No. 1247

H.B. 977 - Sheriffs' Retirement Fund: Composition of Board - Act No. 875

H.B. 978 - Superior Court Clerks' Retirement Fund: Composition of Board - Act 1156

H.B. 979 - Judges of Probate Courts Retirement Fund: Composition of Board - Act No. 1157

LOCAL LEGISLATION

HOUSE BILLS

LOCAL LEGISLATION

HOUSE BILLS

H.B. 501 - Fulton/DeKalb Counties - Superior Court Clerks - Fees

H.B. 599 - Chatham County - Hospital Authority - Repeal Certain Act

H.B. 600 - Chatham County - Probate Court/Superior Court Clerk

H.B. 680 - Tallapoosa Judicial Circuit - District Attorney's Expenses

H.B. 845 - Mountain Park, City Of - Magistrate's Court Renamed

H.B. 847 - Troup County - Small Claims Court - Judge's Salary

H.B. 848 - Troup County - State Court - Judge/Solicitor's Compensation

H.B. 850 - Troup County - Coroner - Compensation

H.B. 855 - Gilmer County - Probate Court Judge - Compensation

H.B. 857 - Loganville, City Of - Recorder - Qualifications

H.B. 888 - Newton County Magistrate Court - Judge of Probate Court Serve

H.B. 903 - Liberty County - Magistrate Court

H.B. 918 - Southwestern Judicial Circuit - Webster County - Terms

H.B. 919 - Southwestern Judicial Circuit - Stewart County - Terms

H.B. 920 - Webster County - Magistrate Court

H.B. 921 - Quitman County - Probate Court

H.B. 929 - Glynn County State Court - Clerk's Compensation

H.B. 935 - Gilmer County Superior Court - Terms

H.B. 962 - Wilkinson County - Probate Judge - Serve As Chief Magistrate

H.B. 963 - Wilkinson County - Superior Court Clerk - Salary

H.B. 1030 - Chatham County Recorder's Court - Terms

H.B. 1040 - Cook County Probate Court - Serve as Chief Magistrate

H.B. 1064 - Fulton County - Volunteer Legal Service - Fees

H.B. 1092 - Wilcox County - Superior Court Clerk - Salary

H.B. 1094 - Wilcox County - Chief Magistrate - Appointment

H.B. 1116 - Rochelle, City Of - Mayor's or Recorder's Court - Punishment

H.B. 1117 - Pulaski County - Magistrate Court - Provide

H.B. 1136 - Muscogee County/Columbus, City Of - Magistrate Court

H.B. 1141 - Jenkins County - Magistrate Court - Provide

H.B. 1161 - Tattnall County - State Court - Certain Employee Compensation

H.B. 1176 - Toombs County - Magistrate Court - Provide

H.B. 1177 - Wheeler County - Magistrate Court - Provide

H.B. 1178 - Treutlen County - Magistrate Court - Provide

H.B. 1179 - Montgomery County - County Attorney - Residency

H.B. 1186 - Tattnall County - Sheriff's Deputies - Patrol Automobiles

H.B. 1223 - Western Judicial Circuit - Judges - Compensation

H.B. 1224 - Columbia County - Violation of Ordinance - Penalties

H.B. 1247 - Fulton County - State Court - Chief Clerk and Deputies

H.B. 1253 - Randolph County - Magistrate Court - Chief Magistrate

H.B. 1254 - McIntosh County - Superior Court - Grand Juries

H.B. 1255 - Bleckley County - Probate Court - Compensation

H.B. 1256 - Bleckley County - Sheriff's Compensation

H.B. 1259 - Murray County - Magistrate Court - Provide

H.B. 1261 - Columbus, City Of - Recorder's Court - Clerks

H.B. 1268 - Montgomery County - Magistrate Court - Provide

H.B. 1275 - Clarke County - Magistrate Court - Provide

H.B. 1281 - Douglas Judicial Circuit - Terms

H.B. 1283 - Douglas County - Magistrate Court - Provide

H.B. 1287 - Bleckley County - Superior Court Clerk - Compensation

H.B. 1318 - Jones County - Superior Court Clerk and Personnel - Compensation

H.B. 1319 - Jones County - Sheriff and Employees - Compensation

H.B. 1321 - Jones County - Probate Court Judge and Personnel - Compensation

H.B. 1323 - Rockdale County - Sheriff's Department Merit Board - Create

H.B. 1330 - Burke County - State Court Solicitor - Expense Allowance

H.B. 1338 - Fulton County - Public Defender - Appointment

H.B. 1349 - Brooks County - Superior Court Clerk - Compensation

H.B. 1374 - Walton County - Probate Judge Serve As Chief Magistrate

H.B. 1377 - Lamar County - Superior Court Clerk - Compensation

H.B. 1383 - Alpharetta, City Of - Municipal Court Judge - Compensation

H.B. 1386 - Jefferson County - State Court - Certain Employee Compensation

H.B. 1389 - Jefferson County - Magistrate Court - Provide

H.B. 1397 - Troup County - State Court - Jurors

H.B. 1409 - Bulloch County - Sheriff's Employees - Compensation

H.B. 1411 - Bulloch County - Superior Court Clerk - Employee Compensation

H.B. 1412 - Bulloch County - Probate Court Clerk - Compensation

H.B. 1420 - Rockdale County - Probate Court Judge - Compensation

H.B. 1421 - Rockdale County - Sheriff - Compensation

H.B. 1422 - Rockdale County - Coroner - Auto Expense Allowance

H.B. 1424 - Rockdale County - Superior Court Clerk - Compensation

H.B. 1425 - Marion County - Probate Judge Serve as Chief Magistrate

H.B. 1426 - Marion County - Deputy Sheriff - Compensation

H.B. 1427 - Oconee County - Probate Judge Serve as Chief Magistrate

H.B. 1428 - Houston County - Magistrate Court - Provide

H.B. 1435 - Fayette County - Coroner's Compensation

H.B. 1436 - Richmond County - Magistrate Court - Provide

H.B. 1440 - Lincoln County - Superior Court - Terms

H.B. 1443 - Muscogee County - State Court - Certain Compensation

H.B. 1444 - Columbus, City Of - Municipal Court - Certain Salaries

H.B. 1445 - Muscogee County - Superior Court Clerk - Compensation

H.B. 1446 - Muscogee County - Probate Judge - Compensation

H.B. 1447 - Muscogee County - Sheriff - Compensation

H.B. 1449 - Chattahoochee Judicial Circuit - Assistant District Attorney - Compensation

H.B. 1450 - Muscogee County - Superior Court - Judges' Salary

H.B. 1451 - Chattahoochee Judicial Circuit - District Attorney's Salary

H.B. 1452 - Whitfield County Magistrate Court - Provide For

H.B. 1454 - Bryan County - Magistrate Court - Provide

H.B. 1469 - Butts County - Superior Court Clerk - Compensation

H.B. 1470 - Johnson County - State Court - Abolish

H.B. 1471 - Johnson County - Chief Magistrate - Selection

H.B. 1481 - Union County - Probate Judge Serve as Chief Magistrate

H.B. 1483 - Berrien County - Superior Court Clerk - Compensation

H.B. 1489 - Forsyth County - Magistrate Court - Provide

H.B. 1490 - Floyd County Superior Court Clerk - Chief Deputies' Compensation

H.B. 1493 - Flint Judicial Circuit - Judges, District Attorney and Assistant - Compensation

H.B. 1498 - Chatsworth, City of - Recorder's Court - Provide

H.B. 1500 - DeKalb County - State Court - Assistant Solicitor

H.B. 1503 - Greene County - Probate Court Judge - Service

H.B. 1504 - Greene County - Certain Officers - Clerical Help - Compensation

H.B. 1507 - Wilkinson County - Sheriff/Employee - Salary

H.B. 1508 - Wilkinson County - Probate Court - Judge/Employee - Salary

H.B. 1521 - Catoosa County - Superior Court Clerk - Clerical Allowance

H.B. 1524 - White County - Superior Court Clerk - Compensation

H.B. 1526 - South Georgia Judicial Circuit - Judges' Compensation

H.B. 1527 - Walker County - Probate Court Personnel - Compsenation

H.B. 1529 - Walker County - Superior Court Clerk - Personnel's Compsensation

H.B. 1531 - Walker County - Coroner - Compsensation

H.B. 1533 - Clayton County - State Court - Clerk and Deputy

H.B. 1535 - Clayton County - Superior Court Clerk and Sheriff - Compsensation

H.B. 1536 - Clayton County - Probate Court Judge - Compsensation

H.B. 1537 - Clayton Judicial Circuit - District Attorney - Supplement

H.B. 1538 - Clayton County - State Court - Solicitor's Salary

H.B. 1539 - Clayton County - State Court - Judge's Compsensation

H.B. 1542 - Tallulah Falls, Town Of - Municipal Court - Punishment

H.B. 1545 - McDuffie County - Sheriff and Employees - Compensation

H.B. 1546 - McDuffie County - Coroner - Salary

H.B. 1548 - McDuffie County - Chief Magistrate - Appointment

H.B. 1549 - McDuffie County - Superior Court Clerk - Compensation

H.B. 1550 - Dougherty County - Magistrates - Terms

H.B. 1551 - Long County - Chief Magistrate - Selection

H.B. 1552 - Chatham County - Magistrate Court - Provide

H.B. 1555 - Henry County - Certain Officers - Compensation

H.B. 1556 - Towns County - Probate Judge Serve as Chief Magistrate

H.B. 1559 - Towns County - Sheriff's Deputies - Change Provisions

H.B. 1561 - Clayton County - Magistrate Court - Judges' Appointment

H.B. 1564 - Fulton County - Magistrate Court - Part-Time Magistrates

H.B. 1566 - Perry, City Of - Laws and Ordinances - Amend Provisions

H.B. 1574 - Floyd County - Superior Court Clerk - Compensation

H.B. 1577 - Laurens County - Magistrate Court - Provide

H.B. 1582 - Colquitt County - Magistrate Court - Provide

H.B. 1585 - Morgan County - Chief Magistrate - Appoint Constables

H.B. 1593 - Cobb Judicial Circuit - Assistant District Attorneys - Increase Number

H.B. 1595 - Cobb County - State Court Judge - Compensation

H.B. 1596 - Cobb County - Probate Court - Additional Deputy Clerk

H.B. 1598 - Miller County - Probate Judge Serve as Chief Magistrate

H.B. 1601 - Bacon County - State Court - Create

H.B. 1603 - Dodge County - Magistrate Court - Provide

H.B. 1605 - Clayton County - Probate Court - Appeals

H.B. 1608 - Union County - Probate Judge - Compensation

H.B. 1610 - Chattooga County - Magistrate Court - Provide

H.B. 1614 - Early County - Probate Judge Serve as Chief Magistrate

H.B. 1616 - Spalding County - Magistrate Court Costs - Law Library

H.B. 1622 - Habersham County - Magistrate Court Fees - Law Library

H.B. 1625 - Jeff Davis County - State Court - Create

H.B. 1628 - Statesboro, City Of - Recorder - Residence

H.B. 1629 - Towns County - Probate Judge - Salary

H.B. 1635 - Candler County - Magistrate Court - Magistrates

H.B. 1638 - Spalding County - Coroner - Compensation

H.B. 1642 - Spalding County - State Court Judge/Solicitor - Compensation

H.B. 1645 - Wilkes County - Magistrate Court - Provide

H.B. 1646 - Warren County - Magistrate Court - Provide

H.B. 1652 - Lamar County - Magistrate Court - Provide

H.B. 1654 - Cobb County - Juvenile Court Judge - Compensation

H.B. 1655 - Butts County - Magistrate Court - Provide

H.B. 1678 - Rabun County - Sheriff and Deputies - Compensation

H.B. 1679 - Talbot County - Probate Judge Serve as Chief Magistrate

H.B. 1680 - Echols County - Probate Judge Serve as Chief Magistrate

LOCAL LEGISLATION

SENATE BILLS

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SENATE BILLS

S.B. 122 - Richmond County - Probate Court - Judge Emeritus

S.B. 382 - Hancock County - Magistrate Court - Chief Magistrate

S.B. 383 - Milledgeville, City Of - Police Court - Deputy Recorder

S.B. 390 - Alcoholic Beverages - Sunday Sales - Local Authorization

S.B. 459 - Dooly County - Magistrate Court - Chief Magistrate

S.B. 469 - Alcoholic Beverages - Sunday Sales - Stadiums, Etc. - Certain Counties/Municipalities

S.B. 471 - Macon Judicial Circuit - Judges' Compensation

S.B. 474 - Jasper County - Magistrate Court - Provide

S.B. 475 - Putnam County - Magistrate Court - Provide

S.B. 481 - Chatham County - State Court - Clerk's Appointment

S.B. 490 - Douglas County - Coroner - Compensation

S.B. 492 - Rockdale County - Public Defender - Compensation

S.B. 494 - Gwinnett Judicial Circuit - Judges - Compensation

S.B. 500 - Carroll County - Coroner - Compensation

S.B. 502 - Baldwin County - State Court Judge/Solicitor - Compensation

S.B. 515 - Gwinnett County - State Court - Judges' Compensation

S.B. 525 - Evans County - Chief Magistrate - Appointment

S.B. 551 - Seminole County - Probate Judge Serve as Chief Magistrate

S.B. 554 - Cobb County - Probate Court Clerk - Compensation

S.B. 555 - Cobb Judicial Circuit - Investigators

S.B. 556 - Cobb County - State Court - Abolish Magistrate's Office

S.B. 557 - Calhoun County - Probate Judge Serve as Chief Magistrate

S.B. 559 - Taliaferro County - Probate Judge Serve as Chief Magistrate

LOCAL RESOLUTIONS

HOUSE AND SENATE

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H.R. 510 - Taylor, Sheriff Linda M. - Commend

H.R. 533 - O'Neal, Trooper 1st Class Ronald Everett - Condolences

H.R. 554 - Griffin, Sheriff Carl A. - Condolences

H.R. 719 - Dobson, Ranger Danny Houston - Commend

H.R. 720 - Dyer, Trooper First Class K. W. - Commend

H.R. 721 - King, Officer Elene D. - Commend

H.R. 722 - Goss, Specialist Travis L. - Commend

H.R. 723 - Love, Officer William O. - Commend

H.R. 724 - McGuire, Officer Thomas Griffin - Commend

H.R. 742 - Jacks, Deputy Jimmy - Commend

H.R. 771 - Wells, Trooper 1st Class Vernon W. - Commend

H.R. 840 - Southwell, Judge J. W. - Commend

H.R. 842 - Shulman, Honorable Arnold - Commend

H.R. 879 - Deyton, Sheriff Robert of Clayton County - Commend

H.R. 884 - Clayton County Police Department - Commend

H.R. 891 - Lewis, Sergeant Joe - Commend

H.R. 900 - Snow, Sheriff Garvis C. - Condolences

S.R. 323 - Griffin, Sheriff Carl A. - Condolences

S.R. 350 - Stewart, Sheriff Lamar Sr. - Commend

S.R. 392 - Gossett, Sergeant 1st Class Joe E. - Commend

S.R. 393 - Cline, Major William L. - Commend

S.R. 463 - Swofford, Sheriff Seals - Commend

S.R. 465 - Georgia Police Dog Association - Commend