

The House Committee on Public Safety and Homeland Security offers the following substitute to SB 37:

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 1 of Chapter 16 of Title 15, Code Section 40-6-6, and Article 1 of
2 Chapter 4 of Title 42 of the Official Code of Georgia Annotated, relating to general
3 provisions regarding sheriffs, authorized emergency vehicles and pursuit of fleeing suspects,
4 and general provisions relative to jails, respectively, so as to allow sheriffs to receive certain
5 additional salaries; to prohibit the use of solid, flashing, or revolving blue lights by law
6 enforcement officers outside the jurisdiction of his or her agency; to provide for exceptions;
7 to provide jailers with arrest powers; to provide for related matters; to repeal conflicting
8 laws; and for other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

10 **SECTION 1.**

11 Article 1 of Chapter 16 of Title 15 of the Official Code of Georgia Annotated, relating to
12 general provisions regarding sheriffs, is amended by revising Code Section 15-16-20.1,
13 relating to additional salary, as follows:

14 "15-16-20.1.

15 In addition to the minimum salary provided in Code Section 15-16-20, the sheriff of any
16 county who performs the duties of a sheriff for a state court, probate court, magistrate

17 court, juvenile court, or county recorder's court under any applicable general or local law
 18 of this state shall receive for his or her services in such court or courts a salary of not less
 19 than \$385.90 per month, to be paid from the funds of the county. A sheriff who serves in
 20 more than one such court shall receive ~~only one~~ such salary for up to two courts. Such
 21 salaries shall not be eligible for increase for any state cost-of-living or general performance
 22 based increases."

23 **SECTION 2.**

24 Code Section 40-6-6 of the Official Code of Georgia Annotated, relating to authorized
 25 emergency vehicles and pursuit of fleeing suspects, by revising subsection (e) as follows:

26 "(e)(1) Except when responding to an emergency call or when in the pursuit of an actual
 27 or suspected violator of the law, it shall be unlawful for an operator of a law enforcement
 28 vehicle to use solid, flashing, or revolving blue lights outside the jurisdiction of his or her
 29 agency.

30 (2) It shall be unlawful for any person to operate an authorized emergency vehicle with
 31 flashing lights other than as authorized by ~~subsection (c)~~ of this Code section."

32 **SECTION 3.**

33 Article 1 of Chapter 4 of Title 42 of the Official Code of Georgia Annotated, relating to
 34 general provisions relative to jails, is amended by revising Code Section 42-4-1, relating to
 35 appointment of county and municipal jailers, as follows:

36 "42-4-1.

37 (a) By virtue of their offices, sheriffs are jailers of the counties and have the authority to
 38 appoint other jailers, subject to the supervision of the county governing authority, as
 39 prescribed by law.

40 (b) By virtue of their offices, chiefs of police are the jailers of the municipal corporations
 41 and have the authority to appoint other jailers, subject to the supervision of the municipal

42 governing authority, as prescribed by law. Each jailer of a municipal corporation shall
43 maintain the records required of sheriffs by subsection (a) of Code Section 42-4-7.

44 (c) Jailers who have been certified by the Georgia Peace Officer Standards and Training
45 Council as having successfully completed the course of training required by Chapter 8 of
46 Title 35, the 'Georgia Peace Officer Standards and Training Act,' shall be authorized to
47 arrest any person found to be in violation of a criminal law that occurs within the jail or
48 within the perimeter guard lines of such jail established pursuant to subsection (j) of Code
49 Section 42-4-13. Jailers shall be further authorized to exercise arrest powers upon any
50 person for whom a complaint or arrest warrant is pending who surrenders into custody at
51 his or her jail."

52 **SECTION 4.**

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