

The House Committee on Public Safety and Homeland Security offers the following substitute to HB 424:

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 16 of Title 15 of the Official Code of Georgia Annotated, relating to
2 sheriffs, so as to revise qualification requirements for the office of sheriff; to require
3 certification as a peace officer at the time of qualifying as a candidate for sheriff; to require
4 such candidate to be in good standing with the Georgia Peace Officer Standards and Training
5 Council; to provide for a confirming affidavit; to provide for a definition; to provide for the
6 reimbursement of certain law enforcement training expenses for persons elected to the office
7 of sheriff; to provide for related matters; to repeal conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 Chapter 16 of Title 15 of the Official Code of Georgia Annotated, relating to sheriffs, is
11 amended by revising subparagraph (c)(1)(J) and paragraph (4) of subsection (c) of Code
12 Section 15-16-1, relating to qualification requirements for sheriff and exemptions, as follows:

13 "(J) At the time of qualifying as a candidate for the office of sheriff, ~~is a registered~~
14 ~~peace officer as provided in Code Section 35-8-10~~ or is a certified peace officer as
15 defined in Chapter 8 of Title 35 and is in good standing with the Georgia Peace Officer
16 Standards and Training Council. Upon request of the person seeking to qualify as a

17 candidate for the office of sheriff, the executive director of the Georgia Peace Officer
18 Standards and Training Council shall create and provide for an affidavit attesting to
19 such person's compliance with this subparagraph. Such affidavit shall be signed by the
20 executive director of the Georgia Peace Officer Standards and Training Council, or his
21 or her designee, and the person seeking to qualify as a candidate for the office of sheriff
22 and shall be presented to the proper elections official prior to the end of the established
23 period of qualification in order to qualify as a candidate. As used in this subparagraph,
24 the term 'in good standing with the Georgia Peace Officer Standards and Training
25 Council' means that a peace officer has never had his or her peace officer certification
26 revoked by the Georgia Peace Officer Standards and Training Council; within the
27 preceding five years, has not had his or her certification suspended by the Georgia
28 Peace Officer Standards and Training Council; and, upon the opening date of the
29 established period of qualification, is not under any sanction imposed by the Georgia
30 Peace Officer Standards and Training Council. Any person who is not a registered or
31 certified peace officer at the time such person assumes the office of sheriff shall be
32 required to complete satisfactorily the requirements for certification as a peace officer
33 as provided in Chapter 8 of Title 35 within six months after such person takes office;
34 provided, however, that an extension of the time to complete such requirements may
35 be granted by the Georgia Peace Officer Standards and Training Council upon the
36 presentation of evidence by a sheriff that he or she was unable to complete the basic
37 training course and certification requirements due to illness, injury, military service, or
38 other reasons deemed sufficient by such council. The Georgia Peace Officer Standards
39 and Training Council shall make every effort to ensure that space is available for newly
40 elected sheriffs who are not certified or registered peace officers to attend the course
41 as soon as possible after such persons take office. Such council shall notify the
42 appropriate judge of the probate court whenever a newly elected sheriff who is not

43 ~~certified fails to become certified as a peace officer pursuant to the requirements of this~~
44 ~~subparagraph."~~

45 "(4) Each person offering to run for the office of sheriff and who is otherwise qualified
46 shall be allowed, ~~six months~~ prior to qualifying and at his or her own expense, to attend
47 the basic law enforcement mandate course for peace officers as a pre-service candidate.
48 The Georgia Peace Officer Standards and Training Council shall work to ensure that
49 space is available for such individuals to attend the course. Each such person attending
50 the basic law enforcement mandate course for peace officers in accordance with this
51 paragraph shall be entitled to reimbursement of his or her expenses if he or she is
52 subsequently elected to the office of sheriff. Such reimbursement for expenses shall be
53 limited to the cost of tuition, the cost of course uniforms, and the cost of course
54 equipment and shall be paid by the office of sheriff to which he or she is elected."

55 **SECTION 2.**

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