

House Bill 1117

By: Representatives Hitchens of the 161st, Lumsden of the 12th, Collins of the 71st, Vance of the 133rd, and Neal of the 79th

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 35-8-8 of the Official Code of Georgia Annotated, relating to
2 requirements for appointment or certification of persons as peace officers and
3 preemployment attendance at basic training course and "employment related information"
4 defined, so as to expand eligibility to serve as a peace officer to United States nationals; to
5 provide for related matters; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Code Section 35-8-8 of the Official Code of Georgia Annotated, relating to requirements for
9 appointment or certification of persons as peace officers and preemployment attendance at
10 basic training course and "employment related information" defined, is amended by revising
11 subsection (a) as follows:

12 "(a) Any person employed or certified as a peace officer shall:

13 (1) Be at least 18 years of age;

14 (2) Be a citizen or national of the United States;

15 (3) Have a high school diploma or its recognized equivalent;

16 (4) Not have been convicted by any state or by the federal government of any crime the
17 punishment for which could have been imprisonment in the federal or state prison or
18 institution nor have been convicted of sufficient misdemeanors to establish a pattern of
19 disregard for the law, provided that, for the purposes of this paragraph, violations of
20 traffic laws and other offenses involving the operation of motor vehicles when the
21 applicant has received a pardon shall not be considered;

22 (5) Be fingerprinted for the purpose of conducting a fingerprint based search at the
23 Georgia Bureau of Investigation and the Federal Bureau of Investigation to determine the
24 existence of any criminal record;

25 (6) Possess good moral character as determined by investigation under procedure
26 established by the council and fully cooperate during the course of such investigation;

27 (7) Be found, after examination by a licensed physician or surgeon, to be free from any
28 physical, emotional, or mental conditions which might adversely affect his or her exercise
29 of the powers or duties of a peace officer; and

30 (8) Successfully complete a job related academy entrance examination provided for and
31 administered by the council in conformity with state and federal law. Such examination
32 shall be administered prior to entrance to the basic course provided for in Code Sections
33 35-8-9 and 35-8-11. The council may change or modify such examination and shall
34 establish the criteria for determining satisfactory performance on such examination. The
35 provisions of this paragraph establish only the minimum requirements of academy
36 entrance examinations for peace officer candidates in this state; each law enforcement
37 unit is encouraged to provide such additional requirements and any preemployment
38 examination as it deems necessary and appropriate. Any person with a degree from a
39 postsecondary institution accredited by a regional accrediting agency recognized by the
40 United States Department of Education shall be deemed to have met the requirements of
41 this paragraph."

42

SECTION 2.

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