

The Senate Committee on Judiciary offered the following substitute to HB 1528:

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 6A of Title 35 of the Official Code of Georgia Annotated, relating to
2 criminal justice coordinating council, so as to provide for the establishment of a grant
3 program to support local law enforcement agencies and multi-jurisdiction task forces relative
4 to motor vehicle related crime prevention initiatives; to provide for standards and conditions
5 for such grant program; to provide for recommendations and reporting; to provide for the
6 establishment of the Georgia Motor Vehicle Crime Prevention Advisory Board; to provide
7 for membership; to provide for clarifying changes relative to current boards and advisory
8 boards; to provide for related matters; to repeal conflicting laws; and for other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

10 **SECTION 1.**

11 Chapter 6A of Title 35 of the Official Code of Georgia Annotated, relating to criminal justice
12 coordinating council, is amended by adding two new Code sections to read as follows:

13 "35-6A-15.

14 (a) The council shall:

15 (1) Subject to available funding, establish a grant program for the provision of funds to
16 local law enforcement agencies and multi-jurisdiction task forces for the:

- 17 (A) Prevention, reduction, and investigation of motor vehicle and motor vehicle parts
18 theft;
- 19 (B) Prevention, reduction, and investigation of motor vehicle related crime;
- 20 (C) Establishment of multi-jurisdiction task forces upon request of local law
21 enforcement agencies;
- 22 (D) Investigation of fraud related to motor vehicle insurance, motor vehicle dealer
23 purchases, and motor vehicle rental transactions and other forms of financial fraud
24 relating to motor vehicles;
- 25 (E) Hiring of personnel by local law enforcement agencies for the purpose of
26 preventing, reducing, and investigating motor vehicle related crime;
- 27 (F) Purchase of equipment and technology for support in motor vehicle related crime
28 prevention, reduction, and investigation;
- 29 (G) Provision of training to local law enforcement agencies and multi-jurisdiction task
30 forces relative to motor vehicle related crime prevention, reduction, and investigation;
31 and
- 32 (H) Production of public awareness materials and programs relating to motor vehicle
33 related crime prevention;
- 34 (2) Promote state-wide planning and coordination of the investigation and prosecution
35 of crimes relating to motor vehicle and motor vehicle parts theft;
- 36 (3) Provide support to local prosecutors handling motor vehicle and motor vehicle parts
37 theft related prosecutions; and
- 38 (4) Provide support to multi-jurisdiction task forces established by local law enforcement
39 agencies for the purpose of preventing, reducing, and investigating motor vehicle related
40 crime.
- 41 (b)(1) Any grant awarded pursuant to this Code section shall be upon recommendation
42 from and after consideration by the Georgia Motor Vehicle Crime Prevention Advisory
43 Board. Each grant application shall describe the type of motor vehicle related crime

44 prevention, reduction, investigation, enforcement, prosecution, or offender rehabilitation
45 program to be implemented. Such programs may include, but shall not be limited to:

46 (A) Multi-jurisdiction task forces and programs utilizing the National Insurance Crime
47 Bureau task force which reduce motor vehicle related crime and increase the
48 apprehension of motor vehicle and motor vehicle parts thieves and persons who attempt
49 to defraud insurance companies;

50 (B) Motor vehicle related crime prevention efforts, activities, and public awareness
51 campaigns intended to reduce victimization by motor vehicle related crime and fraud;

52 (C) The provision of specialized training for motor vehicle related crime investigation
53 personnel, including, but not limited to, law enforcement personnel, local motor vehicle
54 registration agents and title clerks, and port facility employees, in order to enhance
55 knowledge, skills, procedures, and systems to detect, prevent, and combat motor
56 vehicle related crime and fraud;

57 (D) The provision of support and maintenance by one or more dedicated prosecutors
58 who have the specific mission and expertise to provide legal guidance and prosecutorial
59 continuity to complex criminal cases arising from the activities of a multi-jurisdiction
60 task force; and

61 (E) The prevention of future criminal behavior by first time offenders who have been
62 charged, convicted, or adjudicated for a motor vehicle related crime.

63 (2) To the extent possible, grants awarded pursuant to this Code section shall be awarded
64 to local law enforcement agencies, multi-jurisdiction task forces, or other qualified
65 applicants in a variety of geographic areas of the state. The ability to contribute
66 additional moneys or match funding for a program shall not be required as a condition
67 of receipt of a grant pursuant to this Code section.

68 (c) For the purposes of this Code section, the council may accept and use federal funds
69 granted by Congress or executive order, as well as gifts and donations from individuals,
70 private organizations, or foundations. The acceptance and use of federal funds shall not

71 commit state funds and shall not place an obligation upon the General Assembly to
72 continue the purposes for which the federal funds are made available.

73 (d) The council may recommend to the Governor and the General Assembly changes in
74 state programs, statutes, policies, budgets, and standards relating to improving and
75 supporting the motor vehicle related crime prevention initiatives of local law enforcement
76 agencies and multi-jurisdiction task forces.

77 35-6A-16.

78 (a) There is established the Georgia Motor Vehicle Crime Prevention Advisory Board
79 which shall be composed of:

80 (1) The director of the Georgia Bureau of Investigation or his or her designee from
81 within the Georgia Bureau of Investigation;

82 (2) The state revenue commissioner or his or her designee from within the Department
83 of Revenue;

84 (3) The Commissioner of Insurance or his or her designee from within the Department
85 of Insurance;

86 (4) A member of the Georgia State Patrol;

87 (5) Three representatives of insurance companies authorized to issue motor vehicle
88 insurance;

89 (6) A licensed new or used motor vehicle dealer;

90 (7) A licensed used motor vehicle parts dealer;

91 (8) A registered secondary metals recycler; and

92 (9) One representative from each of the following:

93 (A) The motor vehicle rental industry;

94 (B) The Georgia Association of Chiefs of Police;

95 (C) The Georgia Sheriffs' Association;

96 (D) The District Attorneys Association of Georgia; and

97 (E) A consumer protection group.
98 (b) The Governor shall appoint those members listed in paragraphs (4) through (9) of
99 subsection (a) of this Code section.
100 (c) Members of the Georgia Motor Vehicle Crime Prevention Advisory Board shall serve
101 for terms of four years. The advisory board shall elect a chairperson from among its
102 membership and may elect such other officers and committees as it considers appropriate.
103 In the event of death, resignation, disqualification, or removal for any reason of any
104 member of the advisory board, vacancies shall be filled in the same manner as the original
105 appointment and successors shall serve for the unexpired term. Membership on the
106 advisory board shall not constitute public office, and no member shall be disqualified from
107 holding public office by reason of his or her membership on the advisory board.
108 (d) Citizen members of the Georgia Motor Vehicle Crime Prevention Advisory Board shall
109 receive a daily expense allowance in the amount specified in subsection (b) of Code
110 Section 45-7-21, as well as the mileage or transportation allowance authorized for state
111 employees. Members of the advisory board who are state officials or state employees shall
112 receive no compensation for their services on the advisory board but shall be reimbursed
113 for expenses incurred in the performance of their duties as members of the advisory board
114 in the same manner as they are reimbursed for expenses in their capacities as state officials
115 or state employees. The funds necessary for the reimbursement of the expenses of state
116 officials and state employees shall come from funds appropriated or otherwise available
117 to their respective departments.
118 (e) The Georgia Motor Vehicle Crime Prevention Advisory Board shall solicit and review
119 applications for grants authorized pursuant to Code Section 35-6A-15 and make
120 recommendations to the council for the award thereof."

121 **SECTION 2.**

122 Said chapter is further amended in Code Section 35-6A-2, relating to creation, assignment
123 to Georgia Bureau of Investigation, and definitions, by revising subsection (b) as follows:

124 "(b) As used in this chapter, the term:

125 (1) ~~'Board'~~ means the ~~Criminal Case Data Exchange Board~~.

126 (2) ~~'Council'~~ 'council' means the Criminal Justice Coordinating Council."

127 **SECTION 3.**

128 Said chapter is further amended in Code Section 35-6A-11, relating to advisory board created
129 and membership, by revising the introductory language of subsection (a) as follows:

130 "(a) There is established ~~an~~ a juvenile justice advisory board to the council which shall
131 consist of at least 15 and not more than 33 members appointed by the Governor who have
132 training, experience, or special knowledge concerning the prevention and treatment of
133 juvenile delinquency, the administration of juvenile justice, or the reduction of juvenile
134 delinquency and shall be composed of:"

135 **SECTION 4.**

136 Said chapter is further amended in Code Section 35-6A-12, relating to role of the advisory
137 board, by revising the undesignated introductory language as follows:

138 "The juvenile justice advisory board shall:"

139 **SECTION 5.**

140 Said chapter is further amended in Code Section 35-6A-14, relating to role of board and
141 public access, by revising the introductory language of subsection (a) as follows:

142 "(a) The ~~board~~ Criminal Case Data Exchange Board shall:"

143

SECTION 6.

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