

The House Committee on Public Safety and Homeland Security offers the following substitute to HB 268:

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 style="text-align:center">**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-16.

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 shall prepare an annual report relative to activities and programs of the
74 council and any funds received and grants awarded pursuant to this Code section. Such
75 report may include recommendations for changes in state programs, statutes, policies,
76 budgets, and standards relating to improving and supporting the motor vehicle related
77 crime prevention initiatives of local law enforcement agencies and multi-jurisdiction task
78 forces. Such report shall be submitted annually to the General Assembly and the Governor
79 by December 1.

80 35-6A-17.

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

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

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

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

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

90 (5) The Attorney General of Georgia or his or her designee from within the Office of the
91 Attorney General;

92 (6) A representative from an insurance company authorized to issue motor vehicle
93 coverage in this state;

94 (7) A licensed new or used motor vehicle dealer;

95 (8) A licensed used motor vehicle parts dealer;

96 (9) A registered secondary metals recycler; and

- 97 (10) One representative from each of the following:
98 (A) A judge of a superior court in Georgia;
99 (B) The Georgia Association of Chiefs of Police;
100 (C) The Georgia Sheriffs' Association;
101 (D) The District Attorneys Association of Georgia;
102 (E) The National Insurance Crime Bureau;
103 (F) The Georgia Association of Criminal Defense Lawyers;
104 (G) The motor vehicle rental industry; and
105 (H) A consumer protection group.
- 106 (b) The Governor shall appoint those members listed in paragraphs (4) through (10) of
107 subsection (a) of this Code section.
- 108 (c) Members of the Georgia Motor Vehicle Crime Prevention Advisory Board shall serve
109 for terms of four years. The advisory board shall elect a chairperson from among its
110 membership and may elect such other officers and committees as it considers appropriate.
111 In the event of death, resignation, disqualification, or removal for any reason of any
112 member of the advisory board, vacancies shall be filled in the same manner as the original
113 appointment and successors shall serve for the unexpired term. Membership on the
114 advisory board shall not constitute public office, and no member shall be disqualified from
115 holding public office by reason of his or her membership on the advisory board.
- 116 (d) Citizen members of the Georgia Motor Vehicle Crime Prevention Advisory Board shall
117 receive a daily expense allowance in the amount specified in subsection (b) of Code
118 Section 45-7-21, as well as the mileage or transportation allowance authorized for state
119 employees. Members of the advisory board who are state officials or state employees shall
120 receive no compensation for their services on the advisory board but shall be reimbursed
121 for expenses incurred in the performance of their duties as members of the advisory board
122 in the same manner as they are reimbursed for expenses in their capacities as state officials
123 or state employees. The funds necessary for the reimbursement of the expenses of state

124 officials and state employees shall come from funds appropriated or otherwise available
125 to their respective departments.

126 (e) The Georgia Motor Vehicle Crime Prevention Advisory Board shall solicit and review
127 applications for grants authorized pursuant to Code Section 35-6A-15 and make
128 recommendations to the council for the award thereof."

129 **SECTION 2.**

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

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

137 **SECTION 3.**

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

140 "The juvenile justice advisory board shall:"

141 **SECTION 4.**

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