

House Bill 268 (COMMITTEE SUBSTITUTE)

By: Representatives Corbett of the 174<sup>th</sup>, Powell of the 33<sup>rd</sup>, Ridley of the 6<sup>th</sup>, Mathis of the 149<sup>th</sup>, and Barton of the 5<sup>th</sup>

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-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:

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- 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.