

House Bill 361

By: Representatives Jackson of the 128th, Smith of the 18th, Williams of the 168th, Gilliard of the 162nd, Collins of the 71st, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Title 35 of the Official Code of Georgia Annotated, relating to law enforcement
2 officers and agencies, so as to enact the "Eurie Lee Martin Act"; to provide for the creation
3 of a state-wide data base by the Criminal Justice Coordinating Council to be known as the
4 "ELM Data Base"; to provide that the ELM Data Base shall include identifying information
5 from arrest records of individuals who suffer from addictive disease, developmental
6 disabilities, or mental illness; to provide for adherence to all state and federal privacy laws;
7 to provide that law enforcement officers shall use the ELM Data Base whenever practicable
8 while responding to a call; to provide for additional training on how to identify and respond
9 to individuals who suffer from addictive disease, developmental disabilities, or mental
10 illness; to provide for related matters; to repeal conflicting laws; and for other purposes.

11 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

12 **SECTION 1.**

13 Title 35 of the Official Code of Georgia Annotated, relating to law enforcement officers and
14 agencies, is amended by adding a new chapter to read as follows:

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15 "CHAPTER 11

16 35-11-1.

17 This chapter shall be known and may be cited as the 'Eurie Lee Martin Act.'

18 35-11-2.

19 (a) The Criminal Justice Coordinating Council shall create and maintain a centralized data
20 base for the state's law enforcement agencies, known as the 'ELM Data Base.' This data
21 base shall contain identifying information for any individual who has been arrested and
22 who suffers from addictive disease, developmental disability, or mental illness. The
23 information in the data base shall be compiled from the information in an individual's arrest
24 record.

25 (b) In creating, updating, and maintaining the data base, the Criminal Justice Coordinating
26 Council shall safeguard the information contained therein and shall adhere to all state and
27 federal privacy laws.

28 35-11-3.

29 (a) Law enforcement officers shall consult the data base whenever practicable when
30 responding to a call.

31 (b) Law enforcement officers shall be required to take at least two classes per year on how
32 to identify and interact with individuals with addictive disease, developmental disability,
33 or mental illness while in the field without the use of excessive force. These classes will
34 be facilitated by the Criminal Justice Coordinating Council, working jointly with the
35 Department of Behavioral Health and Developmental Disabilities."

36 **SECTION 2.**

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