

Senate Bill 394

By: Senators Albers of the 56th, Robertson of the 29th, Harper of the 7th, Brass of the 28th and Martin of the 9th

A BILL TO BE ENTITLED  
AN ACT

1 To amend Article 3 of Chapter 5 of Title 16, Article 1 of Chapter 15 of Title 45, and Article 7  
2 of Chapter 4 of Title 49 of the Official Code of Georgia Annotated, relating to kidnapping,  
3 false imprisonment, and related offenses, general provisions regarding the Attorney General,  
4 and medical assistance generally, respectively, so as to provide for authority of the Attorney  
5 General to investigate and prosecute certain crimes and offenses; to provide for definitions;  
6 to provide for authority of the Attorney General to employ peace officers for certain  
7 purposes; to provide for related matters; to repeal conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 Article 3 of Chapter 5 of Title 16 of the Official Code of Georgia Annotated, relating to  
11 kidnapping, false imprisonment, and related offenses, is amended in Code Section 16-5-46,  
12 relating to trafficking of persons for labor or sexual servitude, by adding a new paragraph to  
13 subsection (a) and by revising subsection (h) as follows:

14 "(5.1) 'Peace officer' shall have the same meaning as provided for in Code  
15 Section 35-8-2."

16 "(h)(1) Prosecuting attorneys and the Attorney General shall have concurrent authority  
17 to prosecute any criminal cases arising under the provisions of this Code section and to  
18 perform any duty that necessarily appertains thereto.

19 (2) For purposes of investigating offenses or criminal cases arising under the provisions  
20 of this Code section, the Attorney General shall have the authority to employ peace  
21 officers who shall be authorized to execute all powers of a peace officer."

22 **SECTION 2.**

23 Article 1 of Chapter 15 of Title 45 of the Official Code of Georgia Annotated, relating to  
24 general provisions regarding the Attorney General, is amended in Code Section 45-15-17,

25 relating to power to conduct investigations generally and issuance and enforcement of  
 26 subpoenas, by adding a new subsection to read as follows:

27 "(e)(1) As used in this subsection, 'peace officer' shall have the same meaning as  
 28 provided for in Code Section 35-8-2.

29 (2) For the purposes of this Code section, the Attorney General shall have the authority  
 30 to employ peace officers who shall be authorized to execute all powers of a peace  
 31 officer."

32 **SECTION 3.**

33 Article 7 of Chapter 4 of Title 49 of the Official Code of Georgia Annotated, relating to  
 34 medical assistance generally, is amended in Code Section 49-4-146.1, relating to unlawful  
 35 acts, violations and penalties, recovery of excess amounts, termination and reinstatement of  
 36 providers, duty of department to identify and investigate violations, notifications, and  
 37 authorization to obtain income eligibility verification, by adding a new paragraph to  
 38 subsection (a) and by adding a new subsection to read as follows:

39 "(5.1) 'Peace officer' shall have the same meaning as provided for in Code Section  
 40 35-8-2."

41 "(k)(1) The Attorney General shall have the authority to investigate and prosecute any  
 42 offenses or criminal cases arising under the provisions of this Code section and to  
 43 perform any duty that necessarily appertains thereto.

44 (2) For purposes of investigating offenses or criminal cases arising under the provisions  
 45 of this Code section, the Attorney General shall have the authority to employ peace  
 46 officers who shall be authorized to execute all powers of a peace officer."

47 **SECTION 4.**

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