

The House Committee on Public Safety and Homeland Security offers the following substitute to HB 1117:

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 35-8-8 of the Official Code of Georgia Annotated, relating to
2 requirements for appointment or certification of persons as peace officers and
3 preemployment attendance at basic training course and "employment related information"
4 defined, so as to expand eligibility to serve as a peace officer to United States nationals; to
5 provide for related matters; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Code Section 35-8-8 of the Official Code of Georgia Annotated, relating to requirements for
9 appointment or certification of persons as peace officers and preemployment attendance at
10 basic training course and "employment related information" defined, is amended by revising
11 subsection (a) as follows:

12 "(a) Any person employed or certified as a peace officer shall:

13 (1) Be at least 18 years of age;

14 (2) Be a citizen of the United States or a national of the United States from American
15 Samoa or Swains Island;

16 (3) Have a high school diploma or its recognized equivalent;

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- 17 (4) Not have been convicted by any state or by the federal government of any crime the
18 punishment for which could have been imprisonment in the federal or state prison or
19 institution nor have been convicted of sufficient misdemeanors to establish a pattern of
20 disregard for the law, provided that, for the purposes of this paragraph, violations of
21 traffic laws and other offenses involving the operation of motor vehicles when the
22 applicant has received a pardon shall not be considered;
- 23 (5) Be fingerprinted for the purpose of conducting a fingerprint based search at the
24 Georgia Bureau of Investigation and the Federal Bureau of Investigation to determine the
25 existence of any criminal record;
- 26 (6) Possess good moral character as determined by investigation under procedure
27 established by the council and fully cooperate during the course of such investigation;
- 28 (7) Be found, after examination by a licensed physician or surgeon, to be free from any
29 physical, emotional, or mental conditions which might adversely affect his or her exercise
30 of the powers or duties of a peace officer; and
- 31 (8) Successfully complete a job related academy entrance examination provided for and
32 administered by the council in conformity with state and federal law. Such examination
33 shall be administered prior to entrance to the basic course provided for in Code Sections
34 35-8-9 and 35-8-11. The council may change or modify such examination and shall
35 establish the criteria for determining satisfactory performance on such examination. The
36 provisions of this paragraph establish only the minimum requirements of academy
37 entrance examinations for peace officer candidates in this state; each law enforcement
38 unit is encouraged to provide such additional requirements and any preemployment
39 examination as it deems necessary and appropriate. Any person with a degree from a
40 postsecondary institution accredited by a regional accrediting agency recognized by the
41 United States Department of Education shall be deemed to have met the requirements of
42 this paragraph."

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SECTION 2.

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