

House Bill 232

By: Representatives Jackson of the 64th, Evans of the 57th, Wilson of the 80th, Shannon of the 84th, Taylor of the 91st, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 7 of Title 17 of the Official Code of Georgia Annotated, relating to
2 pretrial proceedings, so as to repeal the procedure for indictment or special presentment of
3 a peace officer for a crime committed in the performance of his or her duties and the right
4 to testify before a grand jury; to provide for conforming changes; to amend Title 15 of the
5 Official Code of Georgia Annotated, relating to courts, so as to provide for conforming
6 changes; to provide for related matters; to provide for an effective date; to repeal conflicting
7 laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 Chapter 7 of Title 17 of the Official Code of Georgia Annotated, relating to pretrial
11 proceedings, is amended by repealing Code Section 17-7-52, relating to procedure for
12 indictment or special presentment of peace officer for crime in performance of duties,
13 notification, and rights of officer, and designating said Code section as reserved.

SECTION 2.

Said chapter is further amended by revising subsection (e) of Code Section 17-7-70.1, relating to trial upon accusations in certain felony and misdemeanor cases and trial upon plea of guilty or nolo contendere, as follows:

"(e) Notwithstanding subsections (a) through (d) of this Code section, nothing in this Code section shall affect the rights of public officials to appear before a grand jury as provided in Code Sections 45-11-4 and 45-15-11 ~~or peace officers to appear before a grand jury as provided in Code Section 17-7-52.~~"

SECTION 3.

Title 15 of the Official Code of Georgia Annotated, relating to courts, is amended by revising subsection (a) of Code Section 15-12-83, relating to oath of court reporter attending grand jury proceeding, compensation, and role and responsibilities, as follows:

"(a) Upon the request of the district attorney ~~or when the grand jury proceedings are in accordance with Code Section 17-7-52,~~ a court reporter shall be authorized to be present and shall attend such proceedings. Before attending the grand jury proceedings, the court reporter shall take the following oath:

I do solemnly swear that I will keep secret all things and matters coming to my knowledge while in attendance upon the grand jury, so help me God."

SECTION 4.

This Act shall become effective upon its approval by the Governor or upon its becoming law without such approval.

SECTION 5.

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