

House Bill 280

By: Representatives Anulewicz of the 42nd, Rich of the 97th, Dreyer of the 59th, Thomas of the 39th, and Martin of the 49th

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 1 of Chapter 1 of Title 42 of the Official Code of Georgia Annotated,
2 relating to inmate policies, so as to prohibit the use of restraints on pregnant inmates under
3 certain circumstances; to provide a definition; to provide for related matters; to repeal
4 conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 style="text-align:center">**SECTION 1.**

7 Article 1 of Chapter 1 of Title 42 of the Official Code of Georgia Annotated, relating to
8 inmate policies, is amended by adding a new Code section to read as follows:

9 "42-1-11.3.

10 (a) For purposes of this Code section, the term 'inmate' means any pregnant female who
11 is incarcerated by reason of being charged with or convicted of violating a law of this state
12 or an ordinance of a political subdivision of this state.

13 (b) The use of individual mechanical restraints, including handcuffs and shackles, on an
14 inmate while she is experiencing labor or during delivery shall be prohibited unless there
15 is a reasonable basis to believe that the use of such restraints is necessary to prevent such
16 inmate from injuring herself or others."

17 style="text-align:center">**SECTION 2.**

18 All laws and parts of laws in conflict with this Act are repealed.