

House Bill 450

By: Representative Powell of the 32<sup>nd</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Code Section 42-3-52 of the Official Code of Georgia Annotated, relating to  
2 community service as condition of probation, so as to allow for the acceptance of certain DUI  
3 Alcohol or Drug Use Risk Reduction courses by a court as satisfying required community  
4 service hours as condition of probation for conviction of certain drug offenses; to provide for  
5 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 42-3-52 of the Official Code of Georgia Annotated, relating to community  
9 service as condition of probation, is amended by revising subsection (b) as follows:

10 "~~(b)~~(1) The court may confer with the prosecuting attorney, the offender or his or her  
11 attorney if the offender is represented by an attorney, a community supervision officer,  
12 a community service officer, or other interested persons to determine if the community  
13 service program is appropriate for an offender. If community service is ordered as a  
14 condition of probation, the court shall order:

15 ~~(1)(A)~~ Not less than 20 hours nor more than 250 hours in cases involving traffic or  
16 ordinance violations or misdemeanors, such service to be completed within one year;  
17 or

18 ~~(2)(B)~~ Not less than 20 hours nor more than 500 hours in felony cases, such service to  
19 be completed within three years.

20 (2) The court may accept up to 30 hours of a DUI Alcohol or Drug Use Risk Reduction  
21 Program to be counted toward community service ordered as a condition of probation  
22 pursuant to subsection (a) when an offender was convicted of any violation of Article 2  
23 of Chapter 13 of Title 16, the 'Georgia Controlled Substances Act,' provided that such  
24 program is offered by an agency that is certified by the Department of Driver Services."

25

**SECTION 2.**

26 All laws and parts of laws in conflict with this Act are repealed.