

The House Committee on Public Safety and Homeland Security offers the following substitute to HR 1416:

A RESOLUTION

- 1 Creating the House Study Committee on Bail Reform; and for other purposes.
- 2 WHEREAS, the United States Supreme Court has recognized the fundamental right to
3 pretrial liberty for defendants awaiting trial except in carefully limited exceptional
4 circumstances; and
- 5 WHEREAS, by granting a right to bail in misdemeanor cases, the General Assembly has
6 recognized the high value that our society places on pretrial liberty; and
- 7 WHEREAS, there are legitimate concerns that people in Georgia are being held in pretrial
8 detention only because they cannot afford to pay the bail necessary for release; and
- 9 WHEREAS, the House of Representatives finds a need to analyze the available data about
10 Georgia's pretrial jail population who are being held for nonviolent offenses and to consider
11 potential policy proposals for pretrial incarceration.
- 12 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES:
- 13 (1) **Creation of House study committee.** There is created the House Study Committee
14 on Bail Reform.
- 15 (2) **Members and officers.** The committee shall be composed of five members of the
16 House of Representatives to be appointed by the Speaker of the House of
17 Representatives. The Speaker shall designate a member of the committee as chairperson
18 of the committee.
- 19 (3) **Powers and duties.** The committee shall undertake a study of the conditions, needs,
20 issues, and problems mentioned above or related thereto and recommend any action or
21 legislation which the committee deems necessary or appropriate.
- 22 (4) **Meetings.** The chairperson shall call all meetings of the committee. The committee
23 may conduct such meetings at such places and at such times as it may deem necessary or

24 convenient to enable it to exercise fully and effectively its powers, perform its duties, and
25 accomplish the objectives and purposes of this resolution.

26 (5) **Allowances and funding.** Members of the committee who are members of the
27 General Assembly shall receive the allowances provided for in Code Section 28-1-8 of
28 the Official Code of Georgia Annotated. The allowances authorized by this resolution
29 shall not be received by any member of the committee for more than five days unless
30 additional days are authorized. Funds necessary to carry out the provisions of this
31 resolution shall come from funds appropriated to the House of Representatives.

32 (6) **Report.**

33 (A) In the event the committee adopts any specific findings or recommendations that
34 include suggestions for proposed legislation, the chairperson shall file a report of the
35 same prior to the date of abolishment specified in this resolution, subject to
36 subparagraph (C) of this paragraph.

37 (B) In the event the committee adopts a report that does not include suggestions for
38 proposed legislation, the chairperson shall file the report, subject to subparagraph (C)
39 of this paragraph.

40 (C) No report shall be filed unless the same has been approved prior to the date of
41 abolishment specified in this resolution by majority vote of a quorum of the committee.
42 A report so approved shall be signed by the chairperson of the committee and filed with
43 the Clerk of the House of Representatives.

44 (D) In the absence of an approved report, the chairperson shall file with the Clerk of
45 the House of Representatives a copy of the minutes of the meetings of the committee
46 in lieu thereof.

47 (7) **Abolishment.** The committee shall stand abolished on December 1, 2018.