

Senate Bill 222

By: Senators Stone of the 23rd, Miller of the 49th, Cowser of the 46th, Dugan of the 30th,  
Hill of the 4th and others

A BILL TO BE ENTITLED  
AN ACT

1 To amend Title 17 of the Official Code of Georgia Annotated, relating to criminal procedure,  
2 so as to create the Georgia Council on Criminal Justice Reform and provide for its members,  
3 chairperson, other officers, committees, staff, funding, duties, powers, and sunset of such  
4 commission; to provide for a definition; to provide for related matters; to repeal conflicting  
5 laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Title 17 of the Official Code of Georgia Annotated, relating to criminal procedure, is  
9 amended by adding a new chapter to read as follows:

10 "CHAPTER 19

11 17-19-1.

12 (a) There is created the Georgia Council on Criminal Justice Reform for the purpose of  
13 conducting periodic comprehensive reviews of criminal laws, criminal procedure,  
14 sentencing laws, adult correctional issues, juvenile justice issues, enhancement of probation  
15 and parole supervision, better management of the prison population and of the population  
16 in the custody of the Department of Juvenile Justice, and other issues related to criminal  
17 and accountability courts. The Georgia Council on Criminal Justice Reform shall establish  
18 performance measures using analysis of data collected under law to track the  
19 implementation of criminal justice and juvenile justice reforms and shall propose additional  
20 reforms for reducing recidivism, lowering state expenses, and maintaining an effective and  
21 efficient Code that will promote public safety.

22 (b) As used in this chapter, the term 'council' means the Georgia Council on Criminal  
23 Justice Reform.

24 17-19-2.

25 (a) The Governor shall appoint all 15 members of the council which shall be composed of  
26 one member of the Senate, one member of the House of Representatives, one member who  
27 shall be either a Justice of the Supreme Court or a Judge of the Court of Appeals, one  
28 superior court judge, one juvenile court judge, one district attorney, one criminal defense  
29 attorney, one sheriff, the executive counsel to the Governor or his or her designee, the  
30 director of the Governor's Office for Children and Families or his or her designee, and five  
31 other members as determined by the Governor.

32 (b) Each member of the council shall be appointed to serve for a term of four years or until  
33 his or her successor is duly appointed, except the members of the General Assembly, who  
34 shall serve until completion of their current terms of office. A member may be appointed  
35 to succeed himself or herself on the council. If a member of the council is an elected or  
36 appointed official, the member, or his or her designee, shall be removed from the council  
37 if the member no longer serves as such elected or appointed official.

38 (c) The Governor shall designate the chairperson of the council. The council may elect  
39 other officers as it deems necessary. The chairperson of the council may designate and  
40 appoint committees from among the membership of the council, as well as appoint other  
41 persons to perform such functions as he or she may determine to be necessary as relevant  
42 to and consistent with this chapter. The chairperson shall vote only to break a tie.

43 (d) The council shall be attached for administrative purposes only to the Governor's Office  
44 for Children and Families. The Governor's Office for Children and Families and the  
45 Criminal Justice Coordinating Council shall provide staff support for the council and shall  
46 use any funds specifically appropriated to the council for its work.

47 17-19-3.

48 (a) The council may conduct meetings at such places and times as it deems necessary or  
49 convenient to enable it to exercise fully and effectively its powers, perform its duties, and  
50 accomplish the objectives and purposes of this chapter. The council shall hold meetings  
51 at the call of the chairperson. The council shall meet not less than twice every year.

52 (b) A quorum for transacting business shall be a majority of the members of the council.

53 (c) Any legislative members of the council shall receive the allowances provided for in  
54 Code Section 28-1-8. Citizen members shall receive a daily expense allowance in the  
55 amount specified in subsection (b) of Code Section 45-7-21, as well as the mileage or  
56 transportation allowance authorized for state employees. Members of the council who are  
57 state officials, other than legislative members, or state employees shall receive no  
58 compensation for their services on the council, but they shall be reimbursed for expenses  
59 incurred by them in the performance of their duties as members of the council in the same

60 manner as they are reimbursed for expenses in their capacities as state officials or state  
61 employees. The funds necessary for the reimbursement of the expenses of state officials,  
62 other than legislative members, and state employees shall come from funds appropriated  
63 to or otherwise available to their respective departments. All other funds necessary to carry  
64 out the provisions of this chapter shall come from funds appropriated to the Senate and the  
65 House of Representatives.

66 17-19-4.

67 (a) The council shall have the following duties:

68 (1) To periodically, and at least every two years, review the conditions, needs, issues,  
69 and problems related to criminal justice; issue a report on the same to the executive  
70 counsel of the Governor, the Office of Planning and Budget, and the chairpersons of the  
71 House Committee on Appropriations, the Senate Appropriations Committee, the House  
72 Committee on Judiciary, and the Senate Judiciary Committee; and recommend any action  
73 or proposed legislation which the council deems necessary or appropriate. Nothing  
74 contained in the council's report shall be considered to authorize or require a change in  
75 any law without action by the General Assembly;

76 (2) To evaluate and consider the best practices, experiences, and results of legislation in  
77 other states with regard to children, adults, and families involved in the juvenile or  
78 superior court or equivalent systems; and

79 (3) To identify and recommend whether and when any state law should be modified to  
80 conform, whenever desirable, to federal legislation.

81 (b) The council shall have the power to:

82 (1) Evaluate how the laws and programs affecting the criminal justice system in this state  
83 are working;

84 (2) Request and receive data from and review the records of appropriate state agencies  
85 and courts to the greatest extent allowed by state and federal law;

86 (3) Accept public or private grants, devises, and bequests;

87 (4) Authorize entering into contracts or agreements through the council's chairperson as  
88 are necessary or incidental to the performance of its duties;

89 (5) Establish rules and procedures for conducting the business of the council; and

90 (6) Conduct studies, hold public meetings, collect data, or take any other action the  
91 council deems necessary to fulfill its responsibilities.

92 (c) The council shall be authorized to retain the services of attorneys, consultants, subject  
93 matter experts, economists, budget analysts, data analysts, statisticians, and other  
94 individuals or organizations as determined appropriate by the council.

95 17-19-5.

96 This chapter shall be repealed effective June 30, 2022, unless continued in effect by the

97 General Assembly prior to that date."

98 **SECTION 2.**

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