

Senate Bill 285

By: Senators Jones of the 10th, Henson of the 41st and James of the 35th

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 1 of Chapter 6 of Title 17 of the Official Code of Georgia Annotated,
2 relating to general provisions relative to bonds and recognizances, so as to prohibit the
3 operation of a motor vehicle as a condition of bail for the offense of homicide by vehicle; to
4 amend Article 2 of Chapter 3 of Title 35 of the Official Code of Georgia Annotated, relating
5 to the Georgia Crime Information Center, so as to provide for the receipt, storage, and
6 dissemination of information regarding prohibition on operation of a motor vehicle as a
7 condition of bail by the center; to provide for related matters; to repeal conflicting laws; and
8 for other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

10 **SECTION 1.**

11 Article 1 of Chapter 6 of Title 17 of the Official Code of Georgia Annotated, relating to
12 general provisions relative to bonds and recognizances, is amended in Code Section 17-6-1,
13 relating toailable offenses, procedure, schedule of bails, and appeal bonds, by revising
14 paragraph (5) of subsection (f) as follows:

15 "(5) For offenses involving violations of Code Section 40-6-393, bail or other release
16 from custody shall be set by a judge on an individual basis and ~~not a schedule of bails~~
17 pursuant to this Code section shall include as a condition of bail or other release the
18 prohibition from operation of a motor vehicle until the disposition of the offense. When
19 a court of inquiry imposes a condition of bail or other release pursuant to this subsection,
20 it shall submit such restriction to the Department of Driver Services and the Georgia
21 Crime Information Center."

22 **SECTION 2.**

23 Article 2 of Chapter 3 of Title 35 of the Official Code of Georgia Annotated, relating to the
24 Georgia Crime Information Center, is amended in Code Section 35-3-33, relating to powers
25 and duties of the center, by adding a new paragraph to subsection (a) to read as follows:

26 "(17) Receive and store information from courts of inquiry regarding conditions of bail
27 or other release from custody that are issued pursuant to paragraph (5) of subsection (f)
28 of Code Section 17-6-1 for violations of Code Section 40-6-393. Such information shall
29 be made available to criminal justice agencies and the Department of Driver Services to
30 ensure compliance with such conditions in relation to operation of a motor vehicle."

31 **SECTION 3.**

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