

Senate Bill 329

By: Senators Jones of the 10th, Albers of the 56th, Butler of the 55th, Parent of the 42nd, Halpern of the 39th and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 8 of Title 35 of the Official Code of Georgia Annotated, relating to
2 employment and training of peace officers, so as to revise the investigatory powers of the
3 Georgia Peace Officer Standards and Training Council; to require the adoption of standards
4 for administration, operation, and management of law enforcement units by such council; to
5 provide for accreditation of law enforcement units based upon such standards; to provide for
6 a tiered system for such accreditation program; to provide for required dates by which a law
7 enforcement unit shall obtain certain accreditations; to provide for determination of
8 compliance; to provide for notice and hearing; to provide for penalty; to establish a grant
9 program through the Criminal Justice Coordinating Council for law enforcement units that
10 maintain certain accreditation levels; to provide for a short title; to provide for related
11 matters; to provide for an effective date contingent upon appropriations; to repeal conflicting
12 laws; and for other purposes.

13 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

14 **SECTION 1.**

15 This Act shall be known and may be cited as the "Law Enforcement Unit Accreditation Act."

16 **SECTION 2.**

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17 Chapter 8 of Title 35 of the Official Code of Georgia Annotated, relating to employment and
18 training of peace officers, is amended in Code Section 35-8-6, relating to appointment of
19 executive director of council, contracts for services, personnel, investigators, subpoenas,
20 funding, and gifts, grants, or donations, by revising subsection (c) as follows:

21 "(c) The executive director is authorized to appoint certain investigators for the purpose
22 of carrying out the provisions of this chapter. The executive director and persons so
23 appointed shall meet all employment and training requirements of this chapter as for all
24 other peace officers and shall have all of the powers of other peace officers. Any
25 investigator of the council shall have access to and may examine any writing, document,
26 or other material which is deemed by the chairperson of the council to be related to the
27 fitness of any peace officer or applicant to practice as a peace officer or compliance with
28 the requirements set forth in Code Section 35-8-28. The chairperson or executive director
29 of the council may issue subpoenas to compel such access. When a subpoena is disobeyed,
30 the council may apply to the superior court of the county where the person to whom the
31 subpoena is issued resides for an order requiring obedience. Failure to comply with such
32 order shall be punishable as for contempt of court."

33 **SECTION 3.**

34 Said chapter is further amended by adding a new Code section to read as follows:

35 "35-8-28.

36 (a) No later than December 31, 2025, the council shall develop and adopt minimum
37 standards and practices for the administration, operation, and management of law
38 enforcement units. Such standards and practices shall be developed after consideration of
39 input from the Georgia Association of Chiefs of Police, the Georgia Sheriffs' Association,
40 and the Georgia Municipal Association; provided, however, that if any such organization
41 declines participation, the council shall be authorized to develop standards and practices
42 with any of the otherwise authorized participants. Such standards and practices shall be

43 developed based upon those recommended by the Commission on Accreditation for Law
44 Enforcement Agencies, Inc., and shall include:

- 45 (1) Training protocols on the use of force and deescalation techniques;
- 46 (2) Policies on the use of no-knock search warrants;
- 47 (3) Standardized emergency response and rules for vehicular pursuits;
- 48 (4) Duty to intervene policies;
- 49 (5) Appropriate medical care policies;
- 50 (6) Warn before shooting policies;
- 51 (7) Policies for shooting at or from a moving vehicle;
- 52 (8) Warning shots policies;
- 53 (9) Standardized implementation for recording devices to be worn upon uniforms and
54 upon law enforcement vehicles;
- 55 (10) Hiring, training, and retention protocols which ensure quality candidates for
56 positions based upon merit and objective standards;
- 57 (11) The filing and investigation of complaints of peace officer misconduct and the
58 reporting of results to the council;
- 59 (12) Early identification of and intervention for peace officers at risk of injury,
60 disciplinary action, or legal liability;
- 61 (13) Field training for peace officer recruits;
- 62 (14) Training for officers in supervisory roles; and
- 63 (15) Community engagement policies.

64 (b) The standards for each tier developed by the council shall be posted upon the council
65 website.

66 (c) No later than December 31, 2025, the council shall develop a four-tier accreditation
67 program for law enforcement units in this state based upon the standards and practices
68 established pursuant to subsection (a) of this Code section. First-tier accreditation, to be
69 known as bronze level, shall be obtained by each law enforcement unit no later than

70 December 31, 2027, and second-tier accreditation, to be known as silver level, shall be
71 obtained by each law enforcement unit no later than December 31, 2028. Any law
72 enforcement unit that obtains third or fourth-tier accreditation, to be known as gold level
73 and platinum level, respectively, shall be eligible for grants awarded pursuant to subsection
74 (f) of this Code section.

75 (d) The council shall conduct audits of each law enforcement unit every three years to
76 verify continued accreditation pursuant to the requirements of this Code section. Upon
77 determination that a law enforcement unit has failed to meet or no longer meets the
78 required accreditation standards, the council shall send notice of such to the department
79 head by first-class mail. Such notice shall include recommended corrective action to be
80 taken by the law enforcement unit in order to retain accreditation, which shall be
81 implemented by the law enforcement unit within 30 days.

82 (e) The council may issue a penalty whenever the council, after a hearing for such purpose,
83 determines that a law enforcement unit has failed to meet or no longer meets the required
84 accreditation standards or failed to implement the corrective action recommended by the
85 council. Such penalty shall not exceed \$1,000.00 for each day the law enforcement unit
86 violates the requirements of this Code section. The hearing and any administrative review
87 thereof shall be conducted in accordance with the procedure for contested cases under
88 Chapter 13 of Title 50, the 'Georgia Administrative Procedure Act.' Any law enforcement
89 unit that has exhausted all administrative remedies available shall have the right of judicial
90 review thereof in accordance with Chapter 13 of Title 50, the 'Georgia Administrative
91 Procedure Act.' All penalties recovered under this Code section shall be paid into the state
92 treasury.

93 (f) The Criminal Justice Coordinating Council shall establish a grant program for the
94 provision of funds to law enforcement units that maintain a gold or platinum accreditation
95 level to be used for costs associated with training peace officers within such unit. The

96 Criminal Justice Coordinating Council shall be authorized to develop rules and regulations
97 to implement such grant program."

98 **SECTION 4.**

99 (a) This Act shall become effective only if funds are specifically appropriated for the
100 purposes of this Act in an appropriations Act enacted by the General Assembly.

101 (b) If funds are so appropriated, then this Act shall become effective on the later of:

102 (1) The date on which such appropriations Act becomes effective; or

103 (2) The beginning date of the fiscal year for which such appropriations are made.

104 **SECTION 5.**

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