

The House Committee on Public Safety and Homeland Security offers the following substitute to SB 348:

A BILL TO BE ENTITLED  
AN ACT

1 To amend Title 20 of the Official Code of Georgia Annotated, relating to education, so as to  
2 provide that certain aspects of public school safety plans shall be considered a confidential  
3 matter of public security and not subject to public disclosure; to revise the arrest powers  
4 jurisdiction of the campus policemen and other security personnel of the university system;  
5 to revise the powers of arrest of campus policemen who are regular employees of the  
6 Technical College System of Georgia; to amend Title 36 of the Official Code of Georgia  
7 Annotated, relating to local government, so as to permit campus policemen of the Technical  
8 College System of Georgia to render mutual aid under certain conditions; to provide for the  
9 public safety director or chief of police of any institution within the Technical College  
10 System of Georgia to enter into mutual aid agreements with local governments under certain  
11 conditions; to provide for related matters; to repeal conflicting laws; and for other purposes.

12 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

13 style="text-align:center">**SECTION 1.**

14 Title 20 of the Official Code of Georgia Annotated, relating to education, is amended by  
15 revising subsection (a) of Code Section 20-2-1185, relating to school safety plans, as follows:  
16 "(a) Every public school shall prepare a school safety plan to help curb the growing  
17 incidence of violence in schools, to respond effectively to such incidents, and to provide  
18 a safe learning environment for Georgia's children, teachers, and other school personnel.  
19 Such plan shall also address preparedness for natural disasters, hazardous materials or  
20 radiological accidents, acts of violence, and acts of terrorism. School safety plans of public  
21 schools shall be prepared with input from students enrolled in that school, parents or legal  
22 guardians of such students, teachers in that school, community leaders, other school  
23 employees and school district employees, and local law enforcement, fire service, public  
24 safety, and emergency management agencies; provided, however, that aspects of a final or  
25 adopted school safety plan pertaining to the personnel who are approved to carry weapons  
26 pursuant to Code Section 16-11-130.1 and the details of active incident action plans,

27 including, but not limited to, action plans of local law enforcement and action plans for the  
 28 response and any movement of students and school personnel, in response to an incidence  
 29 of violence shall be considered a confidential matter of public security and exempt from  
 30 disclosure under Article 4 of Chapter 18 of Title 50. School safety plans of private schools  
 31 may be prepared with input from students enrolled in that school, parents or legal guardians  
 32 of such students, teachers in that school, other school employees, and local law  
 33 enforcement, fire service, public safety, and emergency management agencies. Such plans  
 34 shall be reviewed and, if necessary, updated annually. Such plans of public schools shall  
 35 be submitted to the local emergency management agency."

## 36 SECTION 2.

37 Said title is further amended by revising Code Section 20-3-72, relating to arrest powers of  
 38 campus policemen and security personnel, as follows:

39 "20-3-72.

40 (a) As used in this Code section, the term 'campus roadways' means:

41 (1) Any public street or roadway that is within the property lines of property under the  
 42 jurisdiction of the board of regents such that such public street or roadway abuts property  
 43 under the jurisdiction of the board of regents on at least two sides; or

44 (2) One-quarter mile of any public street or roadway connecting different buildings  
 45 under the jurisdiction of the board of regents from the furthest most point of any such  
 46 buildings when such buildings are located within any county in this state having a  
 47 population of 500,000 or more according to the most recent United States decennial  
 48 census.

49 (b) The campus policemen and other security personnel of the university system who are  
 50 regular employees of the system and who are certified by the Georgia Peace Officer  
 51 Standards and Training Council as having met the qualifications and having completed the  
 52 basic training requirements for a peace officer under Article 2 of Chapter 2 of Title 35 shall  
 53 have the power to make arrests for offenses committed upon any property under the  
 54 jurisdiction of the board of regents and for offenses committed upon any public or private  
 55 property within ~~500 yards~~ 1,500 feet of any property under the jurisdiction of the board;  
 56 provided, however, that such campus policemen or other security personnel shall have  
 57 power to issue citations or to make arrests for violations under Chapter 6 of Title 40 only  
 58 on campus roadways unless such citation or arrest for a violation under Chapter 6 of Title  
 59 40 is within the continuity and immediacy of a pursuit or attempted stop that emanated on  
 60 campus roadways or on property under the jurisdiction of the board of regents.

61 (c) Campus policemen and other security personnel shall report any criminal offense to the  
 62 college or university that occurs within 1,500 feet of any property under the jurisdiction of

63 the board of regents. Such information shall be collected by the college or university and  
 64 reported to the board of regents. On January 1 of each year, the board of regents shall  
 65 report such information to the chairperson of the Senate Public Safety Committee and the  
 66 chairperson of the House of Representatives Committee on Public Safety."

67 **SECTION 3.**

68 Said title is further amended by adding a new Code section to Article 2 of Chapter 4, relating  
 69 to technical and adult education, to read as follows:

70 "20-4-39.

71 (a) As used in this Code section, the term 'campus roadways' means:

72 (1) Any public street or roadway that is within the property lines of property under the  
 73 jurisdiction of the Technical College System of Georgia such that such public street or  
 74 roadway abuts property under the jurisdiction of the Technical College System of  
 75 Georgia on at least two sides; or

76 (2) One-quarter mile of any public street or roadway connecting different buildings  
 77 under the jurisdiction of the Technical College System of Georgia from the furthest most  
 78 point of any such buildings when such buildings are located within any county in this  
 79 state having a population of 500,000 or more according to the most recent United States  
 80 decennial census.

81 (b) The campus policemen and other security personnel of the Technical College System  
 82 of Georgia who are regular employees of the system and who are certified by the Georgia  
 83 Peace Officer Standards and Training Council as having met the qualifications and having  
 84 completed the basic training requirements for a peace officer under Article 2 of Chapter 2  
 85 of Title 35 shall have the power to make arrests for offenses committed upon any property  
 86 under the jurisdiction of the Technical College System of Georgia and for offenses  
 87 committed upon any public or private property within 1,500 feet of any property under the  
 88 jurisdiction of the Technical College System of Georgia; provided, however, that such  
 89 campus policemen or other security personnel shall have power to issue citations or to  
 90 make arrests for violations under Chapter 6 of Title 40 only on campus roadways unless  
 91 such citation or arrest for a violation under Chapter 6 of Title 40 is within the continuity  
 92 and immediacy of a pursuit or attempted stop that emanated on campus roadways or on  
 93 property under the jurisdiction of the Technical College System of Georgia.

94 (c) Campus policemen and other security personnel shall report any criminal offense to the  
 95 technical college that occurs within 1,500 feet of any property under the jurisdiction of the  
 96 Technical College System of Georgia. Such information shall be collected by the technical  
 97 college and reported to the Technical College System of Georgia. On January 1 of each  
 98 year, the Technical College System of Georgia shall report such information to the

99 chairperson of the Senate Public Safety Committee and the chairperson of the House of  
 100 Representatives Committee on Public Safety."

101 **SECTION 4.**

102 Said title is further amended by revising Code Section 20-8-4, relating to exemption of  
 103 university system campus policemen, as follows:

104 "20-8-4.

105 A campus policeman exercising the power of arrest pursuant to Code Section 20-3-72 or  
 106 20-4-39 providing campus policemen and other security personnel of the University  
 107 System of Georgia or the Technical College System of Georgia with arrest powers for  
 108 offenses committed upon university system property or Technical College System of  
 109 Georgia property, respectively, shall be exempt from this chapter."

110 **SECTION 5.**

111 Title 36 of the Official Code of Georgia Annotated, relating to local government, is amended  
 112 by revising Chapter 69, relating to mutual aid, as follows:

113 "CHAPTER 69

114 36-69-1.

115 This chapter shall be known and may be cited as the 'Georgia Mutual Aid Act.'

116 36-69-2.

117 As used in this chapter, the term 'local emergency' means the existence of conditions of  
 118 extreme peril to the safety of persons and property within the territorial limits of a political  
 119 subdivision of the state or on a campus of an institution within the University System of  
 120 Georgia or the Technical College System of Georgia caused by natural disasters, riots, civil  
 121 disturbances, or other situations presenting major law enforcement and other public safety  
 122 problems, which conditions are or are likely to be beyond the control of the services,  
 123 personnel, equipment, and facilities of that political subdivision of the state and which  
 124 require the combined forces of other political subdivisions of the state to combat.

125 36-69-3.

126 (a)(1) Upon the request of a local law enforcement agency for assistance in a local  
 127 emergency, in the prevention or detection of violations of any law, in the apprehension  
 128 or arrest of any person who violates a criminal law of this state, or in any criminal case,  
 129 the chief of police or public safety director of any municipality or chief of police or

130 public safety director of any county police force may, with the approval of the governing  
 131 authority of any such officer's political subdivision, and the sheriff of any county may  
 132 cooperate with and render assistance extraterritorially to such local law enforcement  
 133 agency requesting the same.

134 (2)(A) Upon the request of a local law enforcement agency for assistance in a local  
 135 emergency, in the prevention or detection of violations of any law, in the apprehension  
 136 or arrest of any person who violates a criminal law of this state, or in any criminal case,  
 137 the public safety director or chief of police of any institution within the University  
 138 System of Georgia or the Technical College System of Georgia may, with the approval  
 139 of the president of such institution, cooperate with and render assistance  
 140 extraterritorially to such law enforcement agency requesting the same.

141 (B) Upon the request for assistance in a local emergency, in the prevention or detection  
 142 of violations of any law, in the apprehension or arrest of any person who violates a  
 143 criminal law of this state, or in any criminal case, which request is made by a public  
 144 safety director or chief of police of any institution within the University System of  
 145 Georgia or the Technical College System of Georgia after approval by the president of  
 146 such institution, the chief of police or public safety director of any municipality or ~~chief~~  
 147 ~~of police or public safety director~~ of any county police force may, with the approval of  
 148 the governing authority of any such officer's political subdivision; and the sheriff of the  
 149 county, ~~may~~ cooperate with and render assistance extraterritorially to such law  
 150 enforcement agency of the institution requesting the same.

151 (b) Upon the request of any local fire department for assistance in a local emergency, in  
 152 preventing or suppressing a fire, or in protecting life and property, the fire chief or public  
 153 safety director of any local political subdivision may, with the approval of the governing  
 154 authority of such political subdivision, cooperate with and render assistance  
 155 extraterritorially to such local fire department requesting the same.

156 (c) Upon the request of any local law enforcement agency or local director of emergency  
 157 medical services for assistance in a local emergency or in transporting wounded, injured,  
 158 or sick persons to a place where medical or hospital care is furnished, emergency medical  
 159 technicians employed by a political subdivision may, with the approval of the governing  
 160 authority of such political subdivision, cooperate with and render assistance  
 161 extraterritorially to such local law enforcement agency or local director of emergency  
 162 services.

163 (d) Authorization for furnishing assistance extraterritorially may be granted by the sheriff  
 164 of any county or the governing authority of a local political subdivision or the president of  
 165 an institution within the University System of Georgia or the Technical College System of  
 166 Georgia to any of its agencies or employees covered by this Code section prior to any

167 occurrence resulting in the need for such assistance; provided, however, that any prior  
168 authorization granted by the president of an institution within the University System of  
169 Georgia or the Technical College System of Georgia for the furnishing of assistance  
170 extraterritorially must be submitted to and approved by the board of regents or the State  
171 Board of the Technical College System of Georgia, respectively, before it becomes  
172 effective. Such authorization may provide limitations and restrictions on such assistance  
173 furnished extraterritorially, provided that such limitations and restrictions do not conflict  
174 with the provisions of Code Sections 36-69-4 through 36-69-6.

175 (e) The senior officer of the public safety agency of a political subdivision or institution  
176 within the University System of Georgia or the Technical College System of Georgia  
177 which requests assistance in a local emergency as provided in this Code section shall be  
178 in command of the local emergency as to strategy, tactics, and overall direction of the  
179 operations with respect to the public safety officers and employees rendering assistance  
180 extraterritorially at the request of such public safety agency. All orders or directions  
181 regarding the operations of the public safety officers and employees rendering assistance  
182 extraterritorially shall be relayed to the senior officer in command of the public safety  
183 agency rendering assistance extraterritorially.

184 36-69-3.1.

185 Any county or municipality in this state shall be authorized to enter into contracts and  
186 mutual aid agreements with counties or municipalities of any other state or with any agency  
187 of the United States for the provision of law enforcement services in a local emergency to  
188 the extent that the laws of such other state or the United States permit such joint contracts  
189 or agreements to furnish one another assistance in law enforcement. Any such contract or  
190 mutual aid agreement shall have incorporated therein the provisions of Code Sections  
191 36-69-4 through 36-69-8. Any such contract or mutual aid agreement entered into by a  
192 county shall not become effective until approved by the sheriff of such county.

193 36-69-4.

194 Whenever the employees of any political subdivision or institution within the University  
195 System of Georgia or the Technical College System of Georgia are rendering aid outside  
196 their political subdivision or campus, respectively, and pursuant to the authority contained  
197 in this chapter, such employees shall have the same powers, duties, rights, privileges, and  
198 immunities as if they were performing their duties in the political subdivision or on the  
199 campus of the institution ~~in~~ at which they are normally employed.

200 36-69-5.

201 Unless otherwise provided by contract, the political subdivision or institution within the  
202 University System of Georgia or the Technical College System of Georgia which furnishes  
203 any equipment pursuant to this chapter shall bear the loss or damage to such equipment and  
204 shall pay any expense incurred in the operation and maintenance thereof. Unless otherwise  
205 provided by contract, the political subdivision or institution within the University System  
206 of Georgia or the Technical College System of Georgia furnishing aid pursuant to this  
207 chapter shall compensate its employees during the time of rendering of such aid and shall  
208 defray the actual travel and maintenance expenses of such employees while they are  
209 rendering such aid. Such compensation shall include any amounts paid or due for  
210 compensation due to personal injury or death while such employees are engaged in  
211 rendering such aid.

212 36-69-6.

213 All of the privileges and immunities from liability; exemption from laws, ordinances, and  
214 rules; and all pension, insurance, relief, disability, workers' compensation, salary, death,  
215 and other benefits which apply to the activity of such officers, agents, or employees of any  
216 such political subdivision or institution within the University System of Georgia or the  
217 Technical College System of Georgia when performing their respective functions within  
218 the territorial limits of their respective political subdivisions or campuses shall apply to  
219 such officers, agents, or employees to the same degree, manner, and extent while engaged  
220 in the performance of any of their functions and duties extraterritorially under the  
221 provisions of this chapter relating to mutual aid. The provisions of this Code section shall  
222 apply with equal effect to paid, volunteer, and auxiliary employees.

223 36-69-7.

224 Neither a public safety agency which requests assistance pursuant to Code Section 36-69-3  
225 nor the political subdivision or institution of the University System of Georgia or the  
226 Technical College System of Georgia in which the public safety agency is located shall be  
227 liable for any acts or omissions of employees of a responding public safety agency  
228 rendering assistance extraterritorially under the provisions of this chapter.

229 36-69-8.

230 (a) The provisions of this chapter shall not be construed as creating a duty on the part of  
231 any public safety agency of a local political subdivision or institution within the University  
232 System of Georgia or the Technical College System of Georgia to respond to a request  
233 from any public safety agency of another local political subdivision or institution of the

234 University System of Georgia or the Technical College System of Georgia as authorized  
 235 in Code Section 36-69-3.

236 (b) Notwithstanding the provisions of subsection (e) of Code Section 36-69-3, the  
 237 provisions of this chapter shall not be construed as creating a duty on the part of a public  
 238 safety agency rendering assistance extraterritorially to stay at the scene of a local  
 239 emergency for any length of time. Such responding public safety agency may depart the  
 240 scene of a local emergency at any time at the discretion of the officer in command of the  
 241 public safety agency rendering assistance extraterritorially at the scene of the local  
 242 emergency.

243 36-69-9.

244 (a) The authority of this chapter shall be cumulative to and in addition to mutual aid  
 245 resource pacts authorized under Chapter 6 of Title 25 or contracts between political  
 246 subdivisions for the provision of services authorized under Section II of Article IX of the  
 247 Constitution.

248 (b) The authority of this chapter shall be cumulative to and in addition to any rights,  
 249 powers, or authority exercised by the sheriffs of this state as of July 1, 1988.

250 36-69-10.

251 The provisions of this chapter shall not apply to any emergency in which the chief  
 252 executive of a political subdivision assigns or makes available for duty the employees,  
 253 property, or equipment of the subdivision relating to fire fighting, engineering, rescue,  
 254 health, medical and related services, and to police, transportation, construction, and similar  
 255 items or services for emergency management purposes outside of the physical limits of the  
 256 subdivision as provided in Code Section 38-3-27."

257 **SECTION 6.**

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