

Fraternal Order of Police (FOP)

April 2, 2021

Democrats and Democrat leadership in the House and Senate continue to push for anti-law enforcement legislation and to try and stop pro-law enforcement legislation. FOP leadership came to the State Capitol last week and spoke before the Georgia Senate Republican Caucus about issues facing law enforcement in Georgia.

Many of the bills that would negatively impact Fraternal Order of Police did not make it past Crossover Day, but a few have been added since.

Senator Randy Robertson's bill, [SB 115](#), that would create an instructional course through the Department of Drivers Services and Department of Public Safety to educate drivers on best practices to implement when interacting with law enforcement passed the Senate and was amended in the House. The bill became controversial in the last hours of session with many Democrat State Representatives testifying against it. It did not pass in the Senate with a vote of 23-26.

Another bill, [SB 183](#) sponsored by Senator Robertson, that would revise qualification requirements for the office of sheriff, requiring certification as a peace officer at the time of qualifying passed the Senate but did not make it to the House floor.

[HB 286](#), which would prevent cities and counties from reducing their law enforcement budgets by more than 5% in one year or cumulatively across 10 years, passed the House with a vote of 101-69 with no republicans voting against it. The bill's sponsor, state Representative Houston Gaines, called "keeping our community safe" the most important role of law enforcement. ([AJC story](#))

Representative Alan Powell's bill HB 434, which would require counties and municipalities to continue, under certain circumstances, contracts for health insurance for spouses or dependents of peace officers who are killed or who otherwise die while acting within the scope of their employment was heard briefly in committee last week. Georgia Municipal Association (GMA) testified that this is already enforced by Federal law. This bill did not get another hearing and therefore will not be able to move this session.

Below is a list of many bills we continue to monitor that could affect FOP along with a brief description. If anyone has questions regarding legislation below or otherwise, please contact Mo Thrash directly.

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The final day for the 2021 Legislative Session (Sine Die) took place on Wednesday, March 31st. The House and Senate agreed to the FY22 budget, which includes extra money for schools, health care and road building, along with about \$1 billion worth of other construction projects. Under state law, legislators have to approve a budget before the end of the session.

The daylight savings bill was passed in a different bill ([SB 100](#)), but it does require Congressional approval. Representative Cantrell and others are working with the Georgia delegation to get approval.

The Georgia General Assembly operates on a biennial legislative process, which means it is a two-year cycle. The 2021 legislative session was the first of the two-year cycle. The 2022 session will be the second of the two-year cycle. Any bill that did not pass starts over again in the 2022 session in the committee from which it came. For instance, a bill that passed the House and is in Senate Finance Committee starts during the 2022 legislative session in the Senate Finance Committee.

As always, Thrash-Haliburton is diligently watching and working to stop any detrimental legislation to our industry and push the legislation we support. Our governmental affairs team continues every day to work on, look out for and answer requests, needs and interests, as we act at the direction of the group's leadership.

2021-2022 Regular Session

This is the first year of the two-year (2021-2022) biennial session. As a reminder, any bills introduced this year will be considered “alive” for the 2022 legislative session. We are monitoring the following legislation, and watchful for any bills that may impact our industry.

Bill	Summary	House Comm	Sen Comm	House Sponsor	Sen Sponsor	Link
HB 112	Torts; provide certain immunities from liability claims regarding COVID-19; extend applicability for one year	Special Committee on Access to the Civil Justice System	Judiciary	Trey Kelley		https://www.legis.ga.gov/legislation/58959
HB 138	Property; certain landlords shall provide certain notices to existing and prospective tenants with regard to certain crimes occurring on the premises being leased; provide	Judiciary	Agriculture and Consumer Affairs	Mesha Mainor		https://www.legis.ga.gov/legislation/59009
HB 286	Local government; restrict ability of county governing authorities to reduce funding for county police departments	Governmental Affairs	Government Oversight	Houston Gaines		https://www.legis.ga.gov/legislation/59296
HB 479	Criminal procedure; revise certain arrest powers; provisions	Judiciary	Judiciary	Bert Reeves		https://www.legis.ga.gov/legislation/59726
SB 121	Perjury; false statements made in police reports by law enforcement officers; expand the offense of perjury		Judiciary		Gloria Butler	https://www.legis.ga.gov/legislation/59483
SB 126	State Tort Claims; certain immunities from the actions of certain law		Judiciary		Gloria Butler	https://www.legis.ga.gov/legislation/59489

	enforcement officers; remove					
SB 131	Prosecuting Attorneys; appointment of a prosecuting attorney when the accused is a law enforcement officer charged with a felony or an act of family violence; provide		Judiciary		Harold Jones II	https://www.legis.ga.gov/legislation/59490
SB 135	Grand Jury, Crimes and Offenses, Procedure for Indictment; provision regarding no duty to retreat prior to the use of force; repeal		Judiciary		Gloria Butler	https://www.legis.ga.gov/legislation/59501
SB 136	Arrest by Private Persons; repeal the article in its entirety		Judiciary		Gloria Butler	https://www.legis.ga.gov/legislation/59492
SB 115	Drivers' Licenses; instructional course; educating drivers and the public on best practices to implement when interacting with law enforcement officers; provide	Motor Vehicles	Public Safety		Randy Robertson	https://www.legis.ga.gov/legislation/59456
HB 631	Georgia Crime Information Center; develop a system to collect information on an individual's ability to communicate with law enforcement or emergency responders; provisions	Public Safety and Homeland Security	Public Safety	Mike Cheokas		https://www.legis.ga.gov/legislation/60033
SB 183	Office of Sheriff; qualification requirements; revise	Public Safety and Homeland Security	Public Safety		Randy Robertson	https://www.legis.ga.gov/legislation/59695
SB 124	Arrest by Law Enforcement Officers; the duty to intervene; provide		Public Safety		Gloria Butler	https://www.legis.ga.gov/legislation/59482
SB 125	Arrest by Law Enforcement Officers; kinetic impact projectiles in the use of force; prohibit officers from using		Public Safety		Gloria Butler	https://www.legis.ga.gov/legislation/59487
SB 127	Georgia Peace Officer Standards and Training Council; basic and in-service training courses on post-traumatic stress disorder; establish		Public Safety		Gloria Butler	https://www.legis.ga.gov/legislation/59488
SB 128	Georgia Law Enforcement Citizen Review Council; create		Public Safety		Nikki Merritt	https://www.legis.ga.gov/legislation/59486
SB 129	Law Enforcement Officers and Agencies; certain peace officers be		Public Safety		Harold Jones II	https://www.legis.ga.gov/legislation/59481

	equipped with audio and video recording devices for recording all activities while on duty; require					
SB 130	Law Enforcement Officers and Agencies; possession of certain property from the United States Department of Defense by certain local law enforcement agencies; prohibit		Public Safety		Sally Harrell	https://www.legis.ga.gov/legislation/59480
SB 132	Arrest by Law Enforcement Officers; use of force maneuvers that restrict blood or oxygen flow to the brain; prohibit officers		Public Safety		Gloria Butler	https://www.legis.ga.gov/legislation/59498
SB 134	Motor Vehicles and Traffic; policies that prohibit law enforcement officers from using race or ethnicity in determining whether to stop a motor vehicle; require		Public Safety		Sheikh Rahman	https://www.legis.ga.gov/legislation/59500
SB 138	Law Enforcement Officers and Agencies; standard by which state, county, and local law enforcement agencies engage in vehicular pursuits; provide		Public Safety		Gail Davenport	https://www.legis.ga.gov/legislation/59496
SB 76	Emergency Communications Authority; Next Generation 911 systems and services; provide		Regulated Industries and Utilities		John Albers	https://www.legis.ga.gov/legislation/59236
SB 84	Peace Officers' Annuity and Benefit Fund; certain communications officers shall be eligible for membership in such fund; provide		Retirement		John Albers	https://www.legis.ga.gov/legislation/59268
HB 434	Local government; continue certain contracts for health insurance for spouses or dependents of deceased peace officers; require	Governmental Affairs			Alan Powell	https://www.legis.ga.gov/legislation/59615
HB 69	State government; certain immunities from actions of certain state officers or employees; remove	Judiciary			Dar'shun Kendrick	https://www.legis.ga.gov/legislation/58885
HB 17	End Racial Profiling Act; enact	Judiciary Non-Civil			Sandra Scott	https://www.legis.ga.gov/legislation/58802
HB 175	Crimes and offenses; aggravated strangulation by a peace officer; provide for the crime	Judiciary Non-Civil			William Boddie	https://www.legis.ga.gov/legislation/59097

HB 18	Police Accountability Act; enact	Judiciary Non-Civil		Sandra Scott		https://www.legis.ga.gov/legislation/58803
HB 21	Crimes and offenses; unlawful conduct during 9-1-1 call to include bias motivations in calling or otherwise contacting 9-1-1; revise	Judiciary Non-Civil		Sandra Scott		https://www.legis.ga.gov/legislation/58806
HB 232	Criminal procedure; indictment or special presentment of a peace officer for a crime committed in the performance of his or her duties and the right to testify before a grand jury; repeal procedure	Judiciary Non-Civil		Derrick Jackson		https://www.legis.ga.gov/legislation/59196
HB 505	Crimes and offenses; comprehensively revise law regarding justification and use of force	Judiciary Non-Civil		Bee Nguyen		https://www.legis.ga.gov/legislation/59799
HB 15	Preventing Tragedies Between Police and Communities Act; enact	Public Safety and Homeland Security		Sandra Scott		https://www.legis.ga.gov/legislation/58800
HB 313	Georgia State Law Enforcement Citizen Review Council; create	Public Safety and Homeland Security		Sam Park		https://www.legis.ga.gov/legislation/59355
HB 35	Ethical Policing Act; enact	Public Safety and Homeland Security		Sandra Scott		https://www.legis.ga.gov/legislation/58824
HB 368	Georgia Bureau of Investigation; primary law enforcement agency for investigating certain deaths; provisions	Public Safety and Homeland Security		Mandi Ballinger		https://www.legis.ga.gov/legislation/59468
HB 438	Law enforcement; prohibit any officer with an emergency suspension order against them from exercising the powers of a law enforcement officer	Public Safety and Homeland Security		Dar'shun Kendrick		https://www.legis.ga.gov/legislation/59833
HB 528	Torts; law enforcement officers defending persons from excessive use of force by other law enforcement officers; provide protections	Public Safety and Homeland Security		Yasmin Neal		https://www.legis.ga.gov/legislation/59822
HB 677	Education; law enforcement officers involved in school functions; provide authority	Public Safety and Homeland Security		Stan Gunter		https://www.legis.ga.gov/legislation/60154
HB 612	Employees' Retirement System; certain sworn law enforcement officers to be eligible for regular	Retirement		Shaw Blackmon		https://www.legis.ga.gov/legislation/59987

	retirement benefits at the age of 55 years; allow					
HB 2	Georgia Constitutional Carry Act of 2021; enact			Philip Singleton		https://www.legis.ga.gov/legislation/58787
SB 254	Crimes and Offenses; comprehensive revisions regarding justification and the use of force; provide			Tonya Anderson		https://www.legis.ga.gov/legislation/60073
SB 281	Sheriffs' Retirement Fund of Georgia; increase in dues; provide				Randy Robertson	https://www.legis.ga.gov/legislation/60315
HB 784	Brady Law Regulations; five-day waiting period for the transfer or purchase of certain firearms; require	Public Safety and Homeland Security		Josh McLaurin		https://www.legis.ga.gov/legislation/60588
HB 788	Brady Law Regulations; five-day waiting period for the transfer or purchase of certain firearms; require	Public Safety and Homeland Security		Sam Park		https://www.legis.ga.gov/legislation/60596
HB 789	Georgia Peace Officer Standards and Training Council; establish certain training in certain languages other than English; require	Public Safety and Homeland Security		Marvin Lim		https://www.legis.ga.gov/legislation/60597
SB 309	Brady Law Regulations; five-day waiting period for the purchase or transfer of certain firearms; require		Public Safety		Michelle Au	https://www.legis.ga.gov/legislation/60611
SB 311	Georgia Peace Officer Standards and Training Council; training in certain languages other than English; require		Public Safety		Michelle Au	https://www.legis.ga.gov/legislation/60610
HB 364	Professions and businesses; exempt persons having completed Georgia Peace Officer Standards and Training from required fingerprint submission for application to be licensed as a private guard, watchman, or patrolman	Regulated Industries	Public Safety	J Collins		https://www.legis.ga.gov/legislation/59464