

Senate Bill 38

By: Senators Ligon, Jr. of the 3rd and Cowser of the 46th

AS PASSED

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 8 of Title 36 of the Official Code of Georgia Annotated, relating to county
2 police, so as to provide a method for the abolition of a county police department and
3 returning the law enforcement functions of such department to the sheriff of the county; to
4 provide for related matters; to provide a sunset date; to provide an effective date; to repeal
5 conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Chapter 8 of Title 36 of the Official Code of Georgia Annotated, relating to county police,
9 is amended by revising Code Section 36-8-6, which was previously reserved, as follows:

10 "36-8-6.

11 (a) After a county police department is created pursuant to this chapter, it may be
12 abolished by:

13 (1) A local Act of the General Assembly; or

14 (2) A resolution of the governing authority of the county.

15 (b) A local Act or resolution of the county governing authority to abolish a county police
16 department pursuant to subsection (a) of this Code section shall be conditioned upon
17 approval of such local Act or resolution of the county governing authority by the electors
18 of the county voting in a referendum.

19 (c) If such local Act or resolution of the county governing authority is approved by the
20 electors of the county, the county police department shall be abolished 180 days following
21 such referendum. At such time, all property, equipment, records, documents, funds, and
22 other items in the possession or control of the county police department shall be transferred
23 to the sheriff of the county.

24 (d) This Act shall be repealed by operation of law on January 1, 2022. Reserved."

25 **SECTION 2.**

26 This Act shall become effective upon its approval by the Governor or upon its becoming law
27 without such approval.

28 **SECTION 3.**

29 All laws and parts of laws in conflict with this Act are repealed.