

House Bill 935 (AS PASSED HOUSE AND SENATE)

By: Representatives Vance of the 133<sup>rd</sup>, Hitchens of the 161<sup>st</sup>, Cameron of the 1<sup>st</sup>, Scoggins of the 14<sup>th</sup>, Chastain of the 7<sup>th</sup>, and others

A BILL TO BE ENTITLED  
AN ACT

1 To amend Chapter 2 of Title 40 of the Official Code of Georgia Annotated, relating to  
2 registration and licensing of motor vehicles, so as to establish the Back the Blue Fund from  
3 which the state revenue commissioner distributes voluntary contributions made through  
4 vehicle registration applications to sheriffs for the purpose of providing bonus payments to  
5 certified peace officers employed under a sheriff; to provide for a short title; to provide for  
6 legislative findings; to provide for definitions; to provide for the state revenue commissioner  
7 to include a provision on applications for vehicle registrations to allow an applicant to  
8 voluntarily contribute to such fund; to exclude such voluntary contributions from the general  
9 fund of the state treasury; to require county tax agents to report and remit such contributions  
10 weekly to the state revenue commissioner; to require the state revenue commissioner to  
11 distribute moneys from such fund annually to the Georgia Sheriffs' Association; to provide  
12 for the Georgia Sheriffs' Association to distribute moneys from such fund in equal portions  
13 to the sheriff of each county of this state; to provide for the state revenue commissioner to  
14 determine reasonable administrative costs; to provide each sheriff sole discretion to  
15 determine the manner in which the fund is used to provide bonus payments to certified peace  
16 officers employed under a sheriff; to provide for automatic repeal; to provide for related  
17 matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

19 SECTION 1.

20 Chapter 2 of Title 40 of the Official Code of Georgia Annotated, relating to registration and  
21 licensing of motor vehicles, is amended by adding a new Code section to read as follows:

22 "40-2-26.1.

23 (a) This Code section shall be known and may be cited as the 'Back the Blue Act.'

24 (b) The General Assembly finds that:

25 (1) It is in the best interest of this state to provide a mechanism to support a program that  
26 encourages the hiring and retaining of law enforcement officers and promotes public  
27 safety for the benefit of the citizens of Georgia;

28 (2) Hiring and retaining experienced law enforcement officers increases public safety,  
29 builds stronger communities, and restores trust and goodwill between communities and  
30 law enforcement officers;

31 (3) Evidence shows that supplementing pay and enhancing benefits attract better job  
32 applicants and improve the retention of experienced law enforcement officers; and

33 (4) Retaining experienced law enforcement officers means fewer hiring and training  
34 expenses for law enforcement agencies.

35 (c) As used in this Code section, the term:

36 (1) 'Back the Blue Fund' means the fund established by this Code section.

37 (2) 'Sheriff' means the duly elected or appointed sheriff of each county in this state.

38 (d) There is created the Back the Blue Fund for the purpose of providing bonus payments  
39 to certified peace officers employed under a sheriff in this state. The state revenue  
40 commissioner shall be the custodian of the Back the Blue Fund and shall administer such  
41 fund as further provided in this Code section.

42 (e) No later than January 1, 2025, the state revenue commissioner shall include on the  
43 form provided for in Code Section 40-2-26 a place for an applicant to elect to contribute

44 an amount of \$5.00 to the Back the Blue Fund. Any such voluntary contribution shall be  
45 made at the discretion of the applicant at the time of application in addition to the payment  
46 of any other fees required under this chapter.

47 (f) County tag agents shall hold voluntary contributions to the Back the Blue Fund  
48 collected pursuant to this Code section in a fiduciary capacity, and such money received  
49 shall be promptly accounted for, separated from other moneys received, and reasonably  
50 ascertainable. Such collected voluntary contributions shall be included in the weekly  
51 reports and remittances provided for in Code Section 40-2-34; provided, however, that any  
52 funds collected pursuant to this Code section shall not be deposited in the general fund of  
53 the state treasury.

54 (g) No later than January 1, 2026, and annually thereafter, the state revenue commissioner  
55 shall distribute moneys from the Back the Blue Fund to the Georgia Sheriffs' Association,  
56 which shall distribute such moneys in equal portions to the sheriff of each county in this  
57 state on a per county basis. The state revenue commissioner shall determine a reasonable  
58 amount, not to exceed 1 percent of the fund annually, that may be retained for actual  
59 administrative costs.

60 (h) Money distributed from the Back the Blue Fund shall only be used for bonus payments  
61 to certified peace officers employed under a sheriff and shall be distributed equitably and  
62 fairly. Such fund shall not be used to supplement a sheriff's salary nor to supplant or  
63 replace funding by the county governing authority for the operation of the office of sheriff.

64 (i) Each sheriff shall have sole discretion in determining the allocation of bonus payments  
65 to certified peace officers employed under such sheriff in accordance with this Code  
66 section.

67 (j) The state revenue commissioner is authorized and directed to establish procedures and  
68 promulgate rules and regulations to effectuate the purposes of this Code section.

69 (k) This Code section shall stand repealed by operation of law on July 1, 2029."

70 **SECTION 2.**

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

73 **SECTION 3.**

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