

House Bill 1203

By: Representatives Gilliard of the 162nd, Bruce of the 61st, Hogan of the 179th, Boddie of the 62nd, Oliver of the 82nd, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 4 of Chapter 4 of Title 17 of the Official Code of Georgia Annotated,
2 relating to arrest by private persons, so as to repeal the article in its entirety; to amend
3 Titles 17, 35, and 43 of the Official Code of Georgia Annotated, relating to criminal
4 procedure, law enforcement officers and agencies, and professions and businesses,
5 respectively, so as to make conforming changes; to provide for related matters; to provide
6 for an effective date and applicability; to repeal conflicting laws; and for other purposes.

7 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

8 **SECTION 1.**

9 Article 4 of Chapter 4 of Title 17 of the Official Code of Georgia Annotated, relating to
10 arrest by private persons, is repealed in its entirety.

11 **SECTION 2.**

12 Title 17 of the Official Code of Georgia Annotated, relating to criminal procedure, is
13 amended by revising paragraph (1) of subsection (c) of Code Section 17-6-1, relating to
14 where offenses bailable, procedure, schedule of bails, and appeal bonds, as follows:

15 "(c)(1) In the event a person is detained in a facility other than a municipal jail for an
16 offense which is bailable only before a judge of the superior court, as provided in
17 subsection (a) of this Code section, and a hearing is held pursuant to Code
18 Section 17-4-26 ~~or 17-4-62~~, the presiding judicial officer shall notify the superior court
19 in writing within 48 hours that the arrested person is being held without bail. If the
20 detained person has not already petitioned for bail as provided in subsection (d) of this
21 Code section, the superior court shall notify the district attorney and shall set a date for
22 a hearing on the issue of bail within 30 days after receipt of such notice."

