

**Reference HB 1559** It is time for every GACP member of every municipal police agency in the state to help defeat this damaging bill! If the concept(s) of this House Bill were to pass, it would exempt the **Office of the Sheriff** and other constitutional officers from participating in the **Service Delivery Act**. As most of you know, the Service Delivery Act is often referred to as “489” (originally authored as House Bill 489). The bill’s passage in 1997 required governmental authorities involved in providing services to counties and cities to sit down and work out a plan to eliminate *duplication of services*. It was clear to our legislators that municipalities were paying for services through taxation and not receiving their fair share of those county services. In many cases, law enforcement services became the focal point of the Service Delivery Act whereas, cities paid for a city police department through municipal taxes yet must pay county taxes to support the county sheriff. Because of this act, sheriffs, police, and other government officials were forced to negotiate as to what services they would provide to cities as part of our overall tax structure which includes paying city taxes if you reside in a city, as well as full county taxes.

Forward to 2004. The Sheriffs Association persuades a fairly new State Representative, Hugh Floyd of Norcross in Gwinnett County, to introduce a bill that the Sheriffs Association said; would clarify that a county sheriff can’t be told what to do because...they are Constitutional Officers. The Sheriffs Association officials have further stated to me that; the only control over the office of the sheriff that any taxpayer has is through their duly elected county commissioners and that control is...budgetary only. But, once the budget is passed, nobody has control over the sheriff. This was a well-planned strategic move by the Sheriffs Association. Additionally, they gained support by adding to the bill other county constitutional officials. As a result, the Association of County Commissioners (ACCG) and other associations that represent county government workers are endorsing passage of the concept(s) associated with HB 1559.

Let me give you some additional information regarding the impact of this piece of legislation on city police besides the double taxing for services. And, I urge you to understand that even if your relationship with your current county sheriff is bordering on utopia, that relationship could change in a heart beat, especially when it comes to services because services equate to money. Does your county sheriff house prisoners for your city as part of the service delivery strategy? Does your city obtain law enforcement services from your county sheriff, such as fingerprinting services, mediator services, transporting prisoners, crime scene support, SWAT units, etc.? The list goes on and on! Think about it. So if you need these services and are forced to use your county sheriff, will he or she provide the services and what would be the cost? What could happen to some of our “non full service” law enforcement agencies? Yesterday, I had a conversation with a police chief of a large Georgia city. He told me that his city spent thousands of dollars for an arbitrator to negotiate a service delivery strategy between his city and the county. As a result of negotiations, his city saved taxpayers millions of dollars.

Okay, that is the history, so where do we go from here? This week the bill was debated in the House Planning and Community Affairs Committee, chaired by Representative

Tommy Smith of Alma, Georgia. There were at least seven sheriffs at that meeting and two attorneys for the Georgia Sheriffs Association. Additionally, there was support given to the sheriffs by the ACCG. The only testimony given in opposition came from the Georgia Municipal Association, the City of Marietta, and me as your representative. The bill passed out of committee overwhelmingly. It is now in the Rules Committee. If it gets through that committee, it will go to the full House for a debate. So what can you do? Now, I mean today, this weekend and all of next week, call your state representatives. Don't wait, for this issue is too important. If you are not aware of the name(s) of your state representative(s) but you are a registered voter, go on-line to the state's website at <http://www.sos.state.ga.us/cgi-bin/locator.asp>. Or, if you are not a registered voter in Georgia, you can visit [www.georgia.gov](http://www.georgia.gov) for additional information. **Now, do it Now!**

I need to mention that the Sheriffs Association has contacted several other legislators, several of them being Senators. In one case, the language in HB 1559 was placed onto another bill, which was in the Senate. After a floor debate, it was recommitted to be reworked. What this means is that the concept of HB 1559 may be added to other pieces of legislation and move forward. If I can identify its movement, I will let you know so that you can call your Senator(s).

It is up to you to help Georgia cities. If this bill passes and you have not made an attempt to stop it, you can say... well, the Sheriffs Association was too strong, or you can hold yourself responsible if you do not get involved.

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**Reference HB 1337** This bill is another Racial Profiling piece of legislation, which would require a great deal of documentation every time a vehicle is stopped. There is no need to restate the dangers associated with this legislation. However, I fear that this year may be the year for legislation of this type to be passed. In a House Committee meeting where HB 1337 was discussed we had one of our own Georgia police chiefs testify that the bill was a positive step towards professionalizing law enforcement. This bill, like HB 1559, is in the House Rules Committee. So, when making telephone call about HB 1559, talk to your State Representative about this bill as well.

As always, I remain professionally attached to each member of this association, which includes our honorable sheriffs. Please remember, I am one telephone call away if needed. If the office is closed, I can be reached via page, 404.829.2255.

Respectfully,

Frank V. Rotondo