



POST Policy Statement

O.C.G.A. § 35-8-22

O.C.G.A. § 35-8-22 titled “*Reimbursement of training expenses by subsequent employer of peace officer; collection procedure*” states that the Council shall set standards for reimbursement by hiring agencies or peace officers based upon actual expenses incurred in mandated or formalized training by individual departments.

The code section stipulates that if a peace officer is hired by another agency **within 15 months** after completing **mandated or formalized** training requirements, then the total expense of training, including salary paid during training, shall be reimbursed by the hiring agency to the agency who initially paid for such training.

If the peace officer is hired during a period of **15 to 24 months** after mandated or formalized training requirements are completed, then one-half (½) of the total expense of training shall be reimbursed by the hiring agency to the agency who initially paid for such training.

Definitions:

Mandated Training- training which is required by state law. The basic training course identified in O.C.G.A. § 35-8-9 is the only course “mandated” by state law.

Formalized Training- training identified in an agency’s standard operating procedure (S.O.P.) manual which dictates training that **all** new basic recruits must complete as part of their employment with the hiring agency.

Since the State of Georgia bears the tuition cost for the majority of Georgia’s peace officers, it does not become an issue when attempting to seek reimbursement. Reimbursement of the officer’s salary paid during training is typically the only issue.

The State of Georgia or any county or municipality thereof which initially paid for the training of a peace officer shall submit an itemized, sworn statement to the new employer of the peace officer and shall demand payment by the hiring agency and may **enforce collection of such obligation through civil remedies** and procedures. (O.C.G.A. § 35-8-22(b))

NOTE: Effective July 1, 2003, in order for the State of Georgia or any county or municipality thereof to demand reimbursement, the demanding governmental unit must be able to document that the peace officer in question signed an acknowledgment of the terms of this Code section or an employment contract specifying the provisions of this Code section prior to such peace officer's employment with the demanding governmental unit. (O.C.G.A. § 35-8-22(c))

The Georgia Peace Officer Standards and Training Council does not play a part in the enforcement of this act since it is a civil matter.

Revised July 1, 2003