

7 Fast Facts About Georgia's New Early Termination of Probation Law

1 SB 105 is in effect NOW! On May 3, 2021, Governor Kemp signed SB 105 into law, making it effective immediately. This law is retroactive.



2 The law applies to everyone serving a felony probation sentence out of Georgia. You can be considered for early termination of your felony probation after serving 3 years on probation.



3 SB 105 creates clear criteria for eligibility that is consistent in all cases. You are eligible to be considered for early termination if you have (1) no new arrests; (2) no probation revocations in the past 24 months; and (3) paid all your restitution.



4 The Department of Community Supervision (DCS) begins the early termination process for you. Your probation officer will be notified when you become eligible for early termination and will submit an order to terminate your probation to the sentencing court. You do not need an attorney to start the early termination process.



5 The judge makes the final decision. The Judge will decide to grant your order based on whether it is in the best interest of justice and the welfare of society for you to be off probation early. You have the right to a hearing to present to the Judge why you should no longer be on probation.



6 If DCS does not submit an order on your behalf, you can still request early termination. First ask your probation officer to consider you. You can pursue early termination at any point of your felony probation sentence by filing a motion to terminate and discharge probation.



7 Once your probation is terminated, you can vote! You still need to register to vote to exercise this right. For information, visit GJP.org/voting

