

House Bill 577

By: Representative Howard of the 98th

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 42-1-12 of the Official Code of Georgia Annotated, relating to the
2 State Sexual Offender Registry, so as to provide that persons who are convicted of offenses
3 in this state that require registration shall not be released from custody until such persons
4 complete the registration process; to provide for related matters; to repeal conflicting laws;
5 and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Code Section 42-1-12 of the Official Code of Georgia Annotated, relating to the State Sexual
9 Offender Registry, is amended by striking paragraph (1) of subsection (b) and inserting in
10 lieu thereof a new paragraph (1) to read as follows:

11 "(b)(1)(A)(i) On and after July 1, 1996, a person who is convicted of a criminal
12 offense against a victim who is a minor or who is convicted of a sexually violent
13 offense shall register ~~within ten days after~~ prior to his or her release from prison or
14 placement on parole, supervised release, or probation his or her name and current
15 address; place of employment and vocation, if any; the crime of which convicted;
16 school name and address, if any; and the date released from prison or placed on
17 parole, supervised release, or probation with the appropriate sheriff's office as
18 specified in subsection (c) of this Code section in the county where such person will
19 reside for the time period specified in subsection (g) of this Code section and shall not
20 be released from custody until such registration is complete.

21 (ii) A person who has previously been convicted of a criminal offense against a
22 victim who is a minor or who has previously been convicted of a sexually violent
23 offense and who is to be released from prison or placed on parole, supervised release,
24 or probation on or after July 1, 1996, shall register ~~within ten days after~~ prior to such
25 release or placement his or her name and current address; place of employment and
26 vocation, if any; the crime of which convicted; school name and address, if any; and

1 the date released from prison or placed on parole, supervised release, or probation
 2 with the appropriate sheriff's office as specified in subsection (c) of this Code section
 3 in the county where such person will reside for the time period specified in subsection
 4 (g) of this Code section and shall not be released from custody until such registration
 5 is complete.

6 (iii) On and after July 1, 1999, any resident of Georgia who is convicted under the
 7 laws of another state or territory, under the laws of the United States, under the
 8 Uniform Code of Military Justice, or in a tribal court of a sexually violent offense or
 9 a criminal offense against a victim who is a minor shall register within ten days after
 10 his or her release from prison or placement on parole, supervised release, or
 11 probation. The information such an offender is required to register shall include his
 12 or her name and current address; place of employment and vocation, if any; the crime
 13 of which convicted; school name and address, if any; and the date released from
 14 prison or placed on parole, supervised release, or probation. Such an offender shall
 15 register with the appropriate sheriff's office as specified in subsection (c) of this Code
 16 section in the county where such person will reside for the time period specified in
 17 subsection (g) of this Code section.

18 (B) A person who is a sexually violent predator shall register ~~within ten days after~~ prior
 19 to his or her release from prison or placement on parole, supervised release, or
 20 probation the information required under subparagraph (A) of this paragraph with the
 21 appropriate sheriff's office as specified in subsection (c) of this Code section in the
 22 county where such person will reside and shall not be released from custody until such
 23 registration is complete. The sheriff may prepare a list of such sexual predators
 24 providing each person's name, address, and photograph. The sheriff shall update the
 25 list periodically and may post such list in a prominent and visible location in the
 26 sheriff's office and each city hall or primary administration building of every
 27 incorporated municipality within the county. Such list shall also be made available
 28 upon request to any public or private elementary, secondary, or postsecondary school
 29 or educational institution located in the county."

30 SECTION 2.

31 Said Code section is further amended by striking subparagraph (A) of paragraph (3) of
 32 subsection (b) and inserting a new subparagraph (A) to read as follows:

33 "(A) If Before a person who is required to register under this Code section is released
 34 from prison or placed on parole, supervised release, or probation, the appropriate state
 35 official shall:

- 1 (i) Inform the person of the duty to register and obtain the information required under
2 subparagraph (A) of paragraph (1) of this subsection for such registration;
- 3 (ii) Inform the person that, if the person changes residence address, employment
4 address, vocation address, school name, school address, or enrollment status, the
5 person shall give the new information to the sheriff or sheriffs with whom the person
6 last registered and the sheriff or sheriffs of the county to which the person is changing
7 residence address, employment address, vocation address, school name, school
8 address, or enrollment status, not later than ten days after the change of information.
9 Following such notification, the sheriff's office shall notify immediately the Georgia
10 Bureau of Investigation through the Criminal Justice Information System (CJIS) of
11 each change of information;
- 12 (iii) Inform the person that the person must register in any state where the person is
13 employed or carries on a vocation or is a student;
- 14 (iv) Inform the person that, if the person changes residence to another state, the
15 person shall register the new address with the sheriff or sheriffs with whom the person
16 last registered, and that the person shall also register with a designated law
17 enforcement agency in the new state not later than ten days after establishing
18 residence in the new state;
- 19 (v) Obtain fingerprints and a photograph of the person if such fingerprints and
20 photograph have not already been obtained in connection with the offense that
21 triggered the initial registration; and
- 22 (vi) Require the person to read and sign a form stating that the duty of the person to
23 register under this Code section has been explained. A copy of this form and any
24 other registration information furnished by the Department of Corrections shall be
25 forwarded to the Georgia Bureau of Investigation."

26 SECTION 3.

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