

The House Committee on State Institutions & Property offered the following substitute to SB 47:

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 9 of Title 42 of the Official Code of Georgia Annotated, relating to
2 pardons and paroles, so as to provide that the final decision of the Board of Pardons and
3 Paroles in each case shall be made public; to authorize the charging and collection of a
4 \$50.00 fee for applications submitted by nonindigent adult offenders seeking to transfer their
5 supervision to another state or territory; to provide definitions; to provide an effective date;
6 to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Chapter 9 of Title 42 of the Official Code of Georgia Annotated, relating to pardons and
10 paroles, is amended by striking subsection (b) of Code Section 42-9-42, relating to the
11 procedure for granting relief from sentence, conditions and prerequisites, and violation of
12 parole, and inserting in lieu thereof the following:

13 "(b) A grant of clemency, pardon, parole, or other relief from sentence shall be rendered
14 only by a written decision which shall be signed by at least the number of board members
15 required for the relief granted and which shall become a part of the permanent record.
16 Within three business days of the board's final decision, the names of the inmate and of the
17 board members voting to parole that inmate shall be made public."

18 **SECTION 2.**

19 Said chapter is further amended by adding at the end thereof a new Article 5 to read as
20 follows:

21 "ARTICLE 5

22 42-9-90.

23 (a) As used in this Code section, the term:

1 (1) 'Adult' means both individuals legally classified as adults and juveniles treated as
2 adults by court order, statute, or operation of law.

3 (2) 'Offender' means an adult placed under, or subject to supervision as the result of the
4 commission of a criminal offense and released to the community under the jurisdiction
5 of courts, paroling authorities, corrections, or other criminal justice agencies.

6 (3) 'State' means a state of the United States, the District of Columbia, or any other
7 territorial possessions of the United States.

8 (b) The Department of Corrections and the State Board of Pardons and Paroles are
9 authorized to require any nonindigent adult offender to pay a \$50.00 application fee when
10 applying to transfer his or her supervision from Georgia to any other state or territory
11 pursuant to the provisions of Articles 3 and 4 of this chapter."

12 **SECTION 3.**

13 This Act shall become effective upon its approval by the Governor or upon its becoming law
14 without such approval.

15 **SECTION 4.**

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