

House Bill 339 (AS PASSED HOUSE AND SENATE)

By: Representatives Greene of the 134th, Sholar of the 141st, Post 1, Reece of the 11th, and Buckner of the 109th

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 2 of Chapter 8 of Title 42 of the Official Code of Georgia Annotated,
2 relating to the state-wide probation system, so as to change certain provisions relating to
3 confidentiality of papers, exemption from subpoena, and declassification; to repeal
4 conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **SECTION 1.**

7 Article 2 of Chapter 8 of Title 42 of the Official Code of Georgia Annotated, relating to the
8 state-wide probation system, is amended by striking Code Section 42-8-40, relating to
9 confidentiality of papers, exemption from subpoena, and declassification, and inserting in
10 lieu thereof the following:

11 "42-8-40.

12 All reports, files, records, and papers of whatever kind relative to the state-wide probation
13 system are declared to be confidential and shall be available only to the probation system
14 officials and to the judge handling a particular case. They shall not be subject to process
15 of subpoena. However, ~~these records may be declassified by a majority vote of the board~~
16 ~~whenever the board deems it advisable~~ the commissioner may by written order declassify
17 any such records."

18 **SECTION 2.**

19 All laws and parts of laws in conflict with this Act are repealed.