

House Bill 1192

By: Representatives Boggs of the 145<sup>th</sup> and Snow of the 1<sup>st</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Article 5 of Chapter 3 of Title 35 of the Official Code of Georgia Annotated,  
2 relating to the Georgia Bureau of Investigation nomenclature, so as to change and add  
3 definitions; to change provisions relating to permission required for use of the Georgia  
4 Bureau of Investigation's nomenclature; to provide for related matters; to repeal conflicting  
5 laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Article 5 of Chapter 3 of Title 35 of the Official Code of Georgia Annotated, relating to the  
9 Georgia Bureau of Investigation nomenclature, is amended by striking Code Section  
10 35-3-101, relating to definitions, and inserting in lieu thereof the following:

11 "35-3-101.

12 As used in this article, the term:

13 (1) 'Badge' means any official badge used by agents of the Georgia Bureau of  
14 Investigation, either in the past or currently.

15 (2) 'Bureau' means the Georgia Bureau of Investigation, its divisions, or operations under  
16 its command.

17 (3) 'Director' means the director of the Georgia Bureau of Investigations.

18 ~~(2)~~(4) 'Emblem' means any official patch or other emblem worn currently or formerly  
19 or used by the bureau to identify the bureau Investigative Division, the Division of  
20 Forensic Sciences, the Georgia Crime Information Center, or any other division or  
21 operation under the command of the bureau to identify the bureau or its employees.

22 ~~(3)~~(5) 'Person' means any person, corporation, organization, or political subdivision of  
23 the State of Georgia.

24 (6) 'Seal' means any official symbol, mark, or abbreviation which represents and is used  
25 by the Investigative Division, the Division of Forensic Sciences, the Georgia Crime

1 Information Center, or any other division or operation under the command of the bureau  
 2 to identify the bureau or its employees.

3 ~~(4)~~(7) 'Willful violator' means any person who knowingly violates the provisions of this  
 4 article. Any person who violates this article after being advised in writing by the director  
 5 that such person's activity is in violation of this article shall be considered a willful  
 6 violator and shall be considered in willful violation of this article. Any person whose  
 7 agent or representative is a willful violator and who has knowledge of the violation by  
 8 the agent or representative shall also be considered a willful violator and in willful  
 9 violation of this article unless, upon learning of the violation, he or she immediately  
 10 terminates the agency or other relationship with such violator."

## 11 SECTION 2.

12 Said article is further amended by striking Code Section 35-3-102, relating to permission  
 13 required for use of the Georgia Bureau of Investigation's nomenclature, and inserting in lieu  
 14 thereof the following:

15 "35-3-102.

16 Whoever, except with the written permission of the director, knowingly uses the words  
 17 'Georgia Bureau of Investigation,' 'GBI,' or 'agent of the Georgia Bureau of Investigation,'  
 18 'Division of Forensic Sciences,' 'DOFS,' 'Georgia Crime Information Center,' 'GCIC,' or  
 19 'State Crime Lab' in referring to Georgia's state crime lab in connection with any  
 20 advertisement, circular, book, pamphlet, or other publication, play, motion picture,  
 21 broadcast, telecast, or other production in a manner reasonably calculated to convey the  
 22 impression that such advertisement, circular, book, pamphlet, or other publication, play,  
 23 motion picture, broadcast, telecast, or other production is approved, endorsed, or authorized  
 24 by or associated with the bureau shall be in violation of this article."

## 25 SECTION 3.

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