

The Senate Judiciary Committee offered the following substitute to SB 400:

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 1 of Title 51 of the Official Code of Georgia Annotated, relating to
2 general provisions regarding torts, so as to provide for an exemption from civil liability with
3 respect to broadcasters who are engaged in Levi's Call: Georgia's Amber Alert Program; to
4 provide for definitions; to provide for conditions and limitations; to provide an effective date;
5 to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

7 Chapter 1 of Title 51 of the Official Code of Georgia Annotated, relating to general
8 provisions regarding torts, is amended by adding a new Code section at the end thereof to be
9 designated Code Section 51-1-50, to read as follows:

10 "51-1-50.

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

12 (1) 'Broadcast' means the transmission of video or audio programming by an electronic
13 or other signal conducted by radiowaves or microwaves, by wires, lines, coaxial cables,
14 wave guides or fiber optics, by satellite transmissions directly or indirectly to viewers or
15 listeners or by any other means of communication.

16 (2) 'Broadcaster' means any corporation or other entity that is engaged in the business of
17 broadcasting video or audio programming, whether through the public airwaves, by cable,
18 by direct or indirect satellite transmission or by any other means of communication.

19 (3) 'Levi's Call: Georgia's Amber Alert Program' means the voluntary program entered
20 into by the Georgia Bureau of Investigation, the Georgia Emergency Management
21 Agency, the Georgia Association of Broadcasters, and certain broadcasters licensed to
22 serve in the State of Georgia; which program provides that if the Georgia Bureau of
23 Investigation verifies that a child has been abducted and is in danger, an alert containing
24 known details of the abduction is transmitted to Georgia Emergency Management
25 Agency, which is then transmitted by Georgia Emergency Management Agency to
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1 broadcasters in Georgia; and those broadcasters participating in the program then
2 broadcast or otherwise disseminate the alert to listeners, viewers, or subscribers.

3 (b) Any broadcaster participating in Levi’s Call: Georgia’s Amber Alert Program shall
4 not be liable for any civil damages arising from the broadcast or other dissemination of any
5 alert generated pursuant to the Levi’s Call: Georgia’s Amber Alert Program. The
6 immunity provided for in this Code section shall apply to any broadcast or dissemination
7 of information that is substantially consistent with the information transmitted by the
8 Georgia Emergency Management Agency and that takes place during an alert requested by
9 the Georgia Emergency Management Agency and for a period of two hours after such alert
10 has ended or the Georgia Emergency Management Agency informs the participating
11 broadcasters that the alert has changed in content.

12 (c) Nothing in this Code section shall be construed to limit or restrict in any way any legal
13 protection a broadcaster may have under any other law for broadcasting or otherwise
14 disseminating any information.”

15 **SECTION 2.**

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

18 **SECTION 3.**

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