

Senate Bill 537

By: Senators Smith of the 52nd, Tolleson of the 18th, Mullis of the 53rd, Hamrick of the 30th and Moody of the 27th

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 for registration of sex offenders who are  
3 volunteers at an institution of higher learning; to include additional information requirements  
4 relating to registration of sex offenders at an institution of higher learning; to provide for the  
5 establishment of an interactive data base within the state registry specifically for sex  
6 offenders at institutions of higher learning; to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Code Section 42-1-12 of the Official Code of Georgia Annotated, relating to the state sexual  
10 offender registry, is amended by striking subsection (c) in its entirety and inserting in lieu  
11 thereof the following:

12 "(c)(1) The appropriate state official shall, within three days after receipt of information  
13 described in paragraph (3) of subsection (b) of this Code section, forward such  
14 information to the Georgia Bureau of Investigation. Once the data is entered into the  
15 Criminal Justice Information System by the appropriate state official or sheriff, the  
16 Georgia Crime Information Center, where appropriate, shall immediately notify the  
17 sheriff of the person's county of residence, either permanent or temporary, the sheriff of  
18 the county of employment, and the sheriff of the county where the person attends school.  
19 The Georgia Bureau of Investigation shall also immediately transmit the conviction data  
20 and fingerprints to the Federal Bureau of Investigation. It shall be the duty of the sheriff  
21 of each county within this state to maintain a register of the names and addresses of all  
22 registered offenders within the sheriff's jurisdiction whose names have been provided by  
23 the Georgia Bureau of Investigation to the sheriff under this Code section. The Georgia  
24 Bureau of Investigation shall establish operating policies and procedures concerning  
25 record ownership, quality, verification, modification, and cancellation and shall perform  
26 mail out and verification duties on a quarterly basis. The Georgia Bureau of Investigation  
27 shall send each month Criminal Justice Information System network messages to sheriffs

1 listing offenders due for verification. The bureau shall also create a photo image file  
 2 from original entries and provide such entries to sheriffs to assist in offender  
 3 identification and verification.

4 (2) Any person who is required to register under this Code section and who is enrolled,  
 5 employed, ~~or~~ carries on a vocation, or volunteers at an institution of higher education in  
 6 this state shall provide the name, address, and county of each institution including each  
 7 campus attended, all locations of the institution at which the employed or volunteer  
 8 person may be physically located, and the person's position or enrollment status, as well  
 9 as any change in enrollment, employment, ~~or~~ vocation, or volunteer status. Such person  
 10 shall also provide his or her date of birth and all names used at any time by the person,  
 11 including aliases and legal names. The requirements of this paragraph shall be  
 12 accomplished in a manner specified in subparagraphs (b)(1)(A), (b)(1)(B), (b)(3)(A),  
 13 (b)(3)(D), and (b)(3)(E) of this Code section.

14 (3) The Georgia Bureau of Investigation shall establish operating policies and procedures  
 15 and shall develop an interactive data base within the Criminal Justice Information System  
 16 to identify all persons included in paragraph (2) of this subsection who are either sexually  
 17 violent predators or who are otherwise required to register under this Code section in  
 18 order to provide prompt notice of offender registration and any change in status  
 19 information contained in paragraph (2) of this subsection to any law enforcement agency  
 20 having jurisdiction where an institution of higher education is located and to include  
 21 notification to the campus police if appropriate for the institution of higher education.  
 22 The law enforcement agency or agencies having jurisdiction where an institution of  
 23 higher education is located shall provide a statement advising the campus community  
 24 where law enforcement agency information may be obtained as provided by the state  
 25 under 20 U.S.C. Section 1092 (f)(1) and 42 U.S.C. Section 1407 (j), concerning  
 26 registered sex offenders. This information may be obtained at the law enforcement office  
 27 of the institution, a local law enforcement agency with jurisdiction for the campus, or via  
 28 the Georgia Bureau of Investigation's Internet website."

## 29 SECTION 2.

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