

House Bill 1673

By: Representatives Knox of the 14th, Post 1, Murphy of the 14th, Post 2, Jones of the 38th, Moraitakis of the 42nd, Post 4, Mangham of the 62nd, and others

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 change the provisions relating to registration
3 requirements applicable to persons sentenced pursuant to Article 3 of Chapter 8 of Title 42,
4 relating to first offenders; to provide for related matters; to provide for an effective date and
5 applicability; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Code Section 42-1-12 of the Official Code of Georgia Annotated, relating to the state sexual
9 offender registry, is amended by striking paragraph (3) of subsection (a) and inserting in lieu
10 thereof the following:

11 "(3) 'Conviction' includes a final judgment of conviction entered upon a verdict or
12 finding of guilty of a crime, a plea of guilty, or a plea of nolo contendere. ~~Unless~~
13 ~~otherwise required by federal law, a~~ A defendant who is discharged without adjudication
14 of guilt and who is not considered to have a criminal conviction pursuant to Article 3 of
15 Chapter 8 of this title, relating to first offenders, shall ~~not~~ be subject to the registration
16 requirements of this Code section for the period of time prior to the defendant's discharge
17 after completion of his or her sentence or upon the defendant being adjudicated guilty.
18 Unless otherwise required by federal law, a defendant who is discharged without
19 adjudication of guilt and who is not considered to have a criminal conviction pursuant to
20 Article 3 of Chapter 8 of this title, relating to first offenders, shall not be subject to the
21 registration requirements of this Code section upon the defendant's discharge."

22 **SECTION 2.**

23 This Act shall become effective on July 1, 2004, and shall apply to sentences imposed on or
24 after July 1, 2004.

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SECTION 3.

2 All laws and parts of laws in conflict with this Act are repealed.