

The House Committee on Special Judiciary offers the following substitute to HB 1673:

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 the clerk of court to notify certain persons of a
5 defendant's order of discharge and exoneration pursuant to Article 3 of Chapter 8 of Title 42;
6 to provide for related matters; to provide for an effective date and applicability; to repeal
7 conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

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

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

