

Senate Bill 147

By: Senators Adelman of the 42nd, Collins of the 6th, Stokes of the 43rd, Unterman of the 45th, Stephens of the 51st and others

AS PASSED

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 5 of Title 46 of the Official Code of Georgia Annotated, relating to
2 telephone and telegraph service, so as to require telephone companies to file plans with the
3 Georgia Public Service Commission to provide for the confidentiality of family violence
4 shelter locations; to provide for review of such plans; to provide for related matters; to
5 provide an effective date; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

7 This Act shall be known as and may be cited as the "Family Violence Shelter Confidentiality
8 Act of 2004."
9

SECTION 2.

10 Chapter 5 of Title 46 of the Official Code of Georgia Annotated, relating to telephone and
11 telegraph service, is amended by adding a new Code Section 46-5-7 to read as follows:
12

13 "46-5-7.

14 (a) Prior to January 1, 2005, each person, corporation, or other entity that provides
15 telephone service in this state and each person, corporation, or other entity that publishes,
16 disseminates, or otherwise provides telephone directory information or listings of telephone
17 subscribers in this state shall file a plan with the commission setting forth in detail how
18 such person, corporation, or other entity will protect the confidentiality of the address or
19 location of family violence shelters, as defined in Code Section 19-13-20, in this state.
20 Such plan shall describe the manner in which the person, corporation, or other entity will
21 identify all such shelters and the manner in which the person, corporation, or other entity
22 will keep the location and address of such shelters confidential.

23 (b) Such persons, corporations, and other entities shall update such plans at least every 24
24 months.

1 (c) Such original and updated plans shall be approved by the commission within a
2 reasonable time upon a determination that the plans are reasonably effective in identifying
3 the family violence shelters in the state and in maintaining the confidentiality of the
4 location and address of such family violence shelters. If the commission determines that
5 a plan is inadequate, it shall state the basis on which the plan was determined to be
6 inadequate and shall allow the person, corporation, or other entity filing such plan a period
7 of not more than 30 days to file a revised plan that is acceptable to the commission.

8 (d) Such plans shall not be open to examination by the public and shall be exempt from
9 disclosure under the provisions of Article 4 of Chapter 18 of Title 50.

10 (e) Within three days of filing original plans or updates with the commission, each person,
11 corporation, or other entity subject to this Code section shall submit a copy of all original
12 plans, updated plans, and revised plans to the State Commission on Family Violence,
13 which is authorized to provide comments concerning such plans to the commission in order
14 to aid in review and approval of such plans.

15 (f) The filing or approval of such plans shall not in any manner be a defense to any action
16 or prosecution."

17 **SECTION 3.**

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

20 **SECTION 4.**

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