

Senate Bill 451

By: Senators Kemp of the 46th, Thompson of the 33rd, Hamrick of the 30th, Grant of the 25th, Cagle of the 49th and others

A BILL TO BE ENTITLED  
AN ACT

1 To amend Article 9 of Chapter 5 of Title 16 of the Official Code of Georgia Annotated,  
2 relating to notice of conviction and release from confinement of sex offenders, so as to  
3 provide that notice of conviction and release of a person who is required to register as a  
4 sexual offender shall be made for offenders sentenced directly to probation or who are newly  
5 established residents in a county; to permit publication of such notice in the legal organ of  
6 the county in which such person resides based on information available; to amend Article 2  
7 of Chapter 5 of Title 40 of the Official Code of Georgia Annotated, relating to issuance,  
8 expiration, and renewal of drivers' licenses, so as to require annual renewal of a driver's  
9 license for registered sex offenders; to change certain provisions relating to the expiration  
10 and renewal of licenses; to provide for related matters; to provide an effective date; to repeal  
11 conflicting laws; and for other purposes.

12 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

13 style="text-align:center">**SECTION 1.**

14 Article 9 of Chapter 5 of Title 16 of the Official Code of Georgia Annotated, relating to  
15 notice of conviction and release from confinement of sex offenders, is amended by striking  
16 subsection (a) of Code Section 16-5-110, relating to the publication of notices and  
17 information required for registered sex offenders, assessment for costs, and certain immunity,  
18 and inserting in its place a new subsection (a) to read as follows:

19 "(a) When a person who has been convicted of a crime for which that person is required  
20 to register under Code Section 42-1-12 makes his or her first report to a sheriff after such  
21 person's release from confinement, placement on probation, or upon establishing residency  
22 in the county, the sheriff shall cause to be published a notice of conviction and release from  
23 confinement of such person. Such notice shall be published in the manner of legal notices  
24 in the legal organ of the county in which such person resides. Such notice shall be one  
25 column wide by two inches long and shall contain the photograph taken by the arresting  
26 law enforcement agency at the time of arrest or a subsequent photograph, the name and

1 address of the convicted person, and, if available, the date, time, place of arrest, and  
 2 disposition of the case. The notice and shall be published at least once, and, at the sheriff's  
 3 option, may be published more than once, in the legal organ of the appropriate county in  
 4 ~~the second week following such person's release from confinement or as soon thereafter~~  
 5 ~~as publication may be made.~~ The notice shall be published at or near the time the person  
 6 registers with the sheriff and at such other time as deemed appropriate by the sheriff of the  
 7 county in which such person is required to register. The notice shall include the address  
 8 of the Georgia Bureau of Investigation website for additional information regarding the  
 9 sexual offender registry."

## 10 SECTION 2.

11 Article 2 of Chapter 5 of Title 40 of the Official Code of Georgia Annotated, relating to  
 12 issuance, expiration, and renewal of drivers' licenses, is amended by striking subsection (a)  
 13 of Code Section 40-5-32, relating to the expiration and renewal of licenses, and inserting in  
 14 its place a new subsection (a) to read as follows:

15 "(a)(1) Except as otherwise provided in this Code section, every driver's license shall  
 16 expire on the licensee's birthday in the fifth year following the issuance of such license.

17 (2) An applicant for a Class A, B, C, or M noncommercial driver's license who is under  
 18 age 60 shall at the applicant's option apply for a license which shall expire on the  
 19 licensee's birthday in the fifth or tenth year following the issuance of such license.

20 (3) Notwithstanding the foregoing, any Any commercial license that contains an H or X  
 21 endorsement as defined in subsection (c) of Code Section 40-5-150 shall expire on the  
 22 date of expiration of the licensee's security threat assessment conducted by the  
 23 Transportation Security Administration of the United States Department of Homeland  
 24 Security. An applicant for a Class A, B, C, or M noncommercial driver's license who is  
 25 under age 60 shall at the applicant's option apply for a license which shall expire on the  
 26 licensee's birthday in the fifth or tenth year following the issuance of such license. Every  
 27 such license shall be renewed on or before its expiration upon application, payment of the  
 28 required fee, and, if applicable, satisfactory completion of the examination required or  
 29 authorized by subsection (c) of this Code section.

30 (4) An applicant who has been convicted of a crime for which that person is required to  
 31 register under Code Section 42-2-12 shall be issued a license which shall expire on the  
 32 licensee's birthday in the first year following the issuance of such license. Such license  
 33 shall indicate the issuing and expiration dates or otherwise clearly indicate that such  
 34 license is a one-year license.

35 ~~(2)~~(5) Except as otherwise provided by subsection (c) of this Code section, every  
 36 veteran's or honorary license shall be valid until the holder reaches age 65 and shall

1 thereafter be subject to renewal pursuant to paragraph ~~(1)~~(6) of this subsection on or  
2 before his or her birthday every five years. The department may allow a veteran or  
3 honorary license holder to retain his or her expired veteran's or honorary license as a  
4 souvenir.

5 (6) Every license shall be renewed on or before its expiration upon application, payment  
6 of the required fee, and, if applicable, satisfactory completion of the examination required  
7 or authorized by subsection (c) of this Code section.

8 ~~(3)~~(7) The commissioner shall issue such rules and regulations as are required to enforce  
9 this subsection."

10 **SECTION 3.**

11 This Act shall become effective on July 1, 2006.

12 **SECTION 4.**

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