

Senate Bill 62

By: Senators Mullis of the 53rd, Whitehead, Sr. of the 24th, Seay of the 34th, Carter of the 13th and Staton of the 18th

AS PASSED

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 2 of Chapter 3 of Title 35 of the Official Code of Georgia Annotated,
2 relating to the Georgia Crime Information Center, so as to revise provisions relating to
3 publication of statistics by the center; to remove a prohibition against certain identifying data
4 in such statistics; to provide certain conditions for requesting criminal history records; to
5 permit counties and municipalities to request a state and national criminal history record
6 check after passing an ordinance authorizing such record checks for certain specified
7 professions or occupations; to provide for related matters; to provide an effective date; to
8 repeal conflicting law; and for other purposes.

9 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

10 **SECTION 1.**

11 Article 2 of Chapter 3 of Title 35 of the Official Code of Georgia Annotated, relating to the
12 Georgia Crime Information Center, is amended by revising paragraph (9) of subsection (a)
13 of Code Section 35-3-33, relating to powers and duties of the Georgia Crime Information
14 Center, as follows:

15 "(9) Periodically publish statistics, no less frequently than annually, that do not identify
16 persons, ~~agencies, corporations, or other legal entities~~ and report such information to the
17 Governor, the General Assembly, state and local criminal justice agencies, and the
18 general public. Such information shall accurately reflect the level and nature of crime in
19 the state and the operations in general of the different types of agencies within the
20 criminal justice system;"

21 **SECTION 2.**

22 Said article is further amended by revising paragraph (1) of subsection (a) of Code Section
23 35-3-35, relating to disclosure and dissemination of records by the Georgia Crime
24 Information Center to public agencies and political subdivisions and responsibility and
25 liability of the issuing center, as follows:

1 shall promptly transmit one set of fingerprints to the Federal Bureau of Investigation for
2 a search of bureau records and an appropriate report and shall retain the other set and
3 promptly conduct a search of its own records and records to which it has access. After
4 receiving the fingerprints and fee, the center shall notify the requesting local government
5 authority in writing of any derogatory finding, including, but not limited to, any criminal
6 record data regarding the fingerprint records check or if there is no such finding. Nothing
7 in this paragraph shall prevent the local governing authority from obtaining national
8 criminal history records directly from the Federal Bureau of Investigation, if an ordinance
9 or resolution requiring the fingerprints of an applicant or licensee of a particular
10 occupation or profession regulated by the local governing authority has been adopted by
11 such governing authority of the county or municipality; and"

12 **SECTION 4.**

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

15 **SECTION 5.**

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