

House Bill 544

By: Representatives Willard of the 49th and Oliver of the 83rd

A BILL TO BE ENTITLED
AN ACT

1 To amend Part 8 of Article 1 of Chapter 11 of Title 15 of the Official Code of Georgia
2 Annotated, relating to access to records and hearings, so as to provide for sharing of
3 confidential information; to define a term; to provide for related matters; to repeal conflicting
4 laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **SECTION 1.**

7 Part 8 of Article 1 of Chapter 11 of Title 15 of the Official Code of Georgia Annotated,
8 relating to access to records and hearings, is amended by adding a new Code section to read
9 as follows:

10 "15-11-84.

11 (a) As used in this Code section, the term 'governmental entity' shall mean the court,
12 superior court, the Department of Juvenile Justice, the Division of Mental Health,
13 Developmental Disabilities, and Addictive Diseases within the Department of Human
14 Resources, the Division of Family and Children Services within the Department of Human
15 Resources, county departments of family and children services, law enforcement unit, as
16 such term is defined in Code Section 35-8-2, or public school, as such term is defined in
17 Code Section 16-11-35.

18 (b) Governmental entities, state, county, consolidate governments, or municipal
19 government departments, boards, or agencies shall exchange with each other all
20 information not held as confidential pursuant to federal law and relating to a child which
21 may aid a governmental entity in the assessment, treatment, intervention, or rehabilitation
22 of a child, notwithstanding Code Section 15-1-15, 15-11-9.1, subsection (d) of Code
23 Section 15-11-10, Code Section 15-11-66.1, 15-11-75, 15-11-81, 15-11-82, 15-11-174,
24 20-2-751.2, 20-14-40, 24-9-40.1, 24-9-41, 24-9-42, 26-4-5, 26-4-80, 26-5-17, 31-5-5,
25 31-33-6, 37-1-53, 37-2-9.1, 42-5-36, 42-8-40, 42-8-106, 49-5-40, 49-5-41, 49-5-41.1,
26 49-5-44, 49-5-45, 49-5-183, 49-5-184, 49-5-185, or 49-5-186, in order to serve the best

27 interest of the child. Such information shall not be utilized to assist in the prosecution of
28 the child in juvenile court or superior court or utilized to the detriment of the child.
29 (c) Information released pursuant to this Code section shall not change or rescind the
30 confidential nature of such information and such information shall not be subject to public
31 disclosure or inspection unless otherwise provided by law."

32 **SECTION 2.**

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