

Senate Bill 241

By: Senator Fort of the 39th

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 2 of Chapter 9 of Title 42 of the Official Code of Georgia Annotated,
2 relating to grants of pardons, paroles, and other relief, so as to change provisions relating to
3 classification of information and documents and divulgence of confidential state secrets; to
4 provide for related matters; to provide for an effective date; to repeal conflicting laws; and
5 for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Article 2 of Chapter 9 of Title 42 of the Official Code of Georgia Annotated, relating to
9 grants of pardons, paroles, and other relief, is amended by revising Code Section 42-9-53,
10 relating to preservation of documents, classification of information and documents,
11 divulgence of confidential state secrets, and conduct of hearings, as follows:

12 "42-9-53.

13 (a) Subject to other laws, the board shall preserve on file all documents on which it has
14 acted in the granting of pardons, paroles, and other relief.

15 (b) All information, ~~both oral and written~~, received by the members of the board in the
16 performance of their duties under this chapter and all records, papers, and documents
17 coming into their possession by reason of the performance of their duties under this chapter
18 shall be classified as ~~confidential state secrets until declassified by a resolution of the board~~
19 ~~passed at a duly constituted session of the board; provided, however, that the board shall~~
20 ~~be authorized to disclose to an alleged violator of parole or conditional release the evidence~~
21 ~~introduced against him at a final hearing on the matter of revocation of parole or~~
22 ~~conditional release~~ open records.

23 (c) ~~No person shall divulge or cause to be divulged in any manner any confidential state~~
24 ~~secret. Any person violating this Code section or any person who causes or procures a~~
25 ~~violation of this Code section or conspires to violate this Code section shall be guilty of a~~
26 ~~misdemeanor.~~

27 ~~(d)~~ All hearings required to be held by this chapter shall be public, and the transcript
28 transcripts thereof shall be exempt from subsection (b) of this Code section. All records and
29 ~~documents which were public records at the time they were received by the board are~~
30 ~~exempt from subsection (b) of this Code section. All information, reports, and documents~~
31 ~~required by law to be made available to the General Assembly, the Governor, or the state~~
32 ~~auditor are exempt from subsection (b) of this Code section open hearings and records."~~

33 **SECTION 2.**

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

36 **SECTION 3.**

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