

House Bill 729

By: Representatives Sheldon of the 105th, Lindsey of the 54th, Keen of the 179th, Cox of the 102nd, Hatfield of the 177th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 15-11-66 of the Official Code of Georgia Annotated, relating to the
2 disposition of a delinquent child, so as to provide for a protective order for victims of certain
3 acts of delinquency; to amend Code Section 49-4A-8 of the Official Code of Georgia
4 Annotated, relating to certain procedures and cost regarding the commitment of delinquent
5 or unruly children and the discharge of such children, so as to provide for certain
6 notifications to the victims of certain delinquent acts and designated felony acts; to provide
7 for related matters; to repeal conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 Code Section 15-11-66 of the Official Code of Georgia Annotated, relating to the disposition
11 of a delinquent child, is amended by adding a new subsection to read as follows:

12 "(d)(1) As used in this subsection, 'designated felony act' shall have the same meaning
13 as provided in paragraph (2) of subsection (a) of Code Section 15-11-63.

14 (2) When issuing a disposition for an adjudication of a delinquent act or a designated
15 felony act, the juvenile court shall concurrently issue a protective order requiring:

16 (A) That the child have no contact in person or by electronic means with the victim of
17 the delinquent act; and

18 (B) That if the child's disposition will result in the child's placement in a secure or
19 nonsecure facility under the authority of the Department of Juvenile Justice, the
20 department shall provide notice to the victim at his or her last known address by
21 certified mail not less than five days prior to such child's release from the facility."

22 **SECTION 2.**

23 Code Section 49-4A-8 of the Official Code of Georgia Annotated, relating to certain
24 procedures and cost regarding the commitment of delinquent or unruly children and the

25 discharge of such children, is amended by revising paragraph (1) of subsection (e.1) as
26 follows:

27 "(e.1)(1)(A) As used in this paragraph, the term 'delinquent act' shall have the same
28 meaning as provided for in paragraph (6) of Code Section 15-11-2.

29 (B) When a child who has been adjudicated delinquent for the commission of a
30 designated felony act as defined in Code Section 15-11-63, for a delinquent act of
31 violence, or for a delinquent act that threatened violence is to be is released from
32 confinement or custody of the department, it shall be the responsibility of the
33 department to provide notice to ~~any person who was~~ the victim of the child's delinquent
34 acts that the child is being released from confinement or custody. Such notice shall be
35 sent by certified mail to the victim's last known address at least five days prior to such
36 child's release."

37 **SECTION 3.**

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