

Senate Bill 26

By: Senators Shafer of the 48th, Mullis of the 53rd, Murphy of the 27th, Douglas of the 17th, Smith of the 52nd and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 50-18-72 of the Official Code of Georgia Annotated, relating to
2 when public disclosure of public records is not required and the disclosure of exempting legal
3 authority, so as to clarify disclosure of federal records; to limit the disclosure of certain
4 private information of firefighters and emergency medical technicians; to limit the disclosure
5 of individual account numbers and passwords used to access accounts; to provide that public
6 disclosure shall not be required for certain personal contact information of individuals
7 obtained by a local government; to provide for disclosure of certain information; to provide
8 for related matters; to repeal conflicting laws; and for other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

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

11 Code Section 50-18-72 of the Official Code of Georgia Annotated, relating to when public
12 disclosure of public records is not required and the disclosure of exempting legal authority,
13 is amended by revising paragraph (1) of subsection (a), subparagraph (a)(11.3)(A), and
14 paragraph (13) of subsection (a) as follows:

15 "(1) Specifically required by ~~the federal government~~ statute or regulation to be kept
16 confidential;"

17 "(11.3)(A) An individual's social security number, mother's birth name, credit card
18 information, debit card information, bank account information, account number,
19 including a utility account number, password used to access his or her account,
20 financial data or information, and insurance or medical information in all records, and
21 if technically feasible at reasonable cost, day and month of birth, which shall be
22 redacted prior to disclosure of any record requested pursuant to this article; provided,
23 however, that such information shall not be redacted from such records if the person or
24 entity requesting such records requests such information in a writing signed under oath
25 by such person or a person legally authorized to represent such entity which states that

26 such person or entity is gathering information as a representative of a news media
 27 organization for use in connection with news gathering and reporting; and provided,
 28 further, that such access shall be limited to social security numbers and day and month
 29 of birth; and provided, further, that this news media organization exception for access
 30 to social security numbers and day and month of birth and the other protected
 31 information set forth in this subparagraph shall not apply to teachers, employees of a
 32 public school, or public employees as set forth in paragraph (13.1) of this subsection.
 33 For purposes of this subparagraph, the term 'public employee' means any nonelected
 34 employee of the State of Georgia or its agencies, departments, or commissions or any
 35 county or municipality or its agencies, departments, or commissions."

36 "(13) Records that would reveal the home address or telephone number, social security
 37 number, or insurance or medical information of employees of the Department of
 38 Revenue, law enforcement officers, firefighters as defined in Code Section 25-4-2,
 39 judges, emergency medical technicians and paramedics, scientists employed by the
 40 Division of Forensic Sciences of the Georgia Bureau of Investigation, correctional
 41 employees, and prosecutors or identification of immediate family members or dependents
 42 thereof;"

43 SECTION 1.1.

44 Said Code section is amended by revising paragraph (11.2) of subsection (a) as follows:

45 "(11.2) Records that would reveal the names, home addresses, telephone numbers,
 46 security codes, e-mail addresses, or any other data or information developed, collected,
 47 or received by counties or municipalities in connection with neighborhood watch or
 48 public safety notification programs or with the installation, servicing, maintaining,
 49 operating, selling, or leasing of burglar alarm systems, fire alarm systems, or other
 50 electronic security systems; provided, however, that initial police reports and initial
 51 incident reports shall remain subject to disclosure pursuant to paragraph (4) of this
 52 subsection;"

53 SECTION 1.2.

54 Said Code section is further amended by revising subparagraph (a)(11.3)(B) by striking "or"
 55 at the end of division (viii), by striking the period and inserting "; or" at the end of division
 56 (ix), and by adding a new division to read as follows:

57 "(x) The disclosure of the date of birth within criminal records."

58 SECTION 2.

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