

House Bill 639

By: Representative Jones of the 44<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Chapter 17 of Title 17 and Article 2 of Chapter 9 of Title 42 of the Official Code  
2 of Georgia Annotated, relating to the "Crime Victims' Bill of Rights" and grants of pardons,  
3 paroles, and other relief, respectively, so as to provide for consequences for the failure to  
4 notify a victim of proceedings involving the consideration of parole or clemency; to provide  
5 for a short title; to provide for related matters; to repeal conflicting laws; and for other  
6 purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 This Act shall be known as and may be cited as "J.I.'s Law."

10 **SECTION 2.**

11 Chapter 17 of Title 17 of the Official Code of Georgia Annotated, relating to the "Crime  
12 Victims' Bill of Rights," is amended by revising Code Section 17-17-13, relating to  
13 notification to victim of impending parole or clemency proceedings, as follows:

14 "17-17-13.

15 The State Board of Pardons and Paroles shall give 20 days' advance notification to a victim  
16 whenever it considers making a final decision to grant parole or any other manner of  
17 executive clemency action to release a defendant for a period exceeding 60 days; and the  
18 board shall provide the victim with an opportunity to file a written objection to such action.

19 If the State Board of Pardons and Paroles fails to provide notice to the victim as required  
20 by this Code section, it shall not make a final decision on a case, and any action taken on  
21 a case in violation of this Code section shall be null and void. No notification need be  
22 given unless the victim has expressed objection to release or has expressed a desire for such  
23 notification and has provided the State Board of Pardons and Paroles with a current address  
24 and telephone number. "

25

**SECTION 3.**

26 Article 2 of Chapter 9 of Title 42 of the Official Code of Georgia Annotated, relating to the  
 27 grants of pardons, paroles, and other relief, is amended by revising Code Section 42-9-46,  
 28 relating to cases in which an inmate has failed to serve the time required for automatic initial  
 29 consideration, as follows:

30 "42-9-46.

31 Notwithstanding any other provisions of law to the contrary, if the board is to consider any  
 32 case in which an inmate has failed to serve the time required by law for automatic initial  
 33 consideration, the board shall notify in writing, at least ten days prior to consideration, the  
 34 sentencing judge, the district attorney of the county in which the person was sentenced, and  
 35 any victim of crimes against the person or, if such victim is deceased, the spouse, children,  
 36 or parents of the deceased victim if such person's name and address are provided on the  
 37 impact statement pursuant to Code Section 17-10-1.1. The sentencing judge, district  
 38 attorney, or victim or, if such victim is deceased, the spouse, children, or parents of the  
 39 deceased victim may appear at a hearing held by the board or make a written statement to  
 40 the board expressing their views and making their recommendation as to whether the  
 41 person should be paroled. If the board fails to provide the notice to the victim as required  
 42 by this Code section, it shall not take action on a case, and any action taken on a case in  
 43 violation of this Code section shall be null and void."

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**SECTION 4.**

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