

House Bill 850

By: Representatives Harrell of the 106th, Willard of the 49th, Oliver of the 83rd, and Holcomb of the 82nd

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 9 of Title 29 of the Official Code of Georgia Annotated, relating to court
2 proceedings involving guardian and ward, so as to provide for criminal background checks
3 for persons seeking to become a guardian or conservator; to provide for a definition; to
4 provide for related matters; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

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

7 Chapter 9 of Title 29 of the Official Code of Georgia Annotated, relating to court
8 proceedings involving guardian and ward, is amended by adding a new Code Section 29-9-19
9 to read as follows:

10 "29-9-19.

11 (a) As used in this Code section, the term 'criminal history record information' means
12 information collected by criminal justice agencies on individuals consisting of identifiable
13 descriptions and notations of arrests, detentions, indictments, accusations, information, or
14 other formal charges, and any disposition arising therefrom, sentencing, correctional
15 supervision, and release.

16 (b) The court may require a petitioner seeking to become a guardian or conservator, or a
17 nominated guardian or conservator if such person is different from the petitioner, to submit
18 to a criminal history records check. The petitioner or nominee shall submit his or her
19 fingerprints to the Georgia Crime Information Center with the appropriate fee. The
20 Georgia Crime Information Center shall promptly transmit the fingerprints to the Federal
21 Bureau of Investigation for a search of its records and shall obtain a report containing
22 criminal history record information. The Georgia Crime Information Center shall also
23 promptly conduct a search of its records and any records to which it has access. The
24 Georgia Crime Information Center shall provide a report of the petitioner's or nominee's
25 criminal history record information to the court for its consideration in determining the
26 suitability of the petitioner or nominee to serve as a guardian or conservator."

27

SECTION 2.

28 All laws and parts of laws in conflict with this Act are repealed.