

House Bill 46

By: Representative Mitchell of the 88th

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 1A of Title 20 of the Official Code of Georgia Annotated, relating to early
2 care and learning, so as to require a satisfactory child protective services report for
3 employees and directors of day-care centers and related child care facilities; to amend
4 Article 8 of Chapter 5 of Title 49 of the Official Code of Georgia Annotated, relating to the
5 Central Child Abuse Registry, so as to authorize the Division of Family and Children
6 Services of the Department of Human Services to provide certain information on the registry
7 to the Department of Early Care and Learning; to provide for related matters; to provide an
8 effective date; to repeal conflicting laws; and for other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

10 Chapter 1A of Title 20 of the Official Code of Georgia Annotated, relating to early care and
11 learning, is amended by revising Article 2, relating to background checks, as follows:

12 "ARTICLE 2

13 20-1A-30.

14 As used in this article, the term:

15 (1) 'Center' means a day-care center, group day-care home, family day-care home, or
16 child care learning center which is required to be licensed or registered under Article 1
17 of this chapter.

18 (1.1) 'Child protective services report' means a report from the abuse registry maintained
19 by the Division of Family and Children Services of the Department of Human Services
20 indicating whether a person appears on such registry and has any confirmed reports of
21 child abuse on the Child Protective Services Information System required to be
22 established by Code Section 49-5-181.

23 (2) 'Conviction' means a finding or verdict of guilty or a plea of guilty regardless of
24 whether an appeal of the conviction has been sought.
25

26 (3) 'Crime' means any felony; a violation of Code Section 16-5-23, relating to simple
27 battery, when the victim is a minor; a violation of Code Section 16-12-1, relating to
28 contributing to the delinquency of a minor; a violation of Chapter 6 of Title 16, relating
29 to sexual offenses; a violation of Code Section 16-4-1, relating to criminal attempt when
30 the crime attempted is any of the crimes specified by this paragraph; or any other offenses
31 committed in another jurisdiction which, if committed in this state, would be one of the
32 enumerated crimes listed in this paragraph.

33 (4) 'Criminal record' means:

34 (A) Conviction of a crime;

35 (B) Arrest, charge, and sentencing for a crime where:

36 (i) A plea of nolo contendere was entered to the charge;

37 (ii) First offender treatment without adjudication of guilt pursuant to the charge was
38 granted; provided, however, that this division shall not apply to a violation of Chapter
39 13 of Title 16, relating to controlled substances, or any other offense committed in
40 another jurisdiction which, if it were committed in this state, would be a violation of
41 Chapter 13 of Title 16 if such violation or offense constituted only simple possession;
42 or

43 (iii) Adjudication or sentence was otherwise withheld or not entered on the charge;
44 provided, however, that this division shall not apply to a violation of Chapter 13 of
45 Title 16, relating to controlled substances, or any other offense committed in another
46 jurisdiction which, if it were committed in this state, would be a violation of Chapter
47 13 of Title 16 if such violation or offense constituted only simple possession; or

48 (C) Arrest and being charged for a crime if the charge is pending, unless the time for
49 prosecuting such crime has expired pursuant to Chapter 3 of Title 17.

50 (5) 'Director' means the chief administrative or executive officer of a facility.

51 (5.1) 'Division' means the Division of Family and Children Services of the Department
52 of Human Services.

53 (6) 'Emergency temporary employee' means an employee other than a director whose
54 duties involve personal contact between that person and any child being cared for at the
55 facility and who is hired on an expedited basis to avoid noncompliance with staffing
56 standards for centers required by law, rule, or regulation.

57 (7) 'Employee' means any person, other than a director, employed by a center to perform
58 at any of the center's facilities any duties which involve personal contact between that
59 person and any child being cared for at the facility and also includes any adult person
60 who resides at the facility or who, with or without compensation, performs duties for the
61 center which involve personal contact between that person and any child being cared for
62 by the center.

- 63 (8) 'Employment history' means a record of where a person has worked for the past ten
64 years.
- 65 (9) 'Facility' means a center's real property at which children are received for care.
- 66 (10) 'Fingerprint records check determination' means a satisfactory determination or
67 unsatisfactory determination by the department based upon a records check comparison
68 of GCIC information with fingerprints and other information in a records check
69 application.
- 70 (11) 'GCIC' means the Georgia Crime Information Center established under Article 2 of
71 Chapter 3 of Title 35.
- 72 (12) 'GCIC information' means criminal history record information as defined in Code
73 Section 35-3-30.
- 74 (13) 'License' means the document issued by the department to authorize the center to
75 which it is issued to operate a facility.
- 76 (14) 'National fingerprint records check determination' means a satisfactory
77 determination or unsatisfactory determination by the department in accordance with
78 applicable law based upon a report from the Federal Bureau of Investigation after a
79 search of bureau records and fingerprints.
- 80 (15) 'Preliminary records check application' means an application for a preliminary
81 records check determination on forms provided by the department.
- 82 (16) 'Preliminary records check determination' means a satisfactory determination or
83 unsatisfactory determination by the department based only upon a comparison of GCIC
84 information with other than fingerprint information regarding the person upon whom the
85 records check is being performed.
- 86 (17) 'Records check application' means two sets of classifiable fingerprints, a records
87 search fee to be established by the board by rule and regulation, payable in such form as
88 the department may direct to cover the cost of a fingerprint records check under this
89 article, and an affidavit by the applicant disclosing the nature and date of any arrest,
90 charge, or conviction of the applicant for the violation of any law, except for motor
91 vehicle parking violations, whether or not the violation occurred in this state, and such
92 additional information as the department may require.
- 93 (18) 'Satisfactory determination' means a written determination that a person for whom
94 a records check was performed was found to have no criminal record.
- 95 (19) 'State fingerprint records check determination' means a satisfactory determination
96 or unsatisfactory determination by the department in accordance with applicable law
97 based upon a records check comparison of GCIC information with fingerprints and other
98 information in a records check application.

99 (20) 'Unsatisfactory determination' means a written determination that a person for
100 whom a records check was performed has a criminal record.

101 20-1A-31.

102 (a) Each center shall be required to obtain a separate license for each facility and shall
103 have a separate director for each facility.

104 (b) An applicant for a new license shall apply for a separate license for each new facility
105 in this state owned or operated by that applicant and shall have a separate director for each
106 such facility.

107 20-1A-32.

108 (a) Accompanying any application for a new license for a facility, the applicant shall
109 furnish to the department a records check application for the director and a satisfactory
110 preliminary records check determination for each employee of such facility. In lieu of such
111 records check applications, the applicant may submit evidence, satisfactory to the
112 department, that within the immediately preceding 12 months, the director received
113 satisfactory state and national fingerprint records check determinations, and each employee
114 received a satisfactory preliminary records check determination, or that any employee other
115 than the director whose preliminary records check determination revealed a criminal record
116 of any kind has either subsequently received satisfactory state and national fingerprint
117 records check determinations or has had the unsatisfactory determination reversed in
118 accordance with Code Section 20-1A-43 or other lawful provisions. The department may
119 either perform preliminary records checks under agreement with GCIC or contract with
120 GCIC and appropriate law enforcement agencies which have access to GCIC information
121 to have those agencies perform for the department a preliminary records check for each
122 preliminary records check application submitted thereto by the department. Either the
123 department or the appropriate law enforcement agencies may charge reasonable fees for
124 performing preliminary records checks.

125 (b) Accompanying any application for a new license for a facility, the applicant shall
126 furnish to the department a child protective services report application for the director and
127 each employee of such facility. The department shall obtain and the division shall provide
128 a child protective services report in a manner prescribed by the division.

129 20-1A-33.

130 (a) After being furnished the required records check application under Code Section
131 20-1A-32, the department shall notify in writing the license applicant as to each person for
132 whom ~~an~~ a records check application was received regarding whether the department's

133 determination as to that person's state fingerprint records check determination was
134 satisfactory or unsatisfactory. If the preliminary records check determination was
135 satisfactory as to each employee of an applicant's facility and the state fingerprint records
136 check determination was satisfactory as to the director, that applicant may be issued a
137 license for that facility if the applicant otherwise qualifies for a license under Article 1 of
138 this chapter. If the state or national fingerprint records check determination was
139 unsatisfactory as to the director of an applicant's facility, the applicant shall designate
140 another director for that facility after receiving notification of the determination and
141 proceed under Code Section 20-1A-32 and this Code section to obtain state and national
142 fingerprint records checks for that newly designated director. If the preliminary records
143 check determination for any employee other than the director revealed a criminal record
144 of any kind, such employee shall not be allowed to work in the center until he or she either
145 has obtained satisfactory state and national fingerprint records check determinations or has
146 had the unsatisfactory determination reversed in accordance with Code Section 20-1A-43
147 or other lawful provisions. If the determination was unsatisfactory as to any employee of
148 an applicant's facility, the applicant shall, after receiving notification of that determination,
149 take such steps as are necessary so that such person is no longer an employee. Any
150 employee other than the director who receives a satisfactory preliminary records check
151 determination shall not be required to obtain a fingerprint records check unless such an
152 employee has been designated as a director or as permitted by the provisions of subsection
153 (c) of Code Section 20-1A-39.

154 (b) After being furnished the required child protective services report, the department shall
155 notify in writing the license applicant as to each person for whom a records check
156 application was received regarding whether the department's determination as to that
157 person's child protective services report was satisfactory or unsatisfactory. If the child
158 protective services report was unsatisfactory as to the director of an applicant's facility, the
159 applicant shall designate another director for that facility after receiving notification of the
160 determination and proceed under Code Section 20-1A-32 and this Code section to obtain
161 a child protective services report for the newly designated director. If the child protective
162 services report for any employee other than the director revealed a confirmed report of
163 child abuse, such employee shall not be allowed to work in the center until he or she has
164 had the unsatisfactory determination reversed in accordance with Code Section 20-1A-43
165 or other lawful provisions. If the determination was unsatisfactory as to any employee of
166 an applicant's facility, the applicant shall, after receiving notification of that determination,
167 take such steps as are necessary so that such person is no longer an employee.

168 20-1A-34.

169 The department shall transmit to GCIC both sets of fingerprints and the records search fee
170 from each fingerprint records check application. Upon receipt thereof, GCIC shall
171 promptly transmit one set of fingerprints to the Federal Bureau of Investigation for a search
172 of bureau records and an appropriate report and shall retain the other set and promptly
173 conduct a search of its records and records to which it has access. Within ten days after
174 receiving fingerprints acceptable to GCIC, the application, and fee, GCIC shall notify the
175 department in writing of any derogatory finding, including, but not limited, to any criminal
176 record, of the state fingerprint records check or if there is no such finding. After a search
177 of Federal Bureau of Investigation records and fingerprints and upon receipt of the bureau's
178 report, the department shall make a national fingerprint records check determination.

179 20-1A-35.

180 After receiving a Federal Bureau of Investigation report regarding a national fingerprint
181 records check determination under Code Section 20-1A-34, the department shall make a
182 determination based thereon and notify in writing the license applicant as to whether that
183 records check was satisfactory or unsatisfactory. If the national fingerprint records check
184 determination was unsatisfactory as to the director of an applicant's facility, after receiving
185 notification of that determination, that applicant shall designate another director for such
186 facility for ~~which director~~ whom the applicant has not received or made an unsatisfactory
187 preliminary records check determination or fingerprint records check determination and
188 proceed under the requirements of Code Sections 20-1A-32 through 20-1A-34 and this
189 Code section to obtain state and national fingerprint records check determinations for the
190 newly designated director. The director may begin working upon the receipt of a
191 satisfactory state fingerprint records check determination pending the receipt of the national
192 fingerprint records check determination from the department. The department may revoke
193 the license of that facility if the facility fails to comply with the requirements of this Code
194 section and Code Section 20-1A-33 to receive satisfactory state and national fingerprint
195 records check determinations on the director or to comply with Code Section 20-1A-33
196 regarding employees other than the director.

197 20-1A-36.

198 (a) No facility operated as an early care and education program or similar facility or any
199 operator of such a facility shall employ any person who has been convicted of or who has
200 entered a plea of guilty or nolo contendere to any offense specified in Code Section
201 16-12-1.1 or allow any such person to reside at or be domiciled at such facility in violation
202 of Code Section 16-12-1.1. The department shall either deny the issuance of or revoke the

203 license, commission, or registration of any such facility violating the provisions of this
 204 ~~Code section subsection~~. The powers and duties set forth in this ~~Code section subsection~~
 205 are cumulative and not intended to limit the powers and duties set forth throughout this
 206 article.

207 (b) No facility operated as an early care and education program or similar facility or any
 208 operator of such a facility shall employ any person who has a child protective services
 209 report that reveals a confirmed report of child abuse, or allow any such person to reside at
 210 or be domiciled at such facility. The department shall either deny the issuance of or revoke
 211 the license, commission, or registration of any such facility violating the provisions of this
 212 subsection. The powers and duties set forth in this subsection are cumulative and not
 213 intended to limit the powers and duties set forth throughout this article. Every employee
 214 of a facility shall have a satisfactory child protective services report prior to being
 215 employed by the facility.

216 20-1A-37.

217 (a) Notwithstanding any other provision of this article, an individual who resides in a
 218 family day-care home, as defined by Code Section 20-1A-2, shall not be required to
 219 provide fingerprints for routine fingerprints records checks if the operator of the family
 220 day-care home provides the department with an affidavit stating that such individual is not
 221 present in the home at the same time as the children who are received for pay for
 222 supervision and care. However, all persons residing in a family day-care home are required
 223 to obtain satisfactory preliminary records ~~checks~~ check determinations and are also
 224 required to obtain a satisfactory child protective services report and submit them both to
 225 the department.

226 (b) As an alternative to the requirements set out in this article pertaining to obtaining
 227 preliminary criminal records check determinations through the department for employees
 228 of centers and adults residing in a family day-care home, but not including directors of
 229 centers, centers may obtain GCIC information through local law enforcement agencies.
 230 The center shall be responsible for reviewing the GCIC information obtained for the
 231 potential employee or adult residing in the family day-care home and making a written
 232 determination that the individual does not have a criminal record as defined in this article.
 233 This written determination, together with all supporting documentation received from any
 234 law enforcement agency, ~~must~~ shall be maintained in the center's file and available for
 235 inspection by the department. This satisfactory determination ~~must~~ shall be made before
 236 the employee begins any duties for the center. However, where there is an urgent need for
 237 an emergency temporary employee to work at a center's facility in order to avoid
 238 immediate noncompliance with staffing requirements, such center may utilize the applicant

239 as an emergency temporary employee after ~~applying for~~ submitting the preliminary records
240 check application through the local law enforcement agency and completing the affidavit.
241 In such emergency situations, the director of the center ~~must~~ shall complete an affidavit,
242 with all supporting documentation attached thereto, stating that the GCIC information has
243 been requested through an identified local law enforcement agency and that the results
244 were not immediately available to the center prior to assigning the employee to work with
245 children at the center's facility in order to avoid immediate noncompliance with staffing
246 ratios. The affidavit with supporting documentation ~~must~~ shall be maintained in the
247 center's file on the individual and available to the department for inspection. The director
248 shall review the GCIC information upon receipt, but in no case shall an emergency
249 temporary employee be permitted to continue working for more than three days without
250 having a satisfactory determination made by the director and entered into the center's file
251 on the employee with all supporting documentation. The department shall promulgate
252 rules and regulations limiting the extent to which centers are authorized to use emergency
253 temporary employees in accordance with this subsection. Employees, emergency
254 temporary employees, and other adults required to have records checks who are utilized by
255 centers are subject to all other requirements set forth in this article. Where the department
256 has reason to question the validity of the GCIC information or the satisfactory
257 determination made by the center, the department may require the employee, emergency
258 temporary employee, or other adult to submit a preliminary ~~criminal~~ records check
259 application through the department together with appropriate fees.

260 20-1A-38.

261 (a) If the director of a facility which has been issued a license ceases to be the director of
262 that facility, the licensee shall thereupon designate a new director. After such change, the
263 licensee of that facility shall notify the department of such change and of any additional
264 information the department may require regarding the newly designated director of that
265 facility. Such information shall include, but not be limited to, any information the licensee
266 may have regarding preliminary records check determinations or any fingerprint records
267 check determinations regarding that director. After receiving a change of director
268 notification, the department shall make a written determination from the information
269 furnished with such notification and the department's own records as to whether
270 satisfactory or unsatisfactory preliminary records check determinations or state and
271 national fingerprint records check determinations have ever been made for the newly
272 designated director. If the department determines that such director within 12 months prior
273 thereto has had satisfactory state and national fingerprint records check determinations,
274 such determinations shall be deemed to be satisfactory state and national fingerprint

275 records check determinations as to that director. The license of that facility shall not be
276 adversely affected by that change in director, and the licensee shall be so notified.

277 (b) If the department determines under subsection (a) of this Code section that there has
278 ever been an unsatisfactory preliminary records check determination or state or national
279 fingerprint records check determination of the newly designated director which has not
280 been legally reversed, the center and that director shall be so notified. The license for that
281 director's facility shall be indefinitely suspended or revoked unless the center designates
282 another director for whom it has not received or made an unsatisfactory preliminary records
283 check determination or state or national fingerprint records check determination and
284 proceeds pursuant to the provisions of this Code section relating to a change of director.

285 (c) If the department determines under subsection (a) of this Code section that there have
286 been no state and national fingerprint records check determinations regarding the newly
287 designated director within the immediately preceding 12 months, the department shall so
288 notify the center. The center shall furnish to the department the fingerprint records check
289 application of the newly designated director after the date the notification is sent by the
290 department, or the license of that facility shall be indefinitely suspended or revoked. If that
291 fingerprint records check application is so received, unless the department has within the
292 immediately preceding 12 months made a satisfactory state fingerprint records check
293 determination regarding the newly designated director, the department shall perform a state
294 fingerprint records check determination of the newly designated director, and the applicant
295 and that director shall be so notified. If that determination is unsatisfactory, the provisions
296 of subsection (b) of this Code section regarding procedures after notification shall apply.
297 If that determination is satisfactory, the department shall perform a national fingerprint
298 records check determination for that director as provided in Code Sections 20-1A-34 and
299 20-1A-35. The director may begin working upon the receipt of a satisfactory state
300 fingerprint records check determination pending the receipt of the national fingerprint
301 records check determination from the department. If that determination is satisfactory, the
302 center and director for whom the determination was made shall be so notified after the
303 department makes its determination, and the license for the facility at which that person is
304 the newly designated director shall not be adversely affected by that change of director.
305 If that determination is unsatisfactory, the provisions of subsection (b) of this Code section
306 shall apply.

307 (d) Prior to the employment of a newly designated director, such director shall have
308 completed a child protective services report and shall receive a satisfactory determination
309 indicating that he or she has no record of child abuse.

310 20-1A-39.

311 (a) Before a person may become an employee other than a director of any center after that
312 center has received a license, that center shall require that person to obtain a satisfactory
313 preliminary records check determination and a satisfactory child protective services report.

314 The center shall maintain documentation in the employee's personnel file, which is
315 available to the department upon request, which reflects that a satisfactory preliminary
316 criminal records check ~~was~~ determination and a satisfactory child protective services report
317 were received before the employee began working with children. If the preliminary
318 records check determination for any potential employee other than the director reveals a
319 criminal record of any kind, such potential employee shall not be allowed to begin working
320 until either such potential employee has obtained satisfactory state and national fingerprint
321 records check determinations or has had the unsatisfactory preliminary records check
322 determination or fingerprint records check determination reversed in accordance with Code
323 Section 20-1A-43 or other lawful provisions. If either the preliminary records check
324 determination or state or national fingerprint records check determination is unsatisfactory,
325 the center shall, after receiving notification of the determination, take such steps as are
326 necessary so that such person is no longer an employee. Any potential employee other than
327 the director who receives a satisfactory preliminary records check determination shall not
328 be required to obtain a fingerprint records check determination except as permitted in
329 accordance with subsection (c) of this Code section. If the child protective services report
330 is unsatisfactory, such potential employee shall not be allowed to begin working until he
331 or she has had the unsatisfactory child protective services report reversed or removed.

332 (b) A license ~~is~~ shall be subject to suspension or revocation and the department may refuse
333 to issue a license if a director or employee does not undergo the records and fingerprint
334 checks or a child protective services report applicable to that director or employee and
335 receive satisfactory determinations.

336 (c) After the issuance of a license, the department may require a fingerprint records check
337 on any director or employee to confirm identification for records search purposes; when
338 the department has reason to believe the employee has a criminal record that renders the
339 employee ineligible to have contact with children in the center; or during the course of a
340 child abuse investigation involving the director or employee.

341 (d) No center ~~may~~ shall hire any person as an employee unless there is on file in the center
342 an employment history, a satisfactory child protective services report, and a satisfactory
343 preliminary records check determination or, if the preliminary records check determination
344 revealed a criminal record of any kind as to such person, either satisfactory state fingerprint
345 records check determinations and satisfactory national fingerprint records check

346 determinations for that person or proof that an unsatisfactory determination has been
347 reversed in accordance with Code Section 20-1A-43 or other lawful provisions.

348 (e) A director of a facility having an employee whom that director knows or should
349 reasonably know to have a criminal record or record of confirmed child abuse that renders
350 the employee ineligible to have contact with children in the center shall be guilty of a
351 misdemeanor.

352 20-1A-40.

353 (a) GCIC and law enforcement agencies which have access to GCIC information shall
354 cooperate with the department in performing preliminary and fingerprint records checks
355 required under this article and shall provide such information so required for such records
356 checks notwithstanding any other law to the contrary and may charge reasonable fees
357 therefor.

358 (b) Any person who knowingly and under false pretenses requests, obtains, or attempts to
359 obtain GCIC information otherwise authorized to be obtained pursuant to this article, or
360 who knowingly communicates or attempts to communicate such information obtained
361 pursuant to this article to any person or entity except in accordance with this article, or who
362 knowingly uses or attempts to use such information obtained pursuant to this article for any
363 purpose other than as authorized by this article shall be fined not more than \$5,000.00,
364 imprisoned for not more than two years, or both.

365 20-1A-41.

366 (a) Neither GCIC, the department, any law enforcement agency, nor the employees of any
367 such entities shall be responsible for the accuracy of information nor have any liability for
368 defamation, invasion of privacy, negligence, or any other claim in connection with any
369 dissemination of information or determination based thereon pursuant to this article.

370 (b) A center, its director, and its employees shall have no liability for defamation, invasion
371 of privacy, or any other claim based upon good faith action thereby pursuant to the
372 requirements of this article.

373 20-1A-42.

374 The requirements of this article are supplemental to any requirements for a license imposed
375 by Article 1 of this chapter.

376 20-1A-43.

377 A determination by the department regarding preliminary or fingerprint records checks or
378 regarding a satisfactory child protective services report under this article, or any action by

379 the department revoking, suspending, or refusing to grant or renew a license based upon
 380 such determination, shall constitute a contested case for purposes of Chapter 13 of Title 50,
 381 the 'Georgia Administrative Procedure Act,' except that any hearing required to be held
 382 pursuant thereto may be held reasonably expeditiously after such determination or action
 383 by the department. It is expressly provided that upon motion from any party, the hearing
 384 officer may, in his or her discretion, consider matters in mitigation of any conviction,
 385 provided that the hearing officer examines the circumstances of the case and makes an
 386 independent finding that no physical harm was done to a victim and also examines the
 387 character and employment history since the conviction and determines that there is no
 388 propensity for cruel behavior or behavior involving moral turpitude on the part of the
 389 person making a motion for an exception to sanctions normally imposed. If the hearing
 390 officer deems a hearing to be appropriate, he or she ~~will~~ shall also notify at least 30 days
 391 prior to such hearing the office of the prosecuting attorney who initiated the prosecution
 392 of the case in question in order to allow the prosecutor to object to a possible determination
 393 that the conviction would not be a bar for the grant or continuation of a license or
 394 employment as contemplated within this chapter. If objections are made, the hearing
 395 officer will take such objections into consideration in considering the case.

396 20-1A-44.

397 The board is authorized to provide by regulation for the administration of this article."

398 **SECTION 2.**

399 Article 8 of Chapter 5 of Title 49 of the Official Code of Georgia Annotated, relating to the
 400 Central Child Abuse Registry, is amended by revising Code Section 49-5-185, relating to
 401 access to information in the registry, as follows:

402 "49-5-185.

403 (a) Except as otherwise provided in subsection (c) of this Code section and subsection (b)
 404 of Code Section 49-5-186, only an abuse investigator, medical examiner, coroner, or
 405 out-of-state abuse investigator which has investigated, or is investigating, a case of possible
 406 child abuse shall be provided any information from the abuse registry and shall only be
 407 provided information relating to that case for purposes of using that information in such
 408 investigation.

409 (b) The department shall provide the Governor's office, the General Assembly, district
 410 attorneys, and law enforcement agencies with a statistical analysis of reported cases from
 411 the abuse registry at the end of each calendar year. This analysis shall not include the
 412 names of any children, parents, or persons alleged to have committed child abuse. This

413 analysis shall not be protected by any laws prohibiting the dissemination of confidential
414 information.

415 (c)(1) A person may make a written request to any DFACS office to find out whether
416 such person's name is included on the abuse registry. Upon presentation of a passport,
417 military identification card, driver's license, or identification card authorized under Code
418 Sections 40-5-100 through 40-5-104, the DFACS office receiving such request shall
419 disclose to such person whether that person's name is included on the abuse registry and,
420 if so, whether the report is classified as confirmed or unconfirmed, the date upon which
421 the person's name was listed on the registry, and the county in which the investigation
422 was conducted which resulted in such inclusion.

423 (2) The DFACS office receiving a request from the Department of Early Care and
424 Learning to find out whether a person's name is included on the abuse registry shall
425 disclose to the Department of Early Care and Learning whether that person's name is
426 included on the abuse registry and, if so, whether the report is classified as confirmed or
427 unconfirmed, the date upon which the person's name was listed on the registry, and the
428 county in which the investigation was conducted which resulted in such inclusion."

429 **SECTION 3.**

430 This Act shall become effective on July 1, 2013.

431 **SECTION 4.**

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