

The Senate Committee on Judiciary Non-Civil offers the following substitute to HB 452:

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 4 of Chapter 13 of Title 19 of the Official Code of Georgia Annotated,
2 relating to the Family Violence and Stalking Protective Order Registry, so as to provide for
3 registration of pretrial release orders that prohibit contact with others issued in this state and
4 in foreign courts; to revise the short title; to revise definitions; to provide for conforming
5 references to the defined terms; to provide for related matters; to repeal conflicting laws; and
6 for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Article 4 of Chapter 13 of Title 19 of the Official Code of Georgia Annotated, relating to the
10 Family Violence and Stalking Protective Order Registry, is amended by revising Code
11 Section 19-13-50, relating to the short title, as follows:

12 "19-13-50.

13 This article shall be known and may be cited as the ~~'Family Violence and Stalking~~
14 ~~'Protective Order Registry Act.'~~"

15 **SECTION 2.**

16 Said article is further amended by revising paragraphs (3), (5), and (7) of Code Section
17 19-13-51, relating to definitions, as follows:

18 "(3) 'Foreign protective order' means any temporary ~~protective order of protection,~~
19 ~~protective order of protection,~~ restraining order, ~~or injunction,~~ pretrial release order, or
20 sentencing order that prohibits contact, acts of family violence, or stalking ~~or both~~ issued
21 by a foreign court ~~of competent jurisdiction in another state, territory, or tribal~~
22 ~~jurisdiction in the United States."~~

23 "(5) 'Modification' means any amendment, dismissal, or continuance ~~of a protective~~
24 ~~order."~~

25 "(7) 'Protective order' means ~~any:~~

60 order or modification thereof from the clerk of court. The inability to enter information for
61 all data fields in the registry shall not delay the entry of available information."

62 "(e) The entry of a protective order in the registry shall not be a prerequisite for
63 enforcement of a ~~valid~~ protective order."

64 **SECTION 5.**

65 Said article is further amended by revising subsection (a) of Code Section 19-13-54, relating
66 to foreign protective orders, as follows:

67 "(a) A petitioner who obtains a ~~valid~~ foreign protective order may file that order by filing
68 a certified copy of the foreign protective order with any clerk of court of the superior court
69 in this state."

70 **SECTION 6.**

71 Said article is further amended by revising subsection (a) of Code Section 19-13-56, relating
72 to liability of court or law enforcement personnel, as follows:

73 "(a) The state and any local or state law enforcement officer, court official, or official of
74 the registry shall be held harmless for any delay or failure to file a protective order or
75 modification thereof, to transmit information contained in a protective orders order or
76 modification thereof, or to enter such information in the registry."

77 **SECTION 7.**

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