

House Bill 827

By: Representatives Holcomb of the 81st, Bennett of the 80th, Pak of the 108th, Quick of the 117th, Abrams of the 89th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 1 of Title 35 of the Official Code of Georgia Annotated, relating to
2 general provisions for law enforcement officers and agencies, so as to provide requirements
3 for submitting certain evidence collected from a forensic medical examination to the Georgia
4 Bureau of Investigation; to provide for a definition; to provide for procedure; to provide for
5 reporting; to provide for a short title; to provide for related matters; to repeal conflicting
6 laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 This Act shall be known and may be cited as the "Pursuing Justice for Rape Victims Act."

10 **SECTION 2.**

11 Chapter 1 of Title 35 of the Official Code of Georgia Annotated, relating to general
12 provisions for law enforcement officers and agencies, is amended by revising Code Section
13 35-1-2, which was previously reserved, as follows:

14 "35-1-2.

15 (a) As used in this Code section, the term 'division' means the Division of Forensic
16 Sciences of the Georgia Bureau of Investigation.

17 (b) It shall be the duty of every law enforcement officer who is responsible for having a
18 forensic medical examination performed on an individual pursuant to subsection (c) of
19 Code Section 16-6-1 or subsection (c) of Code Section 16-6-2, wherein evidence is
20 collected, to:

21 (1) Provide e-mail notification to the division within 72 hours of collecting such
22 evidence that such evidence has been collected; and

23 (2) Ensure that such evidence is submitted to the division within 30 days of it being
24 collected in accordance with the procedures established by the division, whether or not
25 the evidence is going to be tested.

26 (c) It shall be the duty of every law enforcement agency to create a list of evidence
27 resulting from a forensic medical examination performed on an individual pursuant to
28 subsection (c) of Code Section 16-6-1 or subsection (c) of Code Section 16-6-2 that is in
29 such agency's possession on July 1, 2016, identifying such evidence as needing to be tested
30 or needing to be stored and submit such listing of information to the division by September
31 1, 2016. If such evidence has been stored, it shall be submitted to the division by
32 November 1, 2016, in accordance with the procedures established by the division.
33 (d) Beginning December 1, 2016, the division shall issue an annual report detailing the
34 number of cases for which it has tested evidence and the number of cases for which it is
35 storing evidence pursuant to this Code section. Such report shall be provided to the
36 Speaker of the House of Representatives, the Lieutenant Governor, the House Committee
37 on Judiciary, Non-civil, and the Senate Judiciary, Non-civil Committee. Reserved."

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SECTION 3.

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