

House Bill 846

By: Representatives Watson of the 172nd, Welch of the 110th, Strickland of the 111th, Rutledge of the 109th, and Knight of the 130th

A BILL TO BE ENTITLED
AN ACT

1 To amend Title 42 of the Official Code of Georgia Annotated, relating to penal institutions,
2 so as to revise requirements for notification of crime victims of impending release of an
3 offender from imprisonment; to revise requirements for notification of projected release dates
4 of inmates; to 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 Title 42 of the Official Code of Georgia Annotated, relating to penal institutions, is amended
8 by revising subsection (b) of Code Section 42-1-11, relating to notification of crime victim
9 of impending release of offender from imprisonment, as follows:

10 "(b) If the identity of a victim of a crime has been verified by the prosecuting attorney,
11 who has, at the request of such victim, mailed a letter to the custodial authority requesting
12 that the victim be notified of a change in the custodial status of an offender, then the
13 custodial authority shall make a good faith effort to notify the victim that the offender is
14 to be released from imprisonment, including release on extended furlough; transferred to
15 work release; released by mandatory release upon expiration of sentence; released into the
16 custody of any other state or the federal government; released from a compacting state
17 made pursuant to Article 4 of Chapter 9 of this title; or has escaped from confinement; or
18 if the offender has died. The good faith effort to notify the victim must occur prior to the
19 release or transfer noted in this subsection. For a victim of a felony crime against the
20 person or sexual offense for which the offender was sentenced to a term of imprisonment
21 of more than 18 months, the good faith effort to notify the victim must occur no later than
22 ten days before the offender's release from imprisonment, transfer to or release from work
23 release, or as soon thereafter as is practical in situations involving emergencies."

24 **SECTION 2.**

25 Said title is further amended by revising Code Section 42-5-9, relating to notification of
26 projected release date of inmate, as follows:

27 "42-5-9.

28 (a) At least 15 days prior to the projected release date of any inmate scheduled to be
29 released pursuant to the authority of the department, including, but not limited to, any
30 release of an inmate into the custody of any other state or the federal government and any
31 release of an inmate from a compacting state made pursuant to Article 4 of Chapter 9 of
32 this title, the department shall notify the following persons of such projected release date
33 by the following methods:

34 (1) Each district attorney and all local law enforcement agencies throughout the state by
35 making the necessary information available on a publicly accessible website; and

36 (2) The presiding judge and the victims of crimes against the person by mail or electronic
37 transmission. Notice to the victim shall only be required when the victim has provided
38 the department with his or her current address. The notice to the victim or victims as
39 required by the department in this Code section shall be reasonable notice and no liability
40 or sanctions to the department related to notification or failure to notify shall lie against
41 the department, its officers, or employees if said attempt at notice is of a reasonable
42 effort.

43 (b) A notification of release involving a release into the custody of any other state or the
44 federal government shall specifically include the name of the state or federal government
45 agency into whose custody the inmate will be released."

46 **SECTION 3.**

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