

Senate Bill 127

By: Senators Kennedy of the 18th, Shafer of the 48th, Albers of the 56th, Black of the 8th, Kirk of the 13th and others

A BILL TO BE ENTITLED  
AN ACT

1 To amend Code Section 17-17-15 of the Official Code of Georgia Annotated, relating to the  
2 failure to provide notice not rendering responsible person liable or comprising a basis for  
3 error, the chapter not conferring standing, existing rights not affected, and waiver of rights  
4 by victim, so as to allow a victim to file a motion in a criminal case to assert his or her rights;  
5 to provide for related matters; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

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

8 Code Section 17-17-15 of the Official Code of Georgia Annotated, relating to the failure to  
9 provide notice not rendering responsible person liable or comprising a basis for error, the  
10 chapter not conferring standing, existing rights not affected, and waiver of rights by victim,  
11 is amended by revising subsection (c) as follows:

12 "(c) This chapter ~~does~~ shall not confer upon a victim any standing to participate as a party  
13 in a criminal proceeding or to contest the disposition of any charge; provided, however,  
14 that a victim may file a motion to bring to the court's attention allegations that this chapter  
15 has not been complied with and may seek a hearing on such motion. Such motion shall be  
16 filed in the criminal case and the victim shall serve the motion on the prosecuting attorney  
17 and the defendant. The court may set the motion for a hearing or issue an order disposing  
18 of the motion."

19 style="text-align:center">**SECTION 2.**

20 All laws and parts of laws in conflict with this Act are repealed.