

House Bill 1207

By: Representatives Reese of the 140th, Lupton of the 83rd, Campbell of the 35th, Jones of the 60th, and Olaleye of the 59th

A BILL TO BE ENTITLED
AN ACT

1 To amend Title 19 of the Official Code of Georgia Annotated, relating to domestic relations,
2 so as to provide for the creation of a registry of recidivist domestic violence offenders; to
3 provide for the maintenance of and access to such registry; to provide for clerks of court to
4 provide information to the Georgia Crime Information Center; to provide for the registration
5 of recidivist domestic violence offenders; to provide for the assessment of fees on recidivist
6 domestic violence offenders; to provide for the removal of such offenders from the registry;
7 to provide for rules and regulations; to provide for immunity; to provide for definitions; to
8 provide for applicability; to provide for related matters; to repeal conflicting laws; and for
9 other purposes.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

11 **SECTION 1.**

12 Title 19 of the Official Code of Georgia Annotated, relating to domestic relations, is
13 amended by adding a new chapter to read as follows:

14 "CHAPTER 13B

15 19-13B-1.

16 As used in this chapter, the term:

17 (1) 'Convicted' or 'conviction' means any final judgment of conviction entered upon a
18 verdict or finding of guilty of a crime, a plea of guilty, or a plea of nolo contendere.

19 (2) 'Domestic violence' means family violence as such term is defined in Code
20 Section 19-13-1 or dating violence as such term is defined in Code Section 19-13A-1.

21 (3) 'Recidivist domestic violence offender' means a person who:

22 (A) Has been convicted in this state of a felony that qualifies as domestic violence; or

23 (B) Has been convicted in this state of any offense that qualifies as domestic violence
24 and has at least one prior conviction for an offense that qualifies as domestic violence.

25 (4) 'Registry' means the recidivist domestic violence offender registry established under
26 this chapter.

27 19-13B-2.

28 (a) There is created a recidivist domestic violence offender registry to serve as a searchable
29 database of recidivist domestic violence offenders in this state. The registry shall be
30 maintained by the Georgia Crime Information Center and shall be made available to the
31 public on the Georgia Bureau of Investigation's website.

32 (b)(1) If a person is convicted of a felony that qualifies as domestic violence or is
33 convicted of any domestic violence offense and has at least one prior conviction for a
34 domestic violence offense, the sentencing court shall order such person to register as a
35 recidivist domestic violence offender under this chapter.

36 (2) If the court orders a recidivist domestic violence offender to register under this
37 subsection, the clerk of such court shall electronically transmit a copy of any such
38 domestic violence conviction and sentence, and a photograph of the person convicted of

39 such offense, to the Georgia Crime Information Center within 60 days of entry of any
40 such conviction and sentence.

41 (c) Within seven days of receiving the records from the clerk of court pursuant to
42 subsection (b) of this Code section, the Georgia Crime Information Center shall update the
43 registry to include:

44 (1) The recidivist domestic violence offender's name and any aliases, year of birth, and
45 photograph;

46 (2) The domestic violence offense or offenses for which such person has been convicted,
47 including any prior domestic violence convictions;

48 (3) The county or counties where such convictions were entered; and

49 (4) The sentence imposed for each such conviction.

50 (d) The Georgia Bureau of Investigation may request additional information, including
51 copies of each recidivist domestic violence offender's driver's license, or other state or
52 federal identification, and such other identifying data the Georgia Bureau of Investigation
53 deems necessary to identify a recidivist domestic violence offender and exclude innocent
54 individuals; provided, however, that the registry shall not include the address, social
55 security number, driver's license number, or any other state or federal identification number
56 of any recidivist domestic violence offender.

57 (e) Except as otherwise provided in subsection (f) of this Code section, the information
58 entered into the registry for a recidivist domestic violence offender shall remain in the
59 registry for:

60 (1) Two years after the date of the most recent conviction for a domestic violence offense
61 if the defendant has one prior conviction for a domestic violence offense;

62 (2) Five years after the date of the most recent conviction for a domestic violence offense
63 if the defendant has two prior convictions for a domestic violence offense; and

64 (3) Ten years after the date of the most recent conviction for a domestic violence offense
65 if the defendant has three or more prior convictions for a domestic violence offense.

66 (f)(1) A person who has been placed on the registry may submit a written request to the
67 Georgia Crime Information Center seeking removal from the registry if such person has
68 reason to believe that he or she was placed on the registry in error or if such person
69 remains on the registry after his or her qualifying sentences have been completed under
70 subsection (e) of this Code section.

71 (2) Within 60 days of receiving a removal request, the Georgia Crime Information Center
72 shall review the person's placement on the registry, shall make a determination as to
73 whether such person should be removed from the registry, and shall notify the person of
74 such decision in writing.

75 (3) If a person disagrees with the Georgia Crime Information Center's decision under
76 paragraph (2) of this subsection, he or she may seek judicial review in a court of
77 competent jurisdiction within 30 days of receiving such decision.

78 (g) The Georgia Bureau of Investigation is authorized to promulgate rules and regulations
79 necessary to implement and carry out the provisions of this chapter.

80 19-3B-3.

81 A recidivist domestic violence offender required to register pursuant to this chapter shall
82 be assessed a registration fee of \$150.00, which shall be paid to the clerk of the sentencing
83 court. The clerk of such sentencing court shall withhold \$50.00 of the fee for the
84 administration of this chapter and remit \$100.00 of the fee to the general fund of the state
85 treasury.

86 19-13B-4.

87 No person or entity shall be liable for any actions taken in good faith under this chapter."

88 **SECTION 2.**

89 This Act shall apply to persons convicted of a domestic violence offense on or after
90 January 1, 2027.

91 **SECTION 3.**

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