

The Senate Committee on Children and Families offered the following substitute to SB 324:

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 18 of Title 50 of the Official Code of Georgia Annotated, relating to state
2 printing and documents, so as to provide for a victim centered address confidentiality
3 program; to provide for application to such program; to provide for designation of
4 confidential addresses; to provide for certification of program participants; to provide for
5 renewal and cancellation of certifications; to provide for training; to provide for related
6 matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Chapter 18 of Title 50 of the Official Code of Georgia Annotated, relating to state printing
10 and documents, is amended by adding a new article to read as follows:

11 "ARTICLE 8

12 50-18-150.

13 As used in this article, the term:

14 (1) 'Confidential address' means a participant's residential address or other address or
15 addresses that could be used to physically locate the participant, including a school
16 attended by the participant or the participant's place of employment.

17 (2) 'Designated address' means the publicly available address provided by a participant
18 to the office.

19 (3) 'Governmental entity' means:

20 (A) Every state department, agency, board, bureau, office, commission, public
21 corporation, and authority;

22 (B) Every county, municipal corporation, school district, or other political subdivision
23 of this state;

24 (C) Every department, agency, board, bureau, office, commission, authority, or similar
25 body of each such county, municipal corporation, or other political subdivision of the
26 state; and

27 (D) Every city, county, regional, or other authority established pursuant to the laws of
28 this state.

29 (4) 'Office' means the office of the Secretary of State.

30 (5) 'Participant' means an individual who is currently certified to participate in the
31 program pursuant to this article.

32 (6) 'Program' means the victim centered address confidentiality program established by
33 this article.

34 (7) 'Victim advocate' means an employee or volunteer of the office who serves victims
35 of domestic violence, dating violence, sexual assault, stalking, or human trafficking and
36 who has completed training pursuant to Code Section 50-18-152 to assist individuals in
37 completing applications for the program.

50-18-151.

(a) There is created within the office of the Secretary of State a victim centered address confidentiality program.

(b) An individual who is changing his or her residence and who is at least 18 years of age or an emancipated minor may apply to the program, with or without the assistance of a victim advocate, for certification as a participant by the office upon providing an affidavit affirming that the disclosure of his or her actual address or addresses will increase the risk that he or she will be threatened or physically harmed by another person or that he or she has been a victim of domestic violence, dating violence, sexual assault, stalking, or human trafficking.

(c) In order to be certified as a participant in the program, an individual shall submit to the office an application containing:

(1) The full legal name and date of birth of the individual;

(2) A knowing and voluntary designation of the office as the individual's agent for the purposes of receiving mail and service of process;

(3) The mailing address, telephone number, and email address, if applicable, at which the office may contact the individual;

(4) An acknowledgment that the individual is requesting that his or her confidential address not be disclosed;

(5) The signature of the individual, the name of the victim advocate who assisted the individual, if applicable, and the date the application was signed;

(6) At the discretion of the office and for evaluation purposes, an option for the individual to select the type of offense the individual believes warrants the need for participation in the program. The office may not consider information provided or withheld pursuant to this paragraph as certifying the participant; and

(7) A letter from a victim advocate or a provider, as that term is defined in Code Section 37-11-3, indicating that they have received services related to their victimization.

(d) Upon receipt of an application in compliance with subsection (c) of this Code section, the office shall:

(1) Certify the individual as a participant;

(2) Issue the participant an address confidentiality card containing the name of and a unique identification number for the participant and the designated address of the participant;

(3) Classify each eligible address listed in the application as a confidential address;

(4) Provide the participant with information concerning the manner in which the participant may use the office as the agent of the participant for the purposes of receiving mail and service of process; and

(5) Provide the participant with information regarding methods to protect a confidential address, including, but not limited to, information regarding the risks of disclosing the confidential address to other persons and the risks of using social media and other similar technologies, including geotagging photographs, and other information that the office determines would help the participant protect his or her confidential address. A participant shall update information provided in an application within 30 days after a change to that information has occurred by submitting a notice of change to the office on a form prescribed by the office.

(e) A participant's certification shall be valid for four years. A participant who continues to be eligible for the program pursuant to this article may renew the certification of the participant. The renewal application shall be received by the office within 60 days prior to the end of the four-year certification period. The renewal application shall be on a form prescribed by the office and shall meet the requirements of this article. A renewal of certification of a participant shall not alter the unique identification number issued pursuant to subsection (d) of this Code section.

90 (f) The certification continuance application shall be on a form prescribed by the office,
91 shall meet the requirements of this article, and shall inform the participant of his or her
92 right to choose to continue or discontinue in the program.

93 (g) An application submitted pursuant to this article and the information of a participant
94 shall be confidential, shall not be a public record, shall be exempt from disclosure pursuant
95 to Article 4 of Chapter 18 of Title 50 or any similar law, and may only be disclosed as
96 authorized pursuant to this article.

97 (h) An offender who is required to register pursuant to Code Section 42-1-12 shall not be
98 eligible to submit an application and shall not be certified as a participant.

99 (i) A confidential address shall not be a public record and shall be exempt from disclosure
100 pursuant to Article 4 of Chapter 18 of Title 50 or any similar law, except as otherwise
101 provided in this article.

102 (j) A participant may withdraw from the program at any time by providing written notice
103 of such withdrawal to the office.

104 (k) No individual shall apply for certification as a participant with the intent of avoiding
105 prosecution or a lawful court order.

106 (l) The office shall promulgate rules and regulations as necessary to implement the
107 provisions of this article.

108 50-18-152.

109 (a) The office shall develop and offer a training program for victim advocates to obtain
110 certification pursuant to this article. The training program shall, at a minimum, include:

111 (1) Exhaustive information regarding the program;

112 (2) Methods for assisting applicants with completing application forms;

113 (3) Criteria for determining program eligibility;

114 (4) Information to be provided to participants pursuant to subsection (d) of Code
115 Section 50-18-151; and

(5) Instruction on how to submit completed applications and supporting documents to the office.

(b) The office shall certify a person applying for certification as a victim advocate pursuant to this article if that person has completed the training program pursuant to this Code section. The office shall make available on its website contact information for the organizations that have certified victim advocates.

(c) There shall be no fee or charge to any participant for any services provided by a victim advocate pursuant to this article.

50-18-153.

(a) Upon a participant providing a copy of his or her address confidentiality card to a governmental entity and requesting that such governmental entity only use his or her designated address, the governmental entity shall only use the participant's designated address.

(b) If a participant's employer, or a school or institution of higher education attended by the participant, is not a governmental entity, the participant may request that the employer, school, or institution of higher education use the designated address as the participant's address.

(c) A utility owned by a governmental entity shall not release any confidential address.

(d) A participant may also use the designated address as the participant's work address.

(e) The office on each day that it is open for business shall place all first-class, registered, or certified mail or statutory overnight delivery received on behalf of a participant into an envelope or package and mail such envelope or package to the participant at his or her confidential address. The office may contract with the United States Postal Service for special rates for any mail forwarded pursuant to this subsection. Service by mail pursuant to this subsection of court papers, other than service of process, shall be deemed complete three business days after the office forwards the mail to the participant.

(f) If a person intends to serve process on a participant and makes an inquiry with the office to determine if the individual is a participant, the office shall only confirm that the individual is a participant and, except as otherwise allowed pursuant to this article, shall not disclose further information regarding the participant. If process has been forwarded to a participant pursuant to subsection (e) of this Code section, the office shall disclose the date of mailing to the person attempting to serve the participant.

50-18-154.

(a) The office may, after providing at least 30 days prior written notice to a participant, cancel the certification of a participant in any of the following circumstances:

(1) The participant's legal name or contact information changes, unless the participant provides the office with prior written notice of such change;

(2) Mail forwarded by the office to the participant's confidential address is returned as undeliverable by the United States Postal Service for 60 or more days;

(3) The participant is no longer eligible for the program;

(4) The participant requests to withdraw from the program pursuant to Code Section 50-18-151;

(5) The participant files a notarized request for cancellation on a form prescribed by the office; or

(6) The participant fails to file a renewal application pursuant to Code Section 50-18-151.

(b) The office shall cancel a participant's certification if the participant's renewal application or application for continuance contains false information.

50-18-155.

(a) If a participant notifies a governmental entity in writing, on a form prescribed by the office, that he or she is a participant, such entity shall not knowingly disclose the participant's confidential address, unless:

(1) The confidential address is subject to sharing or dissemination pursuant to court order;

(2) The confidential address is subject to sharing or dissemination in connection with an active investigation or inspection of a potential health code, building code, fire code, or local ordinance violation allegedly committed by the participant;

(3) The confidential address is needed to provide public assistance or other government services to a participant, or to allocate financial responsibility for such assistance or services;

(4) The confidential address is necessary to perform a governmental entity's health, safety, or welfare functions, including the provision of emergency 9-1-1 services, the assessment and investigation of child or vulnerable adult abuse or neglect, or the assessment or inspection of services or locations for compliance with health and safety standards;

(5) The confidential address is necessary to aid an active law enforcement investigation of the participant upon verification that the disclosure will aid the law enforcement agency in responding to an emergency situation or a criminal complaint or conducting an investigation; or

(6) The person to whom the confidential address is disclosed also resides, is employed at, or goes to school at the confidential address.

(b) Except as may be otherwise provided by law, a confidential address disclosed pursuant to subsection (a) of this Code section may be used only for the purposes authorized in this Code section and may not be further disclosed to any other person or governmental entity. Governmental entities receiving or sharing a confidential address pursuant to this Code

191 section shall establish procedures to protect the confidential address from further
192 disclosure.

193 (c) When a participant presents his or her designated address to any person, such
194 designated address shall be accepted as the address of the participant. The person shall not
195 require the participant to submit any other address either as a substitute address or in
196 addition to the designated address, or as a condition of receiving a service or benefit, unless
197 the service or benefit would be impossible to provide without knowledge of the
198 participant's confidential address."

199 **SECTION 2.**

200 This Act shall become effective on July 1, 2026.

201 **SECTION 3.**

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