

House Bill 626

By: Representatives Lupton of the 83rd, Holcomb of the 101st, Mathiak of the 82nd, Dubnik of the 29th, and Lim of the 98th

A BILL TO BE ENTITLED

AN ACT

1 To amend Code Section 17-5-71 of the Official Code of Georgia Annotated, relating to
2 preservation of evidence, so as to extend the retention period of evidence of sexual assault
3 when the victim elects not to immediately report the assault; to provide for related matters;
4 to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **SECTION 1.**

7 Code Section 17-5-71 of the Official Code of Georgia Annotated, relating to preservation of
8 evidence, is amended by revising subsection (b) as follows:

9 "(b) If the victim chooses not to report the alleged sexual assault to law enforcement at the
10 time of evidence collection, the law enforcement agency with jurisdiction shall maintain
11 any physical evidence collected as a result of such alleged sexual assault that contains
12 biological material, including, but not limited to, stains, fluids, or hair samples that relate
13 to the identity of the perpetrator of the alleged sexual assault, for ~~not less than 12 months~~
14 30 years from the date any such physical evidence is collected."

15

SECTION 2.

16 All laws and parts of laws in conflict with this Act are repealed.