

The Senate Committee on Judiciary offered the following substitute to HB 1432:

A BILL TO BE ENTITLED
AN ACT

1 To amend Title 17 of the Official Code of Georgia Annotated, relating to criminal procedure,
2 so as to extend the retention period of evidence of sexual assault when the victim chooses not
3 to immediately report the assault; to provide for a short title; to provide for vacancies on the
4 legislative oversight committee; to provide for a penalty for failure by the council to
5 cooperate with the committee; to provide for related matters; to provide for effective dates;
6 to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **PART I**
9 **SECTION 1-1.**

10 This part shall be known and may be cited as the "Stephanie Colquitt-Shurman Act of 2026."

11 **SECTION 1-2.**

12 Title 17 of the Official Code of Georgia Annotated, relating to criminal procedure, is
13 amended in Code Section 17-5-71, relating to preservation of evidence, by revising
14 subsection (b) as follows:

15 "(b) If the victim chooses not to report the alleged sexual assault to law enforcement at the
16 time of evidence collection, the law enforcement agency with jurisdiction shall maintain
17 any physical evidence collected as a result of such alleged sexual assault that contains
18 biological material, including, but not limited to, stains, fluids, or hair samples that relate
19 to the identity of the perpetrator of the alleged sexual assault, for ~~not less than 12 months~~
20 30 years from the date any such physical evidence is collected."

21 **PART II**

22 **SECTION 2-1.**

23 Said title is further amended by revising Code Section 17-12-10.1, relating to legislative
24 oversight committee created, membership, and audits, as follows:

25 "17-12-10.1.

26 (a)(1) There is created the Legislative Oversight Committee for the Georgia Public
27 Defender Council which shall be composed of eight persons: three members of the House
28 of Representatives appointed by the Speaker of the House of Representatives, three
29 members of the Senate appointed by the Senate Committee on Assignments or such
30 person or entity as established by Senate rule, and one member of the House of
31 Representatives and one member of the Senate appointed by the Governor. The members
32 of such committee shall be selected within ten days after the convening of the General
33 Assembly in each odd-numbered year and shall serve until their successors are appointed.

34 (2) Any vacancy in such committee due to death, resignation, ineligibility, recall, or
35 other reason shall be filled in the same manner as the original appointment. A member's
36 termination of the chairmanship of any standing committee or ceasing to qualify for
37 membership on the Legislative Services Committee shall also constitute a vacancy.

38 (b) The Speaker of the House of Representatives shall appoint a member of such
39 committee to serve as chairperson, and the Senate Committee on Assignments or such

40 person or entity as established by Senate rule shall appoint one member of the committee
41 to serve as vice chairperson during each even-numbered year. The Senate Committee on
42 Assignments or such person or entity as established by Senate rule shall appoint a member
43 of such committee to serve as chairperson, and the Speaker of the House of Representatives
44 shall appoint one member to serve as vice chairperson during each odd-numbered year.
45 Such committee shall meet at least once each year and, upon the call of the chairperson, at
46 such additional times as deemed necessary by the chairperson.

47 (c) It shall be the duty of such committee to review and evaluate:

- 48 (1) Information on new programs submitted by the council;
- 49 (2) Information on policies proposed by the council;
- 50 (3) The strategic plans for the council;
- 51 (4) Program evaluation reports and budget recommendations of the council;
- 52 (5) The fiscal impact of fees and fines on counties;
- 53 (6) The reports submitted pursuant to Code Section 15-21A-7 in order to identify, among
54 other things, opportunities to reduce or consolidate fees, fines, and surcharges; and
- 55 (7) Such other information or reports as deemed necessary by such committee.

56 (d) It shall be unlawful for the ~~The council and~~ or director shall to fail to cooperate with
57 such committee and provide such information or reports as requested by the committee for
58 the performance of its functions.

59 (e) The council shall submit its budget estimate to the director of the Office of Planning
60 and Budget in accordance with subsection (a) of Code Section 45-12-78.

61 (f) The members of such committee shall receive the allowances authorized for legislative
62 members of legislative committees. The funds necessary to pay such allowances shall
63 come from funds appropriated to the House of Representatives and the Senate.

64 (g) The legislative oversight committee shall be authorized to request that a performance
65 audit of the council be conducted."

66

PART III

67

SECTION 3-1.

68 (a) Except as provided in subsection (b) of this section, this Act shall become effective upon
69 its approval by the Governor or upon its becoming law without such approval.

70 (b) Part I of this Act shall become effective on July 1, 2026.

71

SECTION 3-2.

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