

House Bill 647

By: Representatives Scott of the 76th, Schofield of the 63rd, and Davis of the 87th

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 2 of Chapter 1 of Title 42 of the Official Code of Georgia Annotated,
2 relating to Sexual Offender Registration Review Board, so as to provide for the issuance of
3 identification cards and identification markers for sexual offenders; to provide for electronic
4 monitoring of sexual offenders prior to classification; to provide for related matters; to repeal
5 conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Article 2 of Chapter 1 of Title 42 of the Official Code of Georgia Annotated, relating to the
9 Sexual Offender Registration Review Board, is amended by adding two new subsections to
10 Code Section 42-1-12, relating to state sexual offender registry, to read as follows:

11 "(s) Except as otherwise provided in this article, the board shall issue an identification card
12 to sexual offenders, and such card shall expire on the first birthday of the applicant
13 following the date of original issue. Renewal of any identification card issued under this
14 Code section shall be valid for a term of one year, and such identification card shall expire
15 in like manner as the originally issued identification card unless surrendered.

16 (t) Identification cards issued under this Code section shall be readily distinguishable as
17 indicating that such person is a registered sexual offender.

18 (1) Identification cards shall be marked pursuant to a sexual offender's risk assessment
19 classification assigned by the Sexual Offender Registration Review Board as a Level I,
20 Level II, or Sexually Dangerous Predator as follows:

21 (A) A sexual offender assigned as a Level I risk assessment classification shall have
22 one red hexagon placed on the right side of the identification card adjacent to the
23 portion listing the associated address of such sexual offender;

24 (B) A sexual offender assigned as a Level II risk assessment classification shall have
25 two red hexagons placed on the right side of the identification card adjacent to the
26 portion listing the associated address of such sexual offender; and

27 (C) A sexual offender assigned as a Sexually Dangerous Predator risk assessment
28 classification shall have three red hexagon placed on right side of the identification card
29 adjacent to the portion listing the associated address of such sexual offender;

30 (2) In the event that a sexual predator has not been assigned a risk assessment
31 classification under this article, then one red hexagon shall be placed on his or her
32 identification card until such sexual offender has received his or her assigned risk level
33 as provided in Code Section 42-1-14; and

34 (3) Identification cards issued under this Code section shall comply with all other
35 provisions as provided in Code Section 40-5-120."

36 **SECTION 2.**

37 Said article is further amended by adding a new Code section to read as follows:

38 "42-1-14.1.

39 Any individual classified as a sexual offender who has not received a risk assessment from
40 the Sexual Offender Registration Review Board shall, prior to his or her release from
41 confinement, be fitted with an electronic monitoring system device. If the electronic

42 monitoring system cannot be placed prior to release, then the sexual offender shall report
43 to the sheriff of the county of his or her residence for the purpose of having the electronic
44 monitoring system placed within 72 hours of release.

45 (1) Upon assignment of a risk assessment level from the Sexual Offender Registration
46 Review Board, any individual assigned a Level I or Level II classification may
47 immediately return to the sheriff of the county of his or her residence for the purpose of
48 having the electronic monitoring system removed;

49 (2) Any person receiving a risk assessment of Sexually Dangerous Predator shall be
50 required to wear an electronic monitoring system for the remainder of his or her sentence
51 pursuant to the order issued by the judge presiding over the criminal trial;

52 (3) All costs associated with the electronic monitoring system are to be paid by the
53 sexual offender as part of his or her release conditions; and

54 (4) Any individual classified as a sexual offender may pay the Sexual Offender
55 Registration Review Board a \$300.00 fee to have his or her case reviewed and expedite
56 a risk assessment to potentially remove themselves from the electronic monitoring
57 requirements by receiving a risk assessment of Level I or Level II."

58 **SECTION 3.**

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