

Senate Bill 441

By: Senators Hatchett of the 50th, Gooch of the 51st, Miller of the 49th, Goodman of the 8th, Butler of the 55th and others

AS PASSED

A BILL TO BE ENTITLED

AN ACT

1 To amend Title 15 of the Official Code of Georgia Annotated, relating to courts in general,
2 so as to provide for the reestablishment of the Criminal Case Data Exchange Board as an
3 advisory board to The Council of Superior Court Clerks of Georgia; to provide for
4 membership, selection of officers, meetings, and duties of such board; to provide for
5 continuation in office of current members; to provide for duties of The Council of Superior
6 Court Clerks of Georgia; to provide for transmission of data to the Georgia Crime
7 Information Center; to provide for definitions; to provide for implementation; to provide that
8 a superior court shall ensure that its operations do not conflict with the uniform standards
9 issued by The Council of Superior Court Clerks of Georgia; to provide for annual reports by
10 the council detailing activities and progress of groups within the Criminal Case Data
11 Exchange Board; to amend Title 35 of the Official Code of Georgia Annotated, relating to
12 law enforcement officers and agencies, so as to provide the Georgia Bureau of Investigation
13 with original jurisdiction to investigate election fraud and election crimes; to provide the
14 Georgia Bureau of Investigation with subpoena power to further such investigations; to
15 provide for penalty; to provide for compliance with data transmission requirements; to repeal
16 provisions concerning the Criminal Case Data Exchange Board; to provide for required
17 reports; to amend Chapter 25 of Title 50 of the Official Code of Georgia Annotated, relating
18 to the Georgia Technology Authority, so as to provide for release of funds from the

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19 technology empowerment fund, subject to certain conditions; to provide for legislative
20 findings and intent; to provide for a short title; to provide for related matters; to repeal
21 conflicting laws; and for other purposes.

22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

23 **SECTION 1.**

24 (a) The General Assembly finds that:

25 (1) The state's current system for sharing criminal case data is not adequate to provide
26 to all appropriately interested parties, including, but not limited to, law enforcement
27 agencies and officers, courts, crime victims and other impacted individuals, housing
28 providers, and employers, complete criminal case data;

29 (2) One recent report indicates there may be as many as 7 million criminal charges
30 without a final disposition indicated, and, of those, as many as 5.4 million criminal
31 charges have languished for years;

32 (3) Georgia's citizens and businesses are harmed by incomplete criminal case data. For
33 example, in thousands of cases, as a result of incomplete criminal case data, citizens'
34 employability and housing opportunities have been negatively impacted; and

35 (4) A more uniform, modern system and framework for handling criminal case data will
36 support the state in meeting its obligations to victims to keep them informed as their
37 perpetrators make their way through the criminal justice system.

38 (b) It is the intent of the General Assembly that criminal case data be complete and
39 accurately reported to the appropriate state data base and be accessible to state and local
40 criminal justice agencies, employers, housing providers, victims, and all citizens.

41 **SECTION 2.**

42 This Act shall be known and may be cited as the "Criminal Records Responsibility Act."

43

SECTION 3.

44 Title 15 of the Official Code of Georgia Annotated, relating to courts in general, is amended
45 in Article 1 of Chapter 6, relating to general provisions for superior courts, by revising
46 subsection (a) of Code Section 15-6-11, relating to electronic filings of pleadings and
47 documents, electronic payments and remittances, access, and public disclosure, as follows:

48 "(a)(1) Pursuant to rules promulgated by the Criminal Case Data Exchange Board, on and
49 after January 1, 2019 in effect on June 30, 2022, a superior court shall provide for the
50 filing of pleadings in criminal cases and any other document related thereto and for the
51 acceptance of payments and remittances by electronic means.

52 (2) The Council of Superior Court Clerks shall submit the uniform standards adopted by
53 the board pursuant to paragraph (5) of subsection (h) of Code Section 15-6-50.3 to the
54 Council of Superior Court Judges. The chief superior court judge of each judicial circuit
55 shall assist the superior court clerk with the implementation of such uniform standards.
56 A superior court judge may order any party to provide data needed by the clerk to
57 facilitate transmission of data."

58

SECTION 4.

59 Said title is further amended in Article 2 of Chapter 6, relating to clerks of superior courts,
60 by adding new subsections to Code Section 15-6-50.2, relating to The Council of Superior
61 Court Clerks of Georgia, to read as follows:

62 "(f) The council shall issue uniform standards not inconsistent with the uniform standards
63 promulgated by the Criminal Case Data Exchange Board pursuant to Code Section
64 15-6-50.3.

65 (g) By January 15 of each year, the council shall prepare a report detailing the activities
66 of the Criminal Case Data Exchange Board and the progress of the represented groups
67 within the board's membership to effect the uniform standards prescribed in paragraph (5)
68 of subsection (h) of Code Section 15-6-50.3 for the previous year. Such report shall be

69 transmitted electronically or mailed to the office of the chairs of the Senate Judiciary
70 Committee and the House Committee on Judiciary and to the Governor, Lieutenant
71 Governor, Speaker of the House, and Chief Justice of the Supreme Court of Georgia no
72 later than January 15 of each year."

73 **SECTION 5.**

74 Said title is further amended in Article 2 of Chapter 6, relating to clerks of superior courts,
75 by adding a new Code section to read as follows:

76 "15-6-50.3.

77 (a) As used in this Code section, the term:

78 (1) 'Board' shall mean the Criminal Case Data Exchange Board.

79 (2) 'Predecessor board' shall mean the Criminal Case Data Exchange Board, which was
80 established as a board to the Criminal Justice Coordinating Council in 2018 by an Act of
81 the General Assembly.

82 (b) The Criminal Case Data Exchange Board is reestablished as an advisory board to The
83 Council of Superior Court Clerks of Georgia.

84 (c) The board shall consist of 19 members as follows:

85 (1) The executive director of The Council of Superior Court Judges of Georgia, the
86 executive director of The Council of State Court Judges of Georgia, the executive director
87 of The Council of Superior Court Clerks of Georgia, the executive director of the
88 Prosecuting Attorneys' Council, the chairperson of the State Board of Pardons and
89 Paroles, the commissioner of corrections, the commissioner of community supervision,
90 the director of the Georgia Bureau of Investigation, the director of the Office of Planning
91 and Budget, the director of the Administrative Office of the Courts, the chief information
92 officer of the Georgia Technology Authority, the executive director of the Georgia
93 Sheriffs' Association, and the executive director of the Georgia Association of Chiefs of

94 Police, provided that any such member may allow a designee to represent him or her at
95 a board meeting and vote in his or her stead; and

96 (2) Six members, one of whom is a superior court judge, one of whom is a state court
97 judge, one of whom is a clerk of a superior court, one of whom is a district attorney, one
98 of whom is a sheriff of a county, and one of whom is a police chief of a municipality,
99 shall be appointed by the Governor for terms of four years; provided, however, that any
100 person who, as of June 30, 2022, was serving as a member of the predecessor board
101 pursuant to an appointment by the Governor shall continue to serve as a member of the
102 board for the remainder of the term of such appointment; and provided, further, that no
103 person shall serve beyond the time he or she holds the office by reason of which he or she
104 was initially eligible for appointment.

105 (d) In the event of death, resignation, disqualification, or removal of any member of the
106 board for any reason, vacancies shall be filled in the same manner as the original
107 appointment and successors shall serve for the unexpired term.

108 (e) Membership on the board shall not constitute public office, and no member shall be
109 disqualified from holding public office by reason of his or her membership on the board.

110 (f) The board shall elect a chairperson from among its membership and may elect such
111 other officers and committees as it considers appropriate.

112 (g) Members of the board shall serve without compensation, although each member of the
113 board shall be reimbursed for actual expenses incurred in the performance of his or her
114 duties from funds available to The Council of Superior Court Clerks of Georgia. Such
115 reimbursement shall be limited to all travel and other expenses necessarily incurred through
116 service on the board, in compliance with this state's travel rules and regulations; provided,
117 however, that in no case shall a member of the board be reimbursed for expenses incurred
118 in the member's capacity as the representative of another state agency.

119 (h) The board shall:

- 120 (1) Meet no less than quarterly at such times and places as it shall determine necessary
121 or convenient to perform its duties and also upon the call of the chairperson of the board,
122 a designee of The Council of Superior Court Clerks of Georgia, or the Governor;
- 123 (2) Maintain minutes of its meetings;
- 124 (3) Participate in the review and improvement of this state's criminal case data exchange
125 and management system;
- 126 (4) Using the combined expertise and experience of its members, provide regular advice
127 and counsel to The Council of Superior Court Clerks of Georgia to enable such council
128 and its members to carry out its statutory duties under this article;
- 129 (5) By January 1, 2023, promulgate uniform standards for the creation and transmission
130 of electronic criminal history data by and between local and state criminal justice
131 agencies. Such data shall include arrests; indictments, accusations, information, and
132 other formal charges; and final dispositions arising therefrom, including, but not limited
133 to, convictions;
- 134 (6) By September 1, 2022, prepare a report on the board's progress in developing
135 uniform standards pursuant to paragraph (5) of this subsection and an initial draft of such
136 uniform standards. Such report shall be transmitted electronically or mailed to the office
137 of the chairs of the Senate Judiciary Committee and the House Committee on Judiciary;
138 the chairs of the Senate Appropriations Committee and the House Committee on
139 Appropriations; and to the Governor, Lieutenant Governor, Speaker of the House, and
140 Chief Justice of the Supreme Court of Georgia no later than September 1, 2022;
- 141 (7) Make recommendations for the improvement of criminal history data sharing for the
142 benefit of the public, employers, and law enforcement;
- 143 (8) Carry out such duties that may be required by federal law or regulation so as to
144 enable this state to receive and disburse federal funds for criminal case data exchange and
145 management; and

146 (9) By November 1, 2022, after having conducted a comprehensive review of automated
147 victim notification systems, make a recommendation for adoption of an automated system
148 in Georgia that provides for individualized notification to victims of certain occurrences
149 in each case involving the victim, including, but not limited to, occurrences of arrest,
150 pre-trial release, court hearings, and sentencing. Such system shall also be able to
151 reconcile individuals' criminal data at all steps of the data exchange process. Such
152 recommendation and any accompanying report shall be transmitted to the director of the
153 Georgia Crime Information Center, the executive director of the Georgia Sheriff's
154 Association, and the executive director of the Prosecuting Attorneys' Council and be
155 available to all members of the board. Nothing in this Code section shall be construed
156 to limit or otherwise prevent criminal justice agencies from improving the organization
157 of their respective data or developing and implementing, individually or collectively, an
158 automated victim notification system for crime victims in this state during or after the
159 time the comprehensive review of automated victim notification systems is being
160 conducted.

161 (i) Public access to data that are collected or transmitted via the criminal case information
162 exchange shall remain the responsibility of the Georgia Crime Information Center. No
163 release of collected data shall be made by or through the Georgia Technology Authority."

164

SECTION 6.

165 Said title is further amended in Article 2 of Chapter 6, relating to clerks of superior courts,
166 by revising subparagraph (a)(4)(B) and paragraph (18) of subsection (a) of Code Section
167 15-6-61, relating to duties of clerks generally and computerized record-keeping system, as
168 follows:

169 "(B) An automated criminal case management system which shall contain a summary
170 record of all criminal indictments in which true bills are rendered and all criminal
171 accusations filed in the office of clerk of superior court in accordance with rules

172 promulgated by ~~the Criminal Case Data Exchange Board~~ The Council of Superior
 173 Court Clerks of Georgia. The criminal case management system shall contain entries
 174 of other matters of a criminal nature filed with the clerk, including quasi-civil
 175 proceedings and entries of cases which are ordered dead docketed. When a case is dead
 176 docketed, all witnesses who may have been subpoenaed therein shall be released from
 177 further attendance until resubpoenaed; and"

178 "(18) To electronically collect all data elements required ~~in~~ pursuant to subsection (g) of
 179 Code Section 35-3-36, and such clerk of superior court ~~may~~ shall transmit such data to
 180 ~~the Georgia Superior Court Clerks' Cooperative Authority in a form and format required~~
 181 ~~by such authority and The~~ Georgia Crime Information Center, in a form and format
 182 required by and Council of Superior Court Clerks of Georgia. consistent with uniform
 183 standards issued by The Council of Superior Court Clerks of Georgia. Any data
 184 ~~transmitted to the authority pursuant to this paragraph shall be transmitted to the Georgia~~
 185 ~~Crime Information Center in satisfaction of the clerk's duties under subsection (g) of~~
 186 ~~Code Section 35-3-36 and to the Georgia Courts Automation Commission which shall~~
 187 ~~provide the data to the Administrative Office of the Courts for use by the state judicial~~
 188 ~~branch upon request. Public access to said data shall remain the responsibility of only the~~
 189 ~~Georgia Crime Information Center. No release of collected data shall be made by or~~
 190 ~~through the authority;"~~

191 **SECTION 7.**

192 Said title is further amended in Article 1 of Chapter 7, relating to general provisions for state
 193 courts of counties, by revising subsection (a) of Code Section 15-7-5, relating to electronic
 194 filings of pleadings and documents, electronic payments and remittances, access, and public
 195 disclosure, as follows:

196 "(a)(1) Pursuant to rules promulgated by the Criminal Case Data Exchange Board ~~on and~~
 197 ~~after January 1, 2019;~~ in effect on June 30, 2022, a state court shall provide for the filing

198 of pleadings in criminal cases and any other document related thereto and for the
199 acceptance of payments and remittances by electronic means.

200 (2) The Council of Superior Court Clerks shall submit the uniform standards adopted by
201 the board pursuant to paragraph (5) of subsection (h) of Code Section 15-6-50.3 to the
202 Council of State Court Judges. The chief state court judge of each county shall assist the
203 state court clerk with the implementation of such uniform standards. A state court judge
204 may order any party to provide data needed by the clerk to facilitate transmission of data."

205

SECTION 8.

206 Said title is further amended in Article 1 of Chapter 18, relating to general provisions for
207 prosecuting attorneys, by revising Code Section 15-18-6, relating to duties of district
208 attorney, as follows:

209 "15-18-6.

210 The duties of the district attorneys within their respective circuits are:

211 (1) To attend each session of the superior courts unless excused by the judge thereof and
212 to remain until the business of the state is disposed of;

213 (2) To attend on the grand juries, advise them in relation to matters of law, and swear and
214 examine witnesses before them;

215 (3) To administer the oaths the laws require to the grand and trial jurors and to the
216 bailiffs or other officers of the court and otherwise to aid the presiding judge in
217 organizing the courts as he may require;

218 (4) To draw up all indictments or presentments, when requested by the grand jury, and
219 to prosecute all indictable offenses;

220 (5) To prosecute civil actions to enforce any civil penalty set forth in Code Section
221 40-6-163 and to prosecute or defend any other civil action in the prosecution or defense
222 of which the state is interested, unless otherwise specially provided for;

- 223 (6) To attend before the appellate courts when any criminal case emanating from their
224 respective circuits is tried, to argue the same, and to perform any other duty therein which
225 the interest of the state may require;
- 226 (7) To advise law enforcement officers concerning the sufficiency of evidence, warrants,
227 and similar matters relating to the investigation and prosecution of criminal offenses;
- 228 (8) To collect all money due the state in the hands of any escheators and to pay it over
229 to the educational fund, if necessary, compelling payment by rule or order of court or
230 other legal means;
- 231 (9) To collect all claims of the state which they may be ordered to collect by the state
232 revenue commissioner and to remit the same within 30 days after collection; and on
233 October 1 of every year to report to the state revenue commissioner the condition of the
234 claims in their hands in favor of the state, particularly specifying:
- 235 (A) The amounts collected and paid, from what sources received and for what
236 purposes, and to whom paid;
- 237 (B) What claims are unpaid and why;
- 238 (C) What judgments have been obtained, when, and in what court; and
- 239 (D) What actions are instituted, in what courts, and their present progress and future
240 prospects;
- 241 (10) To ensure disposition information is submitted in accordance with subsection (g)
242 of Code Section 35-3-36 when a final disposition decision is made by a district attorney;
- 243 ~~(10)~~(11) To assist victims and witnesses of crimes through the complexities of the
244 criminal justice system and ensure that the victims of crimes are apprised of the rights
245 afforded them under the law; and
- 246 ~~(11)~~(12) To perform such other duties as are or may be required by law or which
247 necessarily appertain to their office."

248

SECTION 9.

249 Said title is further amended in Article 3 of Chapter 18, relating to solicitors-general of the
250 state courts, by revising subsection (a) of Code Section 15-18-66, relating to duties and
251 authority, as follows:

252 "(a) The duties of the solicitors-general within their respective counties are:

253 (1) To attend each session of the state court when criminal cases are to be heard unless
254 excused by the judge thereof and to remain until the business of the state is disposed of;

255 (2) To administer the oaths required by law to the bailiffs or other officers of the court
256 and otherwise to aid the presiding judge in organizing the court as may be necessary;

257 (3) To file accusations on such criminal cases deemed prosecutable and, subject to
258 paragraph (10) of subsection (b) of this Code section, to prosecute all accused offenses;

259 (4) To ensure disposition information is submitted in accordance with subsection (g) of
260 Code Section 35-3-36 when a final disposition decision is made by a solicitor-general;

261 ~~(4)~~(5) To attend before the appellate courts when any criminal case in which the
262 solicitor-general represents the state is heard, to argue the same, and to perform any other
263 duty therein which the interest of the state may require; and

264 ~~(5)~~(6) To perform such other duties as are or may be required by law or which
265 necessarily appertain to their office."

266

SECTION 10.

267 Title 35 of the Official Code of Georgia Annotated, relating to law enforcement officers and
268 agencies, is amended in Code Section 35-3-4, relating to powers and duties of the Georgia
269 Bureau of Investigation generally, by revising subsection (a) as follows:

270 "(a) It shall be the duty of the bureau to:

271 (1) Take, receive, and forward fingerprints, photographs, descriptions, and measurements
272 of persons in cooperation with the bureaus and departments of other states and of the
273 United States;

- 274 (2) Exchange information relating to crime and criminals;
- 275 (3) Keep permanent files and records of such information procured or received;
- 276 (4) Provide for the scientific investigation of articles used in committing crimes or
277 articles, fingerprints, or bloodstains found at the scene of a crime;
- 278 (5) Provide for the testing and identification of weapons and projectiles fired therefrom;
- 279 (6) Acquire, collect, classify, and preserve any information which would assist in the
280 identification of any deceased individual who has not been identified after the discovery
281 of such deceased individual;
- 282 (7) Acquire, collect, classify, and preserve immediately any information which would
283 assist in the location of any missing person, including any minor, and provide
284 confirmation as to any entry for such a person to the parent, legal guardian, or next of kin
285 of that person and the bureau shall acquire, collect, classify, and preserve such
286 information from such parent, guardian, or next of kin;
- 287 (8) Exchange such records and information as provided in paragraphs (6) and (7) of this
288 subsection with, and for the official use of, authorized officials of the federal government,
289 the states, cities, counties, and penal and other institutions. With respect to missing
290 minors, such information shall be transmitted immediately to other law enforcement
291 agencies;
- 292 (9) Identify and investigate violations of Article 4 of Chapter 7 of Title 16;
- 293 (10) Identify and investigate violations of Part 2 of Article 3 of Chapter 12 of Title 16,
294 relating to offenses related to minors;
- 295 (11) Identify and investigate violations of Article 8 of Chapter 9 of Title 16;
- 296 (12) Identify and investigate violations of Article 5 of Chapter 8 of Title 16;
- 297 (13) Identify and investigate violations of Code Section 16-5-46;
- 298 (14) Identify and investigate violations of Article 8 of Chapter 5 of Title 16;
- 299 (15)(A) Upon request, provide to the board an analysis of criminal history record
300 information to assist the board in determining a sexual offender's risk assessment

301 classification in accordance with the board's duties as specified in Code
302 Section 42-1-14.

303 (B) As used in this paragraph, the term:

304 (I) 'Board' means the Sexual Offender Registration Review Board.

305 (ii) 'Criminal history record information' has the same meaning as set forth in Code
306 Section 35-3-30.

307 (iii) 'Risk assessment classification' means the level into which a sexual offender is
308 placed based on the board's assessment.

309 (iv) 'Sexual offender' has the same meaning as set forth in Code Section 42-1-12; ~~and~~

310 (16) Identify and investigate violations of Chapter 2 of Title 21 involving elections
311 which if established are sufficient to change or place in doubt the results of an election;

312 and

313 ~~(16)~~(17) Attorneys employed by the Legal Division of the bureau may serve at the
314 request of a district attorney, solicitor-general, or United States Attorney in the
315 prosecution of any civil or criminal case within the jurisdiction of such district attorney,
316 solicitor-general, or United States Attorney and, while providing such assistance to such
317 district attorney, solicitor-general, or United States Attorney, such attorneys shall have
318 the same authority and power as an attorney employed by such district attorney,
319 solicitor-general, or United States Attorney."

320

SECTION 11.

321 Said title is further amended by adding a new Code section to read as follows:

322 "35-3-4.5.

323 (a) In any investigation of a violation of Chapter 2 of Title 21 involving elections, the
324 director, assistant director, or deputy director for investigations shall be authorized to issue
325 a subpoena, with the consent of the Attorney General, to compel the production of books,
326 papers, documents, or other tangible items, including records and documents contained

327 within or generated by a computer or any other electronic device, unless such records are
328 wholly owned by the federal government, and to undertake, at the discretion of the bureau,
329 an audit of materials produced in response to such subpoena in a form deemed necessary
330 by the bureau.
331 (b) Upon failure of a person without lawful excuse to obey a subpoena, the director,
332 assistant director, or deputy director for investigations, through the prosecuting attorney,
333 may apply to a superior court having jurisdiction for an order compelling compliance.
334 Such person may object to the subpoena on the grounds that it fails to comply with this
335 Code section or upon any constitutional or other legal right or privilege of such person.
336 The court may issue an order modifying or setting aside such subpoena or directing
337 compliance with the original subpoena. Failure to obey a subpoena issued under this Code
338 section may be punished by the court as contempt of court."

339

SECTION 12.

340 Said title is further amended by revising subsection (b) of Code Section 35-3-32, relating to
341 establishment of council, composition, and duties and responsibilities of the Georgia Crime
342 Information Center Council generally, as follows:

343 "(b) The duties and responsibilities of the council are to:

344 (1) Advise and assist in the establishment of policies under which the center is to be
345 operated;

346 (2) Advise and assist in updating the policies under which the center is to be operated,
347 to the extent that such policies are necessary to comply with the uniform standards
348 promulgated pursuant to paragraph (5) of subsection (h) of Code Section 15-6-50.3 issued
349 by The Council of Superior Court Clerks of Georgia;

350 ~~(2)~~(3) Ensure that the information obtained pursuant to this article shall be restricted to
351 the items specified in this article and ensure that the center is administered so as not to

352 accumulate any information or distribute any information that is not specifically approved
 353 in this article;
 354 ~~(3)~~(4) Ensure that adequate security safeguards are incorporated so that the data available
 355 through this system is used only by properly authorized persons and agencies;
 356 ~~(4)~~(5) Establish appropriate disciplinary measures to be taken by the center in the
 357 instance of violations of data reporting or dissemination of laws, rules, and regulations
 358 by criminal justice agencies or members thereof covered by this article; and
 359 ~~(5)~~(6) Establish other policies which provide for the efficient and effective use and
 360 operation of the center under the limitations imposed by the terms of this article."

361

SECTION 13.

362 Said title is further amended by adding a new paragraph to subsection (a) of Code Section
 363 35-3-33, relating to powers and duties of the Georgia Crime Information Center generally,
 364 to read as follows:

365 "(16.1) Provide at least quarterly to each clerk of superior court in this state, and upon
 366 request by any such clerk, a report detailing the number of open criminal charges, time
 367 expired restricted charges, and closed criminal charges for each county, respectively.
 368 Such report shall also be provided to any judge or prosecuting attorney of this state, upon
 369 request. Such report may be transmitted electronically or by mail in the discretion of the
 370 director of the center."

371

SECTION 14.

372 Said title is further amended by revising subsection (g) of Code Section 35-3-36, relating to
 373 duties of state criminal justice agencies as to submission of fingerprints, photographs, and
 374 other identifying data to center and responsibility for accuracy, as follows:

375 "(g)(1) Criminal justice agencies within this state, all ~~At~~ persons in charge of law
 376 enforcement agencies, clerks of court ~~or the Georgia Superior Court Clerks' Cooperative~~

377 ~~Authority as applicable~~, municipal judges when such judges do not have a clerk,
 378 magistrates, persons in charge of community supervision, juvenile probation, or Article
 379 6 of Chapter 8 of Title 42 probation offices, and the State Board of Pardons and Paroles
 380 shall transmit to the center the information described in Code Section 35-3-33 within 30
 381 days of the creation or receipt of such information, except as provided in subsection (d)
 382 of this Code section, on the basis of the forms and instructions to be provided by the
 383 center. Such forms and instructions shall not be inconsistent with the uniform standards
 384 promulgated pursuant to paragraph (5) of subsection (h) of Code Section 15-6-50.3 issued
 385 by The Council of Superior Court Clerks of Georgia.
 386 (2) Compliance with the provisions in paragraph (1) of this subsection is mandatory,
 387 regardless of whether the center requests the information described in Code
 388 Section 35-3-33."

389

SECTION 15.

390 Said title is further amended by revising Code Section 35-6A-2, relating to creation of the
 391 Criminal Justice Coordinating Council, assignment to the Georgia Bureau of Investigation,
 392 and definitions, as follows:

393 "35-6A-2.

394 (a) There is established the Criminal Justice Coordinating Council of the State of Georgia
 395 which is assigned to the Georgia Bureau of Investigation for administrative purposes only,
 396 as prescribed in Code Section 50-4-3.

397 (b) As used in this chapter, the term:

398 (1) ~~'Board'~~ means the ~~Criminal Case Data Exchange Board~~.

399 (2) ~~'Council'~~ 'council' means the Criminal Justice Coordinating Council."

400 **SECTION 16.**

401 Said title is further amended by repealing Code Section 35-6A-13, relating to the Criminal
402 Case Data Exchange Board, membership, and operation.

403 **SECTION 17.**

404 Said title is further amended in Chapter 6A by repealing Code Section 35-6A-14, relating to
405 role of the Criminal Case Data Exchange Board and public access.

406 **SECTION 18.**

407 Chapter 25 of Title 50 of the Official Code of Georgia Annotated, relating to the Georgia
408 Technology Authority, is amended by adding a new subsection to Code Section 50-25-7.1,
409 relating to technology empowerment fund, appropriations, initiatives, and steering
410 committee, to read as follows:

411 "(e) Upon enactment of enforceable uniform standards for the submission of electronic
412 records to the Georgia Crime Information Center promulgated by The Council of Superior
413 Court Clerks of Georgia, and subject to the availability of appropriations and moneys
414 otherwise available to the authority, the authority is authorized to release funds from the
415 technology empowerment fund for the purpose of installing or upgrading criminal justice
416 information systems to be used by criminal justice agencies for complying with their
417 respective obligations to provide information and data to the Georgia Crime Information
418 Center."

419 **SECTION 19.**

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