

Senate Bill 342

By: Senators Robertson of the 29th, Kirkpatrick of the 32nd, Jones II of the 22nd, Albers of the 56th and Brass of the 28th

AS PASSED

A BILL TO BE ENTITLED

AN ACT

1 To amend Article 2 of Chapter 5 of Title 49 of the Official Code of Georgia Annotated,
2 relating to child abuse records, so as to authorize the disclosure or use of information from
3 child abuse and neglect registries by the Department of Human Services to locate, recover,
4 or provide services to a child determined to be missing or a victim of sexual exploitation; to
5 provide for access to records concerning reports of child abuse and missing or exploited
6 children to the National Center for Missing and Exploited Children; to provide for related
7 matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 Article 2 of Chapter 5 of Title 49 of the Official Code of Georgia Annotated, relating to child
11 abuse records, is amended by revising subsection (c) of Code Section 49-5-40, relating to
12 definitions, confidentiality of records, and restricted access to records, as follows:

13 "(c) Each and every record concerning child abuse or neglect which is received by the
14 department from the child abuse and neglect registry of any other state shall not be
15 disclosed or used outside the department for any other purpose other than conducting
16 background checks to be used in foster care and adoptive placements: or in locating,

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17 recovering, or providing services to a child who is determined by the department to either
18 be missing or the victim of sexual exploitation as defined in this Code section."

19 **SECTION 2.**

20 Said article is further amended in subsection (a) of Code Section 49-5-41, relating to persons
21 and agencies permitted access to records, by deleting "and" at the end of paragraph (11),
22 replacing the period at the end of paragraph (12) with "; and", and adding a new paragraph
23 to read as follows:

24 "(13) The National Center for Missing and Exploited Children for the purpose of
25 assisting in locating, recovering, or providing services to a child who is determined by
26 the department to either be missing or the victim of sexual exploitation as defined in
27 Code Section 49-5-40."

28 **SECTION 3.**

29 This Act shall become effective upon its approval by the Governor or upon its becoming law
30 without such approval.

31 **SECTION 4.**

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