

House Bill 930

By: Representatives Ridley of the 22nd, Ridley of the 6th, Reeves of the 99th, Powell of the 33rd, and Horner of the 3rd

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 35-1-19 of the Official Code of Georgia Annotated, relating to
2 disclosure of arrest booking photographs prohibited, so as to prohibit the release or posting
3 of a booking photograph unless and until the individual is convicted; to provide for related
4 matters; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **SECTION 1.**

7 Code Section 35-1-19 of the Official Code of Georgia Annotated, relating to disclosure of
8 arrest booking photographs prohibited, is amended by revising subsections (b) and (c) as
9 follows:

10 "(b) Except as provided in Code Section 50-18-77 and booking photographs required for
11 publication as set forth in Titles 16 and 40, for the ~~State Sexual Offender Registry~~ state
12 sexual offender registry, and for use by law enforcement agencies for administrative
13 purposes, an arresting law enforcement agency or agent thereof shall not release to the
14 public or post booking photographs to or on a an internet website a booking photograph
15 unless and until the individual is convicted.

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16 (c) An arresting law enforcement agency shall not provide or make available a copy of a
17 booking photograph in any format to a person requesting such photograph if: unless and
18 until the individual has been convicted.

19 ~~(1) Such booking photograph may be placed in a publication or posted to a website or~~
20 ~~transferred to a person to be placed in a publication or posted to a website; and~~

21 ~~(2) Removal or deletion of such booking photograph from such publication or website~~
22 ~~requires the payment of a fee or other consideration."~~

23 **SECTION 2.**

24 All laws and parts of laws in conflict with this Act are repealed.