

Senate Bill 34

By: Senators Dixon of the 45th, Hatchett of the 50th, Mullis of the 53rd, Miller of the 49th, Jackson of the 2nd and others

AS PASSED SENATE

A BILL TO BE ENTITLED

AN ACT

1 To amend Chapter 12 of Title 19 of the Official Code of Georgia Annotated, relating to name
2 change, so as to provide that victims of human trafficking may petition for name change
3 under seal; to provide for a definition; to provide for determination by the court; to provide
4 for related matters; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **SECTION 1.**

7 Chapter 12 of Title 19 of the Official Code of Georgia Annotated, relating to name change,
8 is amended by adding a new paragraph to subsection (a) and revising subsection (c) of Code
9 Section 19-12-1, relating to petition for name change, request by victim of family violence,
10 notice of filing, and consent of minor's parents or guardian, as follows:

11 "(4) 'Human trafficking' means an offense provided for under Code Section 16-5-46."

12 "(c)(1) When a name change is requested by a petitioner who alleges to be a victim of
13 family violence or human trafficking, such petitioner may petition the court to file his or
14 her petition to change his or her name under seal.

15 (2) If the court determines that the petitioner is a victim of family violence or human
16 trafficking, the court may issue an order waiving the requirements of publication as set
17 forth in subsection (d) of this Code section. If the court determines that such filing shall

18 be allowed to proceed under seal and otherwise waives the other requirements of this
19 Code section, it may hear and determine all of the matters raised in such petition and
20 render a final judgment thereon.

21 (3) After issuing an order under paragraph (2) of this subsection, the court may later
22 unseal a petition for name change or order the petitioner to file a redacted version of such
23 petition for the public record.

24 (4) If the court determines that the petitioner is not a victim of family violence or human
25 trafficking, the underlying petition for name change shall not be heard until this Code
26 section has been complied with in full.

27 (5) The court shall retain all filings made under seal as part of the record."

28 **SECTION 2.**

29 All laws and parts of laws in conflict with this Act are repealed.