

## House Bill 126

By: Representatives Williams of the 145<sup>th</sup>, Mathis of the 144<sup>th</sup>, Powell of the 32<sup>nd</sup>, Lumsden of the 12<sup>th</sup>, and Hitchens of the 161<sup>st</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Chapter 1 of Title 35 of the Official Code of Georgia Annotated, relating to  
2 general provisions regarding law enforcement officers and agencies, so as to provide for  
3 definitions; to provide for the collection of biological specimens for DNA testing regarding  
4 missing children and adults; to provide for the promulgation of rules and regulations  
5 regarding such collection of biological specimens; to provide for related matters; to repeal  
6 conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Chapter 1 of Title 35 of the Official Code of Georgia Annotated, relating to general  
10 provisions regarding law enforcement officers and agencies, is amended by adding a new  
11 Code section to read as follows:

12 "35-1-8.1.

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

14 (1) 'Missing adult' means a person 18 years of age or older whose temporary or  
15 permanent residence is in, or is believed to be in, this state; whose location has not been  
16 determined; and who has been reported as missing to a law enforcement agency.

17 (2) 'Missing child' means a person younger than 18 years of age whose temporary or  
18 permanent residence is in, or is believed to be in, this state; whose location has not been  
19 determined; and who has been reported as missing to a law enforcement agency.

20 (b) If a missing child or missing adult is not located within 90 days after the missing child  
21 or missing adult report is filed with a law enforcement agency in this state, the law  
22 enforcement agency that accepted the report shall attempt to obtain a biological specimen  
23 for DNA analysis from the missing child or missing adult or from appropriate family  
24 members in addition to obtaining necessary documentation. This subsection shall not  
25 prevent a law enforcement agency from attempting to obtain information or approved  
26 biological specimens for DNA analysis before the expiration of such 90 day period.

27 (c) The department shall adopt rules and regulations specific to cases involving missing  
28 children and missing adults which shall:

29 (1) Identify biological specimens that are approved by the Division of Forensic Sciences  
30 of the Georgia Bureau of Investigation for DNA analysis;

31 (2) Identify the documentation necessary for the Division of Forensic Sciences of the  
32 Georgia Bureau of Investigation to use the biological specimens for DNA analysis;

33 (3) Establish procedures for the collection of biological specimens by law enforcement  
34 agencies;

35 (4) Establish procedures for forwarding biological specimens by law enforcement  
36 agencies to the Division of Forensic Sciences of the Georgia Bureau of Investigation; and

37 (5) Establish procedures for the submission, retention, and review of the results of such  
38 DNA analysis of such biological specimens in appropriate databases of the Georgia  
39 Crime Information Center and the National Crime Information Center."

40 **SECTION 2.**

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