

House Bill 1131

By: Representative Hembree of the 98th

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 16-9-4, relating to a prohibition against knowingly manufacturing,
2 selling, or distributing a false identification document and penalties, so as to provide that it
3 shall be unlawful for any person knowingly to manufacture, sell, or distribute any counterfeit
4 or altered driver's license or an identification card authorized under Code Sections 40-5-100
5 through 40-5-104 or a colorable imitation of any such document; to provide penalties; to
6 repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Code Section 16-9-4, relating to a prohibition against knowingly manufacturing, selling, or
10 distributing a false identification document and penalties, is amended by inserting at the end
11 thereof the following:

12 "(c)(1) It shall be unlawful for any person knowingly to manufacture, sell, or distribute
13 any counterfeit or altered driver's license or an identification card authorized under Code
14 Sections 40-5-100 through 40-5-104 or a colorable imitation of any such document.

15 (2) It shall not be a defense to a violation of this subsection that a document contains
16 words indicating that it is not an identification document or that it is a novelty or
17 souvenir, unless there appear on the face of such document words to that effect which are
18 in a color which is not transparent on the design of the document and in block letters not
19 less than 40 point. The face of the document shall be considered to be the side on which
20 the person's name and photograph appear.

21 (3)(A) Except as provided in subparagraph (B) of this paragraph, any person who
22 violates paragraph (1) of this subsection shall be guilty of a misdemeanor.

23 (B) Any person who violates paragraph (1) of this subsection for a second or
24 subsequent offense shall be guilty of a felony and shall be punished by a fine of not
25 more than \$25,000.00 or by imprisonment for not more than three years, or both."

1 **SECTION 2.**

2 All laws and parts of laws in conflict with this Act are repealed.