

House Bill 1168

By: Representatives Campbell of the 42nd, Massey of the 86th, Jenkins of the 110th and Coan of the 82nd

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 16-6-1 of the Official Code of Georgia Annotated, relating to rape,
2 so as to provide that a person commits the offense of rape when he has carnal knowledge of
3 a female who is less than 12 years of age; to repeal conflicting laws; and for other purposes.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

5 style="text-align:center">**SECTION 1.**

6 Code Section 16-6-1 of the Official Code of Georgia Annotated, relating to rape, is amended
7 by striking subsection (a) and inserting in lieu thereof a new subsection (a) to read as follows:

8 "(a) A person commits the offense of rape when he has carnal knowledge of:

- 9 (1) A female forcibly and against her will; or
10 (2) A female who is less than ~~ten~~ 12 years of age.

11 Carnal knowledge in rape occurs when there is any penetration of the female sex organ by
12 the male sex organ. The fact that the person allegedly raped is the wife of the defendant
13 shall not be a defense to a charge of rape."

14 style="text-align:center">**SECTION 2.**

15 All laws and parts of laws in conflict with this Act are repealed.