

House Bill 1299

By: Representatives Jenkins of the 110<sup>th</sup>, Snow of the 2<sup>nd</sup>, Lucas of the 124<sup>th</sup> and McKinney of the 51<sup>st</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Article 2 of Chapter 5 of Title 16 of the Official Code of Georgia Annotated,  
2 relating to assault and battery, so as to provide for increased penalties for committing the  
3 offenses of simple assault, simple battery, and battery against persons operating public transit  
4 vehicles and occupied school buses; to provide for an effective date and applicability; to  
5 provide for related matters; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Article 2 of Chapter 5 of Title 16 of the Official Code of Georgia Annotated, relating to  
9 assault and battery, is amended in Code Section 16-5-20, relating to simple assault, by  
10 striking subsection (c) and inserting in its place a new subsection to read as follows:

11 "(c)(1) Any person who commits the offense of simple assault against a person operating  
12 in a public transit vehicle or station school bus with passengers on board at the time of  
13 the assault shall be guilty of a felony and, upon conviction thereof, shall be punished by  
14 imprisonment of not less than one year and not more than five years.

15 (2) Any person who commits the offense of simple assault against a person operating a  
16 public transit vehicle or station, other than the circumstance described in paragraph (1)  
17 of this subsection, shall, upon conviction thereof, be punished for a misdemeanor of a  
18 high and aggravated nature.

19 (3) For purposes of this Code section, 'public transit vehicle' means a bus, van, or rail car  
20 used for the transportation of passengers within a system which receives a subsidy from  
21 tax revenues or is operated under a franchise contract with a county or municipality of  
22 this state."

23 **SECTION 2.**

24 Said article is further amended in Code Section 16-5-23, relating to simple battery, by  
25 striking subsection (d) and inserting in its place a new subsection to read as follows:

