

House Bill 1366

By: Representatives Rice of the 79th, Squires of the 78th, Watson of the 70th, Byrd of the 170th, Hudgens of the 24th and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 16-12-80 of the Official Code of Georgia Annotated, relating to
2 distribution of obscene material, the definition of such material, and penalties, so as to
3 increase punishments for second and subsequent offenses; to repeal conflicting laws; and for
4 other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **SECTION 1.**

7 Code Section 16-12-80 of the Official Code of Georgia Annotated, relating to distribution
8 of obscene material, the definition of such material, and penalties for violations, is amended
9 by striking subsection (f) and inserting in lieu thereof the following:

10 "(f) A person who commits the offense of distributing obscene material shall be guilty of
11 a misdemeanor of a high and aggravated nature; except that a person who commits a
12 second or subsequent such offense shall be guilty of a felony and upon conviction thereof
13 shall be punished by imprisonment for not less than one nor more than three years, by a
14 fine not to exceed \$10,000.00, or both such fine and imprisonment."

15 **SECTION 2.**

16 All laws and parts of laws in conflict with this Act are repealed.