

The House Committee on Special Judiciary offers the following substitute to HB 1079:

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 16-8-12 of the Official Code of Georgia Annotated, relating to
2 penalties for certain theft offenses, so as to provide that it is the duty of the prosecuting
3 attorney in prosecutions for theft by deception to provide to a newspaper specified
4 information for any person convicted of theft by deception against elder persons or disabled
5 persons; to provide for the duty of the sheriff to provide a picture; to provide for exceptions;
6 to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

8
9 Code Section 16-8-12 of the Official Code of Georgia Annotated, relating to penalties for
10 certain theft offenses, is amended by inserting a new subsection to be designated as
11 subsection (d) to read as follows:

12 "(d)(1) In addition to any other provision of law, if a person is convicted of a violation
13 of Code Section 16-8-3 when the offense was committed against a person who is an elder
14 person, as defined in Code Section 10-1-850, or a disabled person, as defined in Code
15 Section 10-1-850, it shall be the duty of the prosecuting attorney for all such defendants
16 to provide to a newspaper of general circulation in the county where the defendant was
17 convicted the name of the defendant, the date of the conviction, and a general account of
18 the conduct for which the defendant was convicted. Upon request of the prosecuting
19 attorney, it shall be the duty of the sheriff of the county to provide such newspaper with
20 a copy of the picture of such defendant that was taken upon the arrest or booking of such
21 defendant.

22 (2) This subsection shall not apply to the first offense of any defendant sentenced in
23 accordance with Article 3 of Chapter 8 of Title 42, relating to probation of first offenders,
24 unless an adjudication of guilt of such first offense is later entered by the court in
25 accordance with Code Section 42-8-60."

SECTION 2.

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2 All laws and parts of laws in conflict with this Act are repealed.