

House Bill 289

By: Representatives Unterman of the 84th, Campbell of the 42nd and McBee of the 88th

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 30-5-8 of the Official Code of Georgia Annotated, relating to
2 criminal offenses and penalties for abuse, neglect, and exploitation of disabled adults and
3 elder persons, so as to increase the penalty for abuse, neglect, and exploitation of disabled
4 adults and elder persons from a misdemeanor to a misdemeanor of high and aggravated
5 nature; to provide for an effective date; to repeal conflicting laws, and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

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

8 Code Section 30-5-8 of the Official Code of Georgia Annotated, relating to criminal offenses
9 and penalties for abuse, neglect, and exploitation of disabled adults and elder persons, is
10 amended by striking the Code section in its entirety and inserting in lieu thereof a new
11 Code Section 30-5-8 to read as follows:

12 "30-5-8.

13 (a)(1) In addition to any other provision of law, it shall be unlawful for any person to
14 abuse, neglect, or exploit any disabled adult or elder person.

15 (2) Except as otherwise provided in Title 16, any person violating the provisions of this
16 subsection shall be guilty of a misdemeanor of a high and aggravated nature.

17 (b)(1) It shall be unlawful for any person or official required by paragraph (1) of
18 subsection (a) of Code Section 30-5-4 to report a case of disabled adult or elder person
19 abuse to fail knowingly and willfully to make such report.

20 (2) Any person violating the provisions of this subsection shall be guilty of a
21 misdemeanor.

22 (c) Any violation of this Code section shall constitute a separate offense."

1 **SECTION 2.**

2 This Act shall become effective upon its approval by the Governor or upon its becoming law
3 without such approval.

4 **SECTION 3.**

5 All laws and parts of laws in conflict with this Act are repealed.