

Senate Bill 524

By: Senator Thomas of the 10th

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 2 of Chapter 8 of Title 16 of the Official Code of Georgia Annotated,
2 relating to robbery, so as to impose a sentence of imprisonment for life when the victim is
3 operating a taxicab; to provide an effective date; to repeal conflicting laws; and for other
4 purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

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

7 Article 2 of Chapter 8 of Title 16 of the Official Code of Georgia Annotated, relating to
8 robbery, is amended by striking in its entirety Code Section 16-8-41, relating to armed
9 robbery, and inserting in lieu thereof a new Code section to read as follows:

10 "16-8-41.

11 (a) A person commits the offense of armed robbery when, with intent to commit theft, he
12 or she takes property of another from the person or the immediate presence of another by
13 use of an offensive weapon, or any replica, article, or device having the appearance of such
14 weapon. The offense of robbery by intimidation shall be a lesser included offense in the
15 offense of armed robbery.

16 (b) A person convicted of the offense of armed robbery shall be punished by death or
17 imprisonment for life or by imprisonment for not less than ten nor more than 20 years.

18 (c)(1) The preceding provisions of this Code section notwithstanding, in any case in
19 which the defendant commits armed robbery and in the course of the commission of the
20 offense such person unlawfully takes a controlled substance from a pharmacy or a
21 wholesale druggist and intentionally inflicts bodily injury upon any person, such facts
22 shall be charged in the indictment or accusation and, if found to be true by the court or
23 if admitted by the defendant, the defendant shall be punished by imprisonment for not
24 less than 15 years.

25 (2) As used in this subsection, the term:

1 (A) 'Controlled substance' means a drug, substance, or immediate precursor in
2 Schedules I through V of Code Sections 16-13-25 through 16-13-29.

3 (B) 'Pharmacy' means any place licensed in accordance with Chapter 4 of Title 26
4 wherein the possessing, displaying, compounding, dispensing, or retailing of drugs may
5 be conducted, including any and all portions of any building or structure leased, used,
6 or controlled by the licensee in the conduct of the business licensed by the State Board
7 of Pharmacy at the address for which the license was issued. The term pharmacy shall
8 also include any building, warehouse, physician's office, or hospital used in whole or
9 in part for the sale, storage, or dispensing of any controlled substance.

10 (C) 'Wholesale druggist' means an individual, partnership, corporation, or association
11 registered with the State Board of Pharmacy under Chapter 4 of Title 26.

12 (d)(1) Notwithstanding any other provision of this Code section, any person who
13 commits the offense of armed robbery against a person while that person is operating a
14 taxicab shall, upon conviction thereof, be punished by imprisonment for life.

15 (2) As used in this subsection, the term 'taxicab' means a motor vehicle used to transport
16 passengers for a fare and which is fitted with a taximeter to compute such fare or is
17 otherwise licensed by an authorized governmental entity as a taxicab.

18 (e)(d) Any person convicted under this Code section shall, in addition, be subject to the
19 sentencing and punishment provisions of Code Sections 17-10-6.1 and 17-10-7."

20 **SECTION 2.**

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

23 **SECTION 3.**

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