

Senate Bill 77

By: Senator James of the 35th

AS PASSED SENATE

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 11 of Chapter 6 of Title 40 of the Official Code of Georgia Annotated,
2 relating to miscellaneous provisions relative to the uniform rules of the road, so as to provide
3 that it shall be unlawful to leave a child six years old or younger unattended in a motor
4 vehicle; to provide for penalties; to repeal conflicting laws; and for other purposes.

5 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

6 **SECTION 1.**

7 Article 11 of Chapter 6 of Title 40 of the Official Code of Georgia Annotated, relating to
8 miscellaneous provisions relative to the uniform rules of the road, is amended by inserting
9 at the end thereof a new Code Section 40-6-256 to read as follows:

10 "40-6-256.

11 (a) As used in this Code section, the term:

12 (1) 'Collision' means the act of a motor vehicle coming into contact with an object or a
13 person.

14 (2) 'Injury' means physical harm to the body of a person, causes of which may include
15 heat, cold, and suffocation.

16 (3) 'Unattended' means not accompanied by or in plain view of a person 14 years of age
17 or older.

18 (b) Any person who leaves a child who is six years of age or younger unattended in a
19 motor vehicle shall be guilty of a misdemeanor and, upon conviction thereof, shall be
20 subject to a fine not to exceed \$200.00.

21 (c) When any person leaves a child who is six years of age or younger unattended in a
22 motor vehicle and such child is injured or causes injury to another person by causing a
23 collision, such person shall be guilty of a misdemeanor and, upon conviction thereof, shall
24 be subject to a fine not to exceed \$1,000.00 or imprisonment for not more than 12 months,
25 or both.

1 (d) When any person leaves a child who is six years of age or younger unattended in a
2 motor vehicle and such child is fatally injured or causes fatal injury to another person by
3 causing a collision, such person shall be guilty of a felony and, upon conviction thereof,
4 shall be punished by imprisonment for not less than five years nor more than 20 years."

5 **SECTION 2.**

6 All laws and parts of laws in conflict with this Act are repealed.