

Senate Bill 15

By: Senators Cheeks of the 23rd, Kemp of the 3rd, Meyer von Bremen of the 12th, Hecht of the 34th and Tanksley of the 32nd

A BILL TO BE ENTITLED
AN ACT

1 To amend Title 16 of the Official Code of Georgia Annotated, relating to crimes and
2 offenses, so as to authorize publication of arrest photographs of persons convicted of crimes
3 involving sexual acts and family violence; to fund said publication; to provide civil and
4 criminal immunity for said publication; to provide for related matters; to repeal conflicting
5 laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

7
8 Title 16 of the Official Code of Georgia Annotated, relating to crimes and offenses, is
9 amended in Code Section 16-5-20, relating to simple assault, by striking subsection (d) and
10 inserting in its place a new subsection to read as follows:

11 "(d)(1) If the offense of simple assault is committed between past or present spouses,
12 persons who are parents of the same child, parents and children, stepparents and
13 stepchildren, foster parents and foster children, or other persons excluding siblings living
14 or formerly living in the same household, the defendant shall be punished for a
15 misdemeanor of a high and aggravated nature. In no event shall this subsection be
16 applicable to corporal punishment administered by a parent or guardian to a child or
17 administered by a person acting in loco parentis.

18 (2) The clerk of the court in which a person is convicted under paragraph (1) of this
19 subsection or a plea of nolo contendere is accepted shall cause to be published a notice
20 of conviction for each such person convicted. Such notices of conviction shall be
21 published in the manner of legal notices in the legal organ of the county in which such
22 person resides or, in the case of nonresidents, in the legal organ of the county in which
23 the person was convicted. Such notice of conviction shall be one column wide by two
24 inches long and shall contain the photograph taken by the arresting law enforcement
25 agency at the time of arrest, name and address of the convicted person, and the date, time,
26 place of arrest, and disposition of the case and shall be published once in the legal organ

1 of the appropriate county in the second week following such conviction or as soon
 2 thereafter as publication may be made.

3 (3) The convicted person for which a notice of conviction is published pursuant to this
 4 subsection shall be assessed \$25.00 for the cost of publication of such notice and such
 5 assessment shall be imposed at the time of conviction in addition to any other fine
 6 imposed pursuant to this Code section.

7 (4) The clerk of the court, the publisher of any legal organ which publishes a notice of
 8 conviction, and any other person involved in the publication of an erroneous notice of
 9 conviction shall be immune from civil or criminal liability for such erroneous publication,
 10 provided such publication was made in good faith."

11 SECTION 2.

12 Said title is further amended in Code Section 16-5-21, relating to aggravated assault, by
 13 striking subsection (i) and inserting in its place a new subsection to read as follows:

14 "(i)(1) If the offense of aggravated assault is committed between past or present spouses,
 15 persons who are parents of the same child, parents and children, stepparents and
 16 stepchildren, foster parents and foster children, or other persons excluding siblings living
 17 or formerly living in the same household, the defendant shall be punished by
 18 imprisonment for not less than three nor more than 20 years.

19 (2) The clerk of the court in which a person is convicted under paragraph (1) of this
 20 subsection or a plea of nolo contendere is accepted shall cause to be published a notice
 21 of conviction for each such person convicted. Such notices of conviction shall be
 22 published in the manner of legal notices in the legal organ of the county in which such
 23 person resides or, in the case of nonresidents, in the legal organ of the county in which
 24 the person was convicted. Such notice of conviction shall be one column wide by two
 25 inches long and shall contain the photograph taken by the arresting law enforcement
 26 agency at the time of arrest, name and address of the convicted person, and the date, time,
 27 place of arrest, and disposition of the case and shall be published once in the legal organ
 28 of the appropriate county in the second week following such conviction or as soon
 29 thereafter as publication may be made.

30 (3) The convicted person for which a notice of conviction is published pursuant to this
 31 subsection shall be assessed \$25.00 for the cost of publication of such notice and such
 32 assessment shall be imposed at the time of conviction in addition to any other fine
 33 imposed pursuant to this Code section.

34 (4) The clerk of the court, the publisher of any legal organ which publishes a notice of
 35 conviction, and any other person involved in the publication of an erroneous notice of

1 conviction shall be immune from civil or criminal liability for such erroneous publication,
 2 provided such publication was made in good faith."

3 SECTION 3.

4 Said title is further amended in Code Section 16-5-23, relating to simple battery, by striking
 5 subsection (f) and inserting in its place a new subsection to read as follows:

6 "(f)(1) If the offense of simple battery is committed between past or present spouses,
 7 persons who are parents of the same child, parents and children, stepparents and
 8 stepchildren, foster parents and foster children, or other persons excluding siblings living
 9 or formerly living in the same household, the defendant shall be punished for a
 10 misdemeanor of a high and aggravated nature. In no event shall this subsection be
 11 applicable to corporal punishment administered by a parent or guardian to a child or
 12 administered by a person acting in loco parentis.

13 (2) The clerk of the court in which a person is convicted under paragraph (1) of this
 14 subsection or a plea of nolo contendere is accepted shall cause to be published a notice
 15 of conviction for each such person convicted. Such notices of conviction shall be
 16 published in the manner of legal notices in the legal organ of the county in which such
 17 person resides or, in the case of nonresidents, in the legal organ of the county in which
 18 the person was convicted. Such notice of conviction shall be one column wide by two
 19 inches long and shall contain the photograph taken by the arresting law enforcement
 20 agency at the time of arrest, name and address of the convicted person, and the date, time,
 21 place of arrest, and disposition of the case and shall be published once in the legal organ
 22 of the appropriate county in the second week following such conviction or as soon
 23 thereafter as publication may be made.

24 (3) The convicted person for which a notice of conviction is published pursuant to this
 25 subsection shall be assessed \$25.00 for the cost of publication of such notice and such
 26 assessment shall be imposed at the time of conviction in addition to any other fine
 27 imposed pursuant to this Code section.

28 (4) The clerk of the court, the publisher of any legal organ which publishes a notice of
 29 conviction, and any other person involved in the publication of an erroneous notice of
 30 conviction shall be immune from civil or criminal liability for such erroneous publication,
 31 provided such publication was made in good faith."

32 SECTION 4.

33 Said title is further amended in Code Section 16-5-23.1, relating to battery, by striking
 34 subsection (f) and inserting in its place a new subsection to read as follows:

1 stepchildren, foster parents and foster children, or other persons excluding siblings living
 2 or formerly living in the same household, the defendant shall be punished by
 3 imprisonment for not less than three nor more than 20 years.

4 (2) The clerk of the court in which a person is convicted under paragraph (1) of this
 5 subsection or a plea of nolo contendere is accepted shall cause to be published a notice
 6 of conviction for each such person convicted. Such notices of conviction shall be
 7 published in the manner of legal notices in the legal organ of the county in which such
 8 person resides or, in the case of nonresidents, in the legal organ of the county in which
 9 the person was convicted. Such notice of conviction shall be one column wide by two
 10 inches long and shall contain the photograph taken by the arresting law enforcement
 11 agency at the time of arrest, name and address of the convicted person, and the date, time,
 12 place of arrest, and disposition of the case and shall be published once in the legal organ
 13 of the appropriate county in the second week following such conviction or as soon
 14 thereafter as publication may be made.

15 (3) The convicted person for which a notice of conviction is published pursuant to this
 16 subsection shall be assessed \$25.00 for the cost of publication of such notice and such
 17 assessment shall be imposed at the time of conviction in addition to any other fine
 18 imposed pursuant to this Code section.

19 (4) The clerk of the court, the publisher of any legal organ which publishes a notice of
 20 conviction, and any other person involved in the publication of an erroneous notice of
 21 conviction shall be immune from civil or criminal liability for such erroneous publication,
 22 provided such publication was made in good faith."

23 SECTION 6.

24 Said title is further amended in Code Section 16-6-1, relating to rape, by striking subsection
 25 (b) and inserting in its place a new subsection to read as follows:

26 "(b)(1) A person convicted of the offense of rape shall be punished by death, by
 27 imprisonment for life without parole, by imprisonment for life, or by imprisonment for
 28 not less than ten nor more than 20 years. Any person convicted under this Code section
 29 shall, in addition, be subject to the sentencing and punishment provisions of Code
 30 Sections 17-10-6.1 and 17-10-7.

31 (2) The clerk of the court in which a person is convicted of rape or a plea of nolo
 32 contendere is accepted shall cause to be published a notice of conviction for each such
 33 person convicted. Such notices of conviction shall be published in the manner of legal
 34 notices in the legal organ of the county in which such person resides or, in the case of
 35 nonresidents, in the legal organ of the county in which the person was convicted. Such
 36 notice of conviction shall be one column wide by two inches long and shall contain the

1 photograph taken by the arresting law enforcement agency at the time of arrest, name and
 2 address of the convicted person, and the date, time, place of arrest, and disposition of the
 3 case and shall be published once in the legal organ of the appropriate county in the
 4 second week following such conviction or as soon thereafter as publication may be made.

5 (3) The convicted person for which a notice of conviction is published pursuant to this
 6 subsection shall be assessed \$25.00 for the cost of publication of such notice and such
 7 assessment shall be imposed at the time of conviction in addition to any other fine
 8 imposed pursuant to this Code section.

9 (4) The clerk of the court, the publisher of any legal organ which publishes a notice of
 10 conviction, and any other person involved in the publication of an erroneous notice of
 11 conviction shall be immune from civil or criminal liability for such erroneous publication,
 12 provided such publication was made in good faith."

13 SECTION 7.

14 Said title is further amended in Code Section 16-6-2, relating to sodomy and aggravated
 15 sodomy, by striking subsection (b) and inserting in its place a new subsection to read as
 16 follows:

17 "(b)(1) A person convicted of the offense of sodomy shall be punished by imprisonment
 18 for not less than one nor more than 20 years. A person convicted of the offense of
 19 aggravated sodomy shall be punished by imprisonment for life or by imprisonment for
 20 not less than ten nor more than 30 years. Any person convicted under this Code section
 21 of the offense of aggravated sodomy shall, in addition, be subject to the sentencing and
 22 punishment provisions of Code Sections 17-10-6.1 and 17-10-7.

23 (2) The clerk of the court in which a person is convicted of sodomy or aggravated
 24 sodomy or a plea of nolo contendere is accepted shall cause to be published a notice of
 25 conviction for each such person convicted. Such notices of conviction shall be published
 26 in the manner of legal notices in the legal organ of the county in which such person
 27 resides or, in the case of nonresidents, in the legal organ of the county in which the
 28 person was convicted. Such notice of conviction shall be one column wide by two inches
 29 long and shall contain the photograph taken by the arresting law enforcement agency at
 30 the time of arrest, name and address of the convicted person, and the date, time, place of
 31 arrest, and disposition of the case and shall be published once in the legal organ of the
 32 appropriate county in the second week following such conviction or as soon thereafter
 33 as publication may be made.

34 (3) The convicted person for which a notice of conviction is published pursuant to this
 35 subsection shall be assessed \$25.00 for the cost of publication of such notice and such

1 assessment shall be imposed at the time of conviction in addition to any other fine
 2 imposed pursuant to this Code section.

3 (4) The clerk of the court, the publisher of any legal organ which publishes a notice of
 4 conviction, and any other person involved in the publication of an erroneous notice of
 5 conviction shall be immune from civil or criminal liability for such erroneous publication,
 6 provided such publication was made in good faith."

7 **SECTION 8.**

8 Said title is further amended in Code Section 16-6-4, relating to child molestation and
 9 aggravated child molestation, by adding at the end thereof a new subsection (e) to read as
 10 follows:

11 "(e) (1) The clerk of the court in which a person is convicted of child molestation or
 12 aggravated child molestation or a plea of nolo contendere is accepted shall cause to be
 13 published a notice of conviction for each such person convicted. Such notices of
 14 conviction shall be published in the manner of legal notices in the legal organ of the
 15 county in which such person resides or, in the case of nonresidents, in the legal organ of
 16 the county in which the person was convicted. Such notice of conviction shall be one
 17 column wide by two inches long and shall contain the photograph taken by the arresting
 18 law enforcement agency at the time of arrest, name and address of the convicted person,
 19 and the date, time, place of arrest, and disposition of the case and shall be published once
 20 in the legal organ of the appropriate county in the second week following such conviction
 21 or as soon thereafter as publication may be made.

22 (2) The convicted person for which a notice of conviction is published pursuant to this
 23 subsection shall be assessed \$25.00 for the cost of publication of such notice and such
 24 assessment shall be imposed at the time of conviction in addition to any other fine
 25 imposed pursuant to this Code section.

26 (3) The clerk of the court, the publisher of any legal organ which publishes a notice of
 27 conviction, and any other person involved in the publication of an erroneous notice of
 28 conviction shall be immune from civil or criminal liability for such erroneous publication,
 29 provided such publication was made in good faith."

30 **SECTION 9.**

31 Said title is further amended in Code Section 16-6-5, relating to enticing a child for indecent
 32 purposes, by striking subsection (b) and inserting in its place a new subsection to read as
 33 follows:

34 "(b)(1) A person convicted of the offense of enticing a child for indecent purposes shall
 35 be punished by imprisonment for not less than one nor more than 20 years. Upon a first

1 conviction of the offense of enticing a child for indecent purposes, the judge may probate
 2 the sentence; and such probation may be upon the special condition that the defendant
 3 undergo a mandatory period of counseling administered by a licensed psychiatrist or a
 4 licensed psychologist. However, if the judge finds that such probation should not be
 5 imposed, he or she shall sentence the defendant to imprisonment. Upon a second or third
 6 conviction of such offense, the defendant shall be punished by imprisonment for not less
 7 than five years. For a fourth or subsequent conviction of the offense of enticing a child
 8 for indecent purposes, the defendant shall be punished by imprisonment for 20 years.
 9 Adjudication of guilt or imposition of sentence for a conviction of a third, fourth, or
 10 subsequent offense of enticing a child for indecent purposes, including a plea of nolo
 11 contendere, shall not be suspended, probated, deferred, or withheld.

12 (2) The clerk of the court in which a person is convicted of enticing a child for indecent
 13 purposes or a plea of nolo contendere is accepted shall cause to be published a notice of
 14 conviction for each such person convicted. Such notices of conviction shall be published
 15 in the manner of legal notices in the legal organ of the county in which such person
 16 resides or, in the case of nonresidents, in the legal organ of the county in which the
 17 person was convicted. Such notice of conviction shall be one column wide by two inches
 18 long and shall contain the photograph taken by the arresting law enforcement agency at
 19 the time of arrest, name and address of the convicted person, and the date, time, place of
 20 arrest, and disposition of the case and shall be published once in the legal organ of the
 21 appropriate county in the second week following such conviction or as soon thereafter
 22 as publication may be made.

23 (3) The convicted person for which a notice of conviction is published pursuant to this
 24 subsection shall be assessed \$25.00 for the cost of publication of such notice and such
 25 assessment shall be imposed at the time of conviction in addition to any other fine
 26 imposed pursuant to this Code section.

27 (4) The clerk of the court, the publisher of any legal organ which publishes a notice of
 28 conviction, and any other person involved in the publication of an erroneous notice of
 29 conviction shall be immune from civil or criminal liability for such erroneous publication,
 30 provided such publication was made in good faith."

31 SECTION 10.

32 Said title is further amended in Code Section 16-6-5.1, relating to sexual assault on persons
 33 in custody, hospitals, or other institutions or committed by psychotherapists, by adding new
 34 paragraphs (5), (6), and (7) at the end of subsection (c) to read as follows:

35 "(5) The clerk of the court in which a person is convicted under this Code section or a
 36 plea of nolo contendere is accepted shall cause to be published a notice of conviction for

1 each such person convicted. Such notices of conviction shall be published in the manner
 2 of legal notices in the legal organ of the county in which such person resides or, in the
 3 case of nonresidents, in the legal organ of the county in which the person was convicted.
 4 Such notice of conviction shall be one column wide by two inches long and shall contain
 5 the photograph taken by the arresting law enforcement agency at the time of arrest, name
 6 and address of the convicted person, and the date, time, place of arrest, and disposition
 7 of the case and shall be published once in the legal organ of the appropriate county in the
 8 second week following such conviction or as soon thereafter as publication may be made.

9 (6) The convicted person for which a notice of conviction is published pursuant to this
 10 subsection shall be assessed \$25.00 for the cost of publication of such notice and such
 11 assessment shall be imposed at the time of conviction in addition to any other fine
 12 imposed pursuant to this Code section.

13 (7) The clerk of the court, the publisher of any legal organ which publishes a notice of
 14 conviction, and any other person involved in the publication of an erroneous notice of
 15 conviction shall be immune from civil or criminal liability for such erroneous publication,
 16 provided such publication was made in good faith."

17 SECTION 11.

18 Said title is further amended in Code Section 16-6-6, relating to bestiality, by striking
 19 subsection (b) and inserting in its place a new subsection to read as follows:

20 "(b)(1) A person convicted of the offense of bestiality shall be punished by imprisonment
 21 for not less than one nor more than five years.

22 (2) The clerk of the court in which a person is convicted of bestiality or a plea of nolo
 23 contendere is accepted shall cause to be published a notice of conviction for each such
 24 person convicted. Such notices of conviction shall be published in the manner of legal
 25 notices in the legal organ of the county in which such person resides or, in the case of
 26 nonresidents, in the legal organ of the county in which the person was convicted. Such
 27 notice of conviction shall be one column wide by two inches long and shall contain the
 28 photograph taken by the arresting law enforcement agency at the time of arrest, name and
 29 address of the convicted person, and the date, time, place of arrest, and disposition of the
 30 case and shall be published once in the legal organ of the appropriate county in the
 31 second week following such conviction or as soon thereafter as publication may be made.

32 (3) The convicted person for which a notice of conviction is published pursuant to this
 33 subsection shall be assessed \$25.00 for the cost of publication of such notice and such
 34 assessment shall be imposed at the time of conviction in addition to any other fine
 35 imposed pursuant to this Code section.

1 (4) The clerk of the court, the publisher of any legal organ which publishes a notice of
 2 conviction, and any other person involved in the publication of an erroneous notice of
 3 conviction shall be immune from civil or criminal liability for such erroneous publication,
 4 provided such publication was made in good faith."

5 SECTION 12.

6 Said title is further amended in Code Section 16-6-7, relating to necrophilia, by striking
 7 subsection (b) and inserting in its place a new subsection to read as follows:

8 "(b)(1) A person convicted of the offense of necrophilia shall be punished by
 9 imprisonment for not less than one nor more than ten years.

10 (2) The clerk of the court in which a person is convicted of necrophilia or a plea of nolo
 11 contendere is accepted shall cause to be published a notice of conviction for each such
 12 person convicted. Such notices of conviction shall be published in the manner of legal
 13 notices in the legal organ of the county in which such person resides or, in the case of
 14 nonresidents, in the legal organ of the county in which the person was convicted. Such
 15 notice of conviction shall be one column wide by two inches long and shall contain the
 16 photograph taken by the arresting law enforcement agency at the time of arrest, name and
 17 address of the convicted person, and the date, time, place of arrest, and disposition of the
 18 case and shall be published once in the legal organ of the appropriate county in the
 19 second week following such conviction or as soon thereafter as publication may be made.

20 (3) The convicted person for which a notice of conviction is published pursuant to this
 21 subsection shall be assessed \$25.00 for the cost of publication of such notice and such
 22 assessment shall be imposed at the time of conviction in addition to any other fine
 23 imposed pursuant to this Code section.

24 (4) The clerk of the court, the publisher of any legal organ which publishes a notice of
 25 conviction, and any other person involved in the publication of an erroneous notice of
 26 conviction shall be immune from civil or criminal liability for such erroneous publication,
 27 provided such publication was made in good faith."

28 SECTION 13.

29 Said title is further amended in Code Section 16-6-8, relating to public indecency, by striking
 30 subsection (c) and inserting in its place a new subsection to read as follows:

31 "(c)(1) Upon a third or subsequent conviction for public indecency for the violation of
 32 paragraph (2), (3), or (4) of subsection (a) of this Code section, a person shall be guilty
 33 of a felony and shall be punished by imprisonment for not less than one nor more than
 34 five years.

1 (2) The clerk of the court in which a person is convicted a third or subsequent time under
 2 paragraph (2), (3), or (4) of subsection (a) of this Code section shall cause to be published
 3 a notice of conviction for each such person convicted. Such notices of conviction shall
 4 be published in the manner of legal notices in the legal organ of the county in which such
 5 person resides or, in the case of nonresidents, in the legal organ of the county in which
 6 the person was convicted. Such notice of conviction shall be one column wide by two
 7 inches long and shall contain the photograph taken by the arresting law enforcement
 8 agency at the time of arrest, name and address of the convicted person, and the date, time,
 9 place of arrest, and disposition of the case and shall be published once in the legal organ
 10 of the appropriate county in the second week following such conviction or as soon
 11 thereafter as publication may be made.

12 (3) The convicted person for which a notice of conviction is published pursuant to this
 13 subsection shall be assessed \$25.00 for the cost of publication of such notice and such
 14 assessment shall be imposed at the time of conviction in addition to any other fine
 15 imposed pursuant to this Code section.

16 (4) The clerk of the court, the publisher of any legal organ which publishes a notice of
 17 conviction, and any other person involved in the publication of an erroneous notice of
 18 conviction shall be immune from civil or criminal liability for such erroneous publication,
 19 provided such publication was made in good faith."

20 SECTION 14.

21 Said title is further amended in Code Section 16-6-13, relating to violating Code Sections
 22 16-6-9 through 16-6-12, by striking subsection (c) and inserting in its place a new subsection
 23 to read as follows:

24 "(c)(1) The clerk of the court in which a person is convicted of pandering, prostitution,
 25 keeping a place of prostitution, or pimping shall cause to be published a notice of
 26 conviction for each such person convicted. Such notices of conviction shall be published
 27 in the manner of legal notices in the legal organ of the county in which such person
 28 resides or, in the case of nonresidents, in the legal organ of the county in which the
 29 person was convicted. Such notice of conviction shall be one column wide by two inches
 30 long and shall contain the photograph taken by the arresting law enforcement agency at
 31 the time of arrest, name, and address of the convicted person and the date, time, place of
 32 arrest, and disposition of the case and shall be published once in the legal organ of the
 33 appropriate county in the second week following such conviction or as soon thereafter
 34 as publication may be made.

35 (2) The convicted person for which a notice of conviction is published pursuant to this
 36 subsection shall be assessed the cost of publication of such notice and such assessment

1 shall be imposed at the time of conviction in addition to any other fine imposed pursuant
2 to this Code section.

3 (3) The clerk of the court, the publisher of any legal organ which publishes a notice of
4 conviction, and any other person involved in the publication of an erroneous notice of
5 conviction shall be immune from civil or criminal liability for such erroneous publication,
6 provided such publication was made in good faith."

7 **SECTION 15.**

8 Said title is further amended by striking Code Section 16-6-14, relating to pandering by
9 compulsion, and inserting in its place a new Code section to read as follows:

10 "16-6-14.

11 (a) A person commits the offense of pandering by compulsion when he or she by duress
12 or coercion causes a female or male to perform an act of prostitution and, upon conviction
13 thereof, shall be punished by imprisonment for not less than one nor more than ten years.

14 (b)(1) The clerk of the court in which a person is convicted of pandering by compulsion
15 shall cause to be published a notice of conviction for each such person convicted. Such
16 notices of conviction shall be published in the manner of legal notices in the legal organ
17 of the county in which such person resides or, in the case of nonresidents, in the legal
18 organ of the county in which the person was convicted. Such notice of conviction shall
19 be one column wide by two inches long and shall contain the photograph taken by the
20 arresting law enforcement agency at the time of arrest, name and address of the convicted
21 person, and the date, time, place of arrest, and disposition of the case and shall be
22 published once in the legal organ of the appropriate county in the second week following
23 such conviction or as soon thereafter as publication may be made.

24 (2) The convicted person for which a notice of conviction is published pursuant to this
25 subsection shall be assessed \$25.00 for the cost of publication of such notice and such
26 assessment shall be imposed at the time of conviction in addition to any other fine
27 imposed pursuant to this Code section.

28 (3) The clerk of the court, the publisher of any legal organ which publishes a notice of
29 conviction, and any other person involved in the publication of an erroneous notice of
30 conviction shall be immune from civil or criminal liability for such erroneous publication,
31 provided such publication was made in good faith."

32 **SECTION 16.**

33 Said title is further amended in Code Section 16-6-15, relating to solicitation of sodomy, by
34 adding at the end thereof a new subsection (c) to read as follows:

1 assessment shall be imposed at the time of conviction in addition to any other fine
 2 imposed pursuant to this Code section.

3 (4) The clerk of the court, the publisher of any legal organ which publishes a notice of
 4 conviction, and any other person involved in the publication of an erroneous notice of
 5 conviction shall be immune from civil or criminal liability for such erroneous publication,
 6 provided such publication was made in good faith."

7 **SECTION 18.**

8 Said title is further amended in Code Section 16-6-17, relating to giving massages in certain
 9 types of places, by striking subsection (c) and inserting in its place a new subsection to read
 10 as follows:

11 "(c)(1) Any person who violates this Code section shall be guilty of a misdemeanor.

12 (2) The clerk of the court in which a person is convicted under this Code section or a
 13 plea of nolo contendere is accepted shall cause to be published a notice of conviction for
 14 each such person convicted. Such notices of conviction shall be published in the manner
 15 of legal notices in the legal organ of the county in which such person resides or, in the
 16 case of nonresidents, in the legal organ of the county in which the person was convicted.
 17 Such notice of conviction shall be one column wide by two inches long and shall contain
 18 the photograph taken by the arresting law enforcement agency at the time of arrest, name
 19 and address of the convicted person, and the date, time, place of arrest, and disposition
 20 of the case and shall be published once in the legal organ of the appropriate county in the
 21 second week following such conviction or as soon thereafter as publication may be made.

22 (3) The convicted person for which a notice of conviction is published pursuant to this
 23 subsection shall be assessed \$25.00 for the cost of publication of such notice and such
 24 assessment shall be imposed at the time of conviction in addition to any other fine
 25 imposed pursuant to this Code section.

26 (4) The clerk of the court, the publisher of any legal organ which publishes a notice of
 27 conviction, and any other person involved in the publication of an erroneous notice of
 28 conviction shall be immune from civil or criminal liability for such erroneous publication,
 29 provided such publication was made in good faith."

30 **SECTION 19.**

31 Said title is further amended by striking Code Section 16-6-18, relating to fornication, and
 32 inserting in its place a new Code section to read as follows:

33 "16-6-18.

1 (a) An unmarried person commits the offense of fornication when he or she voluntarily
 2 has sexual intercourse with another person and, upon conviction thereof, shall be punished
 3 as for a misdemeanor.

4 (b)(1) The clerk of the court in which a person is convicted of fornication shall cause to
 5 be published a notice of conviction for each such person convicted. Such notices of
 6 conviction shall be published in the manner of legal notices in the legal organ of the
 7 county in which such person resides or, in the case of nonresidents, in the legal organ of
 8 the county in which the person was convicted. Such notice of conviction shall be one
 9 column wide by two inches long and shall contain the photograph taken by the arresting
 10 law enforcement agency at the time of arrest, name and address of the convicted person,
 11 and the date, time, place of arrest, and disposition of the case and shall be published once
 12 in the legal organ of the appropriate county in the second week following such conviction
 13 or as soon thereafter as publication may be made.

14 (2) The convicted person for which a notice of conviction is published pursuant to this
 15 subsection shall be assessed \$25.00 for the cost of publication of such notice and such
 16 assessment shall be imposed at the time of conviction in addition to any other fine
 17 imposed pursuant to this Code section.

18 (3) The clerk of the court, the publisher of any legal organ which publishes a notice of
 19 conviction, and any other person involved in the publication of an erroneous notice of
 20 conviction shall be immune from civil or criminal liability for such erroneous publication,
 21 provided such publication was made in good faith."

22 SECTION 20.

23 Said title is further amended by striking Code Section 16-6-19, relating to adultery, and
 24 inserting in its place a new Code section to read as follows:

25 "16-6-19.

26 (a) A married person commits the offense of adultery when he or she voluntarily has
 27 sexual intercourse with a person other than his or her spouse and, upon conviction thereof,
 28 shall be punished as for a misdemeanor.

29 (b)(1) The clerk of the court in which a person is convicted of adultery shall cause to be
 30 published a notice of conviction for each such person convicted. Such notices of
 31 conviction shall be published in the manner of legal notices in the legal organ of the
 32 county in which such person resides or, in the case of nonresidents, in the legal organ of
 33 the county in which the person was convicted. Such notice of conviction shall be one
 34 column wide by two inches long and shall contain the photograph taken by the arresting
 35 law enforcement agency at the time of arrest, name and address of the convicted person,
 36 and the date, time, place of arrest, and disposition of the case and shall be published once

1 in the legal organ of the appropriate county in the second week following such conviction
 2 or as soon thereafter as publication may be made.

3 (2) The convicted person for which a notice of conviction is published pursuant to this
 4 subsection shall be assessed \$25.00 for the cost of publication of such notice and such
 5 assessment shall be imposed at the time of conviction in addition to any other fine
 6 imposed pursuant to this Code section.

7 (3) The clerk of the court, the publisher of any legal organ which publishes a notice of
 8 conviction, and any other person involved in the publication of an erroneous notice of
 9 conviction shall be immune from civil or criminal liability for such erroneous publication,
 10 provided such publication was made in good faith."

11 SECTION 21.

12 Said title is further amended in Code Section 16-6-20, relating to bigamy, by striking
 13 subsection (c) and inserting in its place a new subsection to read as follows:

14 "(c)(1) A person convicted of the offense of bigamy shall be punished by imprisonment
 15 for not less than one nor more than ten years.

16 (2) The clerk of the court in which a person is convicted of bigamy shall cause to be
 17 published a notice of conviction for each such person convicted. Such notices of
 18 conviction shall be published in the manner of legal notices in the legal organ of the
 19 county in which such person resides or, in the case of nonresidents, in the legal organ of
 20 the county in which the person was convicted. Such notice of conviction shall be one
 21 column wide by two inches long and shall contain the photograph taken by the arresting
 22 law enforcement agency at the time of arrest, name and address of the convicted person,
 23 and the date, time, place of arrest, and disposition of the case and shall be published once
 24 in the legal organ of the appropriate county in the second week following such conviction
 25 or as soon thereafter as publication may be made.

26 (3) The convicted person for which a notice of conviction is published pursuant to this
 27 subsection shall be assessed \$25.00 for the cost of publication of such notice and such
 28 assessment shall be imposed at the time of conviction in addition to any other fine
 29 imposed pursuant to this Code section.

30 (4) The clerk of the court, the publisher of any legal organ which publishes a notice of
 31 conviction, and any other person involved in the publication of an erroneous notice of
 32 conviction shall be immune from civil or criminal liability for such erroneous publication,
 33 provided such publication was made in good faith."

34 SECTION 22.

1 Said title is further amended in Code Section 16-6-21, relating to marrying a bigamist, by
2 striking subsection (c) and inserting in its place a new subsection to read as follows:

3 "(c)(1) A person convicted of the offense of marrying a bigamist shall be punished by
4 imprisonment for not less than one nor more than ten years.

5 (2) The clerk of the court in which a person is convicted of marrying a bigamist shall
6 cause to be published a notice of conviction for each such person convicted. Such notices
7 of conviction shall be published in the manner of legal notices in the legal organ of the
8 county in which such person resides or, in the case of nonresidents, in the legal organ of
9 the county in which the person was convicted. Such notice of conviction shall be one
10 column wide by two inches long and shall contain the photograph taken by the arresting
11 law enforcement agency at the time of arrest, name and address of the convicted person,
12 and the date, time, place of arrest, and disposition of the case and shall be published once
13 in the legal organ of the appropriate county in the second week following such conviction
14 or as soon thereafter as publication may be made.

15 (3) The convicted person for which a notice of conviction is published pursuant to this
16 subsection shall be assessed \$25.00 for the cost of publication of such notice and such
17 assessment shall be imposed at the time of conviction in addition to any other fine
18 imposed pursuant to this Code section.

19 (4) The clerk of the court, the publisher of any legal organ which publishes a notice of
20 conviction, and any other person involved in the publication of an erroneous notice of
21 conviction shall be immune from civil or criminal liability for such erroneous publication,
22 provided such publication was made in good faith."

23 SECTION 23.

24 Said title is further amended in Code Section 16-6-22, relating to incest, by striking
25 subsection (b) and inserting in its place a new subsection to read as follows:

26 "(b)(1) A person convicted of the offense of incest shall be punished by imprisonment
27 for not less than one nor more than 20 years.

28 (2) The clerk of the court in which a person is convicted of incest or a plea of nolo
29 contendere is accepted shall cause to be published a notice of conviction for each such
30 person convicted. Such notices of conviction shall be published in the manner of legal
31 notices in the legal organ of the county in which such person resides or, in the case of
32 nonresidents, in the legal organ of the county in which the person was convicted. Such
33 notice of conviction shall be one column wide by two inches long and shall contain the
34 photograph taken by the arresting law enforcement agency at the time of arrest, name and
35 address of the convicted person, and the date, time, place of arrest, and disposition of the

1 case and shall be published once in the legal organ of the appropriate county in the
 2 second week following such conviction or as soon thereafter as publication may be made.

3 (3) The convicted person for which a notice of conviction is published pursuant to this
 4 subsection shall be assessed \$25.00 for the cost of publication of such notice and such
 5 assessment shall be imposed at the time of conviction in addition to any other fine
 6 imposed pursuant to this Code section.

7 (4) The clerk of the court, the publisher of any legal organ which publishes a notice of
 8 conviction, and any other person involved in the publication of an erroneous notice of
 9 conviction shall be immune from civil or criminal liability for such erroneous publication,
 10 provided such publication was made in good faith."

11 **SECTION 24.**

12 Said title is further amended in Code Section 16-6-22.1, relating to sexual battery, by striking
 13 subsection (c) and inserting in its place a new subsection to read as follows:

14 "(c)(1) A person convicted of the offense of sexual battery shall be punished as for a
 15 misdemeanor of a high and aggravated nature.

16 (2) The clerk of the court in which a person is convicted of sexual battery or a plea of
 17 nolo contendere is accepted shall cause to be published a notice of conviction for each
 18 such person convicted. Such notices of conviction shall be published in the manner of
 19 legal notices in the legal organ of the county in which such person resides or, in the case
 20 of nonresidents, in the legal organ of the county in which the person was convicted. Such
 21 notice of conviction shall be one column wide by two inches long and shall contain the
 22 photograph taken by the arresting law enforcement agency at the time of arrest, name and
 23 address of the convicted person, and the date, time, place of arrest, and disposition of the
 24 case and shall be published once in the legal organ of the appropriate county in the
 25 second week following such conviction or as soon thereafter as publication may be made.

26 (3) The convicted person for which a notice of conviction is published pursuant to this
 27 subsection shall be assessed \$25.00 for the cost of publication of such notice and such
 28 assessment shall be imposed at the time of conviction in addition to any other fine
 29 imposed pursuant to this Code section.

30 (4) The clerk of the court, the publisher of any legal organ which publishes a notice of
 31 conviction, and any other person involved in the publication of an erroneous notice of
 32 conviction shall be immune from civil or criminal liability for such erroneous publication,
 33 provided such publication was made in good faith."

34 **SECTION 25.**

1 Said title is further amended in Code Section 16-6-22.2, relating to aggravated sexual battery,
2 by striking subsection (c) and inserting in its place a new subsection to read as follows:

3 "(c)(1) A person convicted of the offense of aggravated sexual battery shall be punished
4 by imprisonment for not less than ten nor more than 20 years. Any person convicted
5 under this Code section shall, in addition, be subject to the sentencing and punishment
6 provisions of Code Sections 17-10-6.1 and 17-10-7.

7 (2) The clerk of the court in which a person is convicted of aggravated sexual battery or
8 a plea of nolo contendere is accepted shall cause to be published a notice of conviction
9 for each such person convicted. Such notices of conviction shall be published in the
10 manner of legal notices in the legal organ of the county in which such person resides or,
11 in the case of nonresidents, in the legal organ of the county in which the person was
12 convicted. Such notice of conviction shall be one column wide by two inches long and
13 shall contain the photograph taken by the arresting law enforcement agency at the time
14 of arrest, name and address of the convicted person, and the date, time, place of arrest,
15 and disposition of the case and shall be published once in the legal organ of the
16 appropriate county in the second week following such conviction or as soon thereafter
17 as publication may be made.

18 (3) The convicted person for which a notice of conviction is published pursuant to this
19 subsection shall be assessed \$25.00 for the cost of publication of such notice and such
20 assessment shall be imposed at the time of conviction in addition to any other fine
21 imposed pursuant to this Code section.

22 (4) The clerk of the court, the publisher of any legal organ which publishes a notice of
23 conviction, and any other person involved in the publication of an erroneous notice of
24 conviction shall be immune from civil or criminal liability for such erroneous publication,
25 provided such publication was made in good faith."

26 **SECTION 26.**

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