

House Bill 430

By: Representatives Hammontree of the 4th and Stokes of the 92nd

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 40-6-391 of the Official Code of Georgia Annotated, relating to the
2 offense of driving under the influence of alcohol, drugs, or other intoxicating substances, so
3 as to provide that any person who is convicted of or pleads guilty or nolo contendere to a
4 fourth or subsequent violation of this Code section within a five-year period of time shall be
5 guilty of a felony; to provide penalties; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Code Section 40-6-391 of the Official Code of Georgia Annotated, relating to the offense of
9 driving under the influence of alcohol, drugs, or other intoxicating substances, is amended
10 by adding at the end thereof a new subsection (m) to read as follows:

11 "(m) Notwithstanding any other provision of law, any person who is convicted of or pleads
12 guilty or nolo contendere to a fourth or subsequent violation of this Code section within a
13 five-year period of time, as measured from the dates of previous arrests for which
14 convictions were obtained or pleas of nolo contendere were accepted to the date of the
15 current arrest for which a conviction is obtained or a plea of nolo contendere is accepted,
16 shall be guilty of a felony and punished by imprisonment for not less than three nor more
17 than five years."

18 **SECTION 2.**

19 All laws and parts of laws in conflict with this Act are repealed.