

House Bill 634

By: Representatives Martin of the 47th, Stuckey of the 67th, Willard of the 44th, Harrell of the 62nd, Callaway of the 81st and others

A BILL TO BE ENTITLED
AN ACT

To amend Title 16 of the Official Code of Georgia Annotated, relating to crimes, so as to change the definition of aggravated assault; to create the new offense of aggravated sexual assault and provide penalties; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Title 16 of the Official Code of Georgia Annotated, relating crimes, is amended in Code Section 16-5-21, relating to aggravated assault, by striking paragraph (1) of subsection (a) and inserting in lieu thereof the following:

"(1) With intent to murder, ~~to rape~~, or to rob;"

SECTION 2.

Said title is further amended by inserting after Code Section 16-6-3, relating to statutory rape, a new Code Section 16-6-3.1 to read as follows:

"16-6-3.1.

(a) A person commits the offense of aggravated sexual assault when:

(1) He or she assaults another with the intent to commit rape, aggravated sodomy, or aggravated sexual battery; or

(2) He has carnal knowledge of a female when a reasonable person would know that the female does not consent. Carnal knowledge under this Code section occurs when there is any penetration of the female sex organ by the male sex organ.

(b) A person convicted of the offense of aggravated sexual assault shall be punished by imprisonment for not less than one nor more than 20 years."

SECTION 3.

All laws and parts of laws in conflict with this Act are repealed.