

Senate Bill 232

By: Senators Hamrick of the 30<sup>th</sup>, Perdue of the 18<sup>th</sup>, Williams of the 6<sup>th</sup>, Johnson of the 1<sup>st</sup>,  
Price of the 56<sup>th</sup> and others

A BILL TO BE ENTITLED  
AN ACT

To amend Chapter 10 of Title 17 of the Official Code of Georgia Annotated, relating to sentence and punishment, so as to provide that certain defendants serving a sentence for a serious felony shall serve 90 percent of such sentence as imposed before becoming eligible for any form of parole, early release, or any other sentence-reducing measure; to provide that certain defendants serving a sentence for certain other felonies shall serve 85 percent of such sentence as imposed before becoming eligible for any form of parole, early release, or any other sentence-reducing measure; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

**SECTION 1.**

Chapter 10 of Title 17 of the Official Code of Georgia Annotated, relating to sentence and punishment, is amended by inserting a new Code section to be designated Code Section 17-10-6.2 to read as follows:

"17-10-6.2.

(a) As used in this Code section, the term 'serious felony' means any felony which constitutes:

(1) Criminal attempt to commit murder, as defined in Code Sections 16-4-1, 16-4-6, and 16-5-1;

(2) Voluntary manslaughter, as defined in Code Section 16-5-2;

(3) Felony involuntary manslaughter, as defined in subsection (a) of Code Section 16-5-3;

(4) Aggravated assault, as defined in paragraph (2) of subsection (a) of Code Section 16-5-21;

(5) Aggravated assault against a peace officer, as defined in subsection (c) of Code Section 16-5-21;

(6) Aggravated battery, as defined in subsection (a) of Code Section 16-5-24;

(7) Aggravated battery against a peace officer, as defined in Code Section 16-5-24;

- 1 (8) Hijacking a motor vehicle, as defined in Code Section 16-5-44.1;  
2 (9) Cruelty to children in the first degree, as defined in Code Section 16-5-70;  
3 (10) Feticide, as defined in Code Section 16-5-80;  
4 (11) Aggravated stalking, as defined in Code Section 16-5-91;  
5 (12) Attempted rape, as defined in Code Sections 16-4-1 and 16-6-1;  
6 (13) Statutory rape, as defined in Code Section 16-6-3;  
7 (14) Child molestation, as defined in subsection (a) of Code Section 16-6-4;  
8 (15) Enticing a child for indecent purposes, as defined in Code Section 16-6-5;  
9 (16) Incest, as defined in Code Section 16-6-22;  
10 (17) Robbery, as defined in Code Section 16-8-40;  
11 (18) Bus hijacking, as defined in Code Section 16-12-123; or  
12 (19) Vehicular homicide in the first degree, as defined in subsection (a) of Code Section  
13 40-6-393, committed through a violation of Code Section 40-6-391 or by a habitual  
14 violator, as defined in subsection (c) of Code Section 40-6-393.  
15 (b) Any defendant serving a sentence, other than life imprisonment or life imprisonment  
16 without parole, imposed for the conviction of any serious felony shall not be eligible for  
17 parole or early release administered by the State Board of Pardons and Paroles or by any  
18 earned time, early release, work release, leave, or other sentence-reducing measures under  
19 programs administered by the Department of Corrections, the effect of which would be to  
20 reduce the period of incarceration ordered by the sentencing court, until such defendant has  
21 served at least 90 percent of the sentence as imposed by the sentencing court."

## 22 **SECTION 2.**

23 Said chapter is further amended by inserting a new Code section to be designated Code  
24 Section 17-10-6.3 to read as follows:

25 "17-10-6.3.

26 (a) As used in this Code section, 'felony offense' means a felony offense, except for a  
27 serious violent felony as defined in Code Section 17-10-6.1 or a serious felony as defined  
28 in Code Section 17-10-6.2.

29 (b) Any defendant serving a sentence, other than life imprisonment or life imprisonment  
30 without parole, imposed for the conviction of a felony shall not be eligible for parole or  
31 early release administered by the State Board of Pardons and Paroles or by any earned  
32 time, early release, work release, leave, or other sentence-reducing measures under  
33 programs administered by the Department of Corrections, the effect of which would be to  
34 reduce the period of incarceration ordered by the sentencing court, until such defendant has  
35 served at least 85 percent of the sentence as imposed by the sentencing court."

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- SECTION 3.**

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