

Senate Bill 245

By: Senators Lee of the 29<sup>th</sup>, Lamutt of the 21<sup>st</sup>, Gingrey of the 37<sup>th</sup>, Seabaugh of the 28<sup>th</sup> and Marable of the 52<sup>nd</sup>

A BILL TO BE ENTITLED  
AN ACT

To amend Code Section 16-8-41 of the Official Code of Georgia Annotated, relating to armed robbery, robbery by intimidation, and taking a controlled substance from a pharmacy in the course of committing offense, so as to provide that one commits the offense of armed robbery when, with the intent to commit theft, he or she threatens another person by use of an offensive weapon, or any replica, article, or device having the appearance of such weapon, for the purpose of taking the property of another from such other person or from the immediate presence of such other person; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

**SECTION 1.**

Code Section 16-8-41 of the Official Code of Georgia Annotated, relating to armed robbery, robbery by intimidation, and taking a controlled substance from a pharmacy in the course of committing offense, is amended by striking in its entirety subsection (a) and inserting in lieu thereof the following:

"(a) A person commits the offense of armed robbery when, with intent to commit theft, he or she takes property of another from the person or the immediate presence of another by use of an offensive weapon, or any replica, article, or device having the appearance of such weapon. A person also commits the offense of armed robbery when, with the intent to commit theft, he or she immediately threatens another person by use of an offensive weapon, or any replica, article, or device having the appearance of such weapon, for the purpose of taking the property of another from such other person or from the immediate presence of such other person. The offense of robbery by intimidation shall be a lesser included offense in the offense of armed robbery."

**SECTION 2.**

All laws and parts of laws in conflict with this Act are repealed.