

Senate Bill 33

By: Senator James of the 35th

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 6 of Title 16 of the Official Code of Georgia Annotated, relating to sexual
2 offenses, so as to change provisions relating to prostitution; to change the penalty provisions
3 related to the offenses of pimping and pandering; to provide for related matters; to repeal
4 conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 style="text-align:center">**SECTION 1.**

7 Chapter 6 of Title 16 of the Official Code of Georgia Annotated, relating to sexual offenses,
8 is amended by striking in its entirety Code Section 16-6-9, relating to prostitution, and
9 inserting in lieu thereof the following:

10 "16-6-9.

11 A person commits the offense of prostitution when he or she performs or offers or
12 consents to perform an act of sexual intercourse for money or other items of value."

13 style="text-align:center">**SECTION 2.**

14 Said chapter is further amended by striking subsection (b) of Code Section 16-6-13, relating
15 to the penalties for violating Code Sections 16-6-9 through 16-6-12, and inserting in lieu
16 thereof the following:

17 "(b) A person convicted of pimping or pandering when ~~such~~ the offense involves the
18 pimping for or the solicitation of a person under the age of ~~17~~ 18 years to perform an act
19 of prostitution or the assembly of two or more persons under the age of ~~17~~ 18 years at a
20 fixed place for the purpose of being solicited by others to perform an act of prostitution
21 shall be guilty of a felony and shall ~~be fined not less than \$2,500.00 nor more than~~
22 ~~\$10,000.00 or shall be imprisoned for~~ be imprisoned for a period of not less than ~~one year~~
23 five years nor more than ~~five~~ 20 years, or ~~both fined and imprisoned~~ provided that the
24 minimum sentence shall be increased by two years for each year in age below 17 years
25 that the individual or individuals who form the basis of a person's conviction under this

1 subsection is at the time the offense is committed. Such individual may be fined not less
2 than \$2,500.00 nor more than \$10,000.00 plus three times all proceeds that the individual
3 has received from any acts of pimping or pandering. Adjudication of guilt or imposition
4 of sentence for a conviction of a second or subsequent offense of pandering involving a
5 person under the age of 17 years pursuant to this subsection, including a plea of nolo
6 contendere, shall not be suspended, probated, deferred, or withheld."

7 **SECTION 3.**

8 Said chapter is further amended by striking Code Section 16-6-14, relating to pandering by
9 compulsion, and inserting in lieu thereof the following:

10 "16-6-14.

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

14 **SECTION 4.**

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