

The Senate Judiciary Committee offered the following substitute to SB 101:

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 1 of Title 42 of the Official Code of Georgia Annotated, relating to
2 general provisions, so as to provide that persons required to register under Code Section
3 42-1-12 as a result of a conviction of a crime against minors or of sexual violence or as a
4 result of having been declared a sexually violent predator shall not reside within a certain
5 proximity to schools and areas where minors congregate; to provide definitions; to restrict
6 certain civil and criminal liability; to provide for related matters; to provide for penalties; to
7 provide for an effective date; to repeal conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 Chapter 1 of Title 42 of the Official Code of Georgia Annotated, relating to general
11 provisions, is amended by adding a new Code Section 42-1-13 to read as follows:

12 "42-1-13.

13 (a) As used in this Code section, the term:

14 (1) 'Area where minors congregate' shall include all public and private parks and
15 recreation facilities, playgrounds, skating rinks, neighborhood centers, gymnasiums, and
16 similar facilities providing programs or services directed towards persons under 18 years
17 of age.

18 (2) 'Child care facility' shall mean all public and private pre-kindergarten facilities,
19 day-care centers, and preschool facilities.

20 (3) 'School' shall mean all public and private kindergarten, elementary, and secondary
21 schools.

22 (b) No individual required to register under Code Section 42-1-12 shall reside within 1,000
23 feet of any child care facility, school, or area where minors congregate. Such distance shall
24 be determined by measuring from the outer boundary of the property on which the
25 individual resides to the outer boundary of the property of the child care facility, school,
26 or area where minors congregate at their closest points.

1 (c) Any person who knowingly fails to comply with the requirements of this Code section
2 shall be guilty of a felony and shall be punished by imprisonment for not less than one nor
3 more than three years.

4 (d) Nothing in this Code section shall create, either directly or indirectly, any civil cause
5 of action against or result in criminal prosecution of any person, firm, corporation,
6 partnership, trust, or association other than an individual required to be registered under
7 Code Section 42-1-12."

8 **SECTION 2.**

9 This Act shall become effective upon its approval by the Governor or upon its becoming law
10 without such approval.

11 **SECTION 3.**

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