

House Bill 812

By: Representatives Jenkins of the 93rd, Thompson of the 69th, Post 1, Mobley of the 58th,
Ashe of the 42nd, Post 2, Orrock of the 51st, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 7 of Chapter 5 of Title 16 and Code Section 19-13-6 of the Official Code
2 of Georgia Annotated, relating respectively to stalking and penalties for violating certain
3 family violence protective orders, so as to create a new offense relative to violating family
4 violence orders and clarify penalties; to provide for penalties; to provide for related matters;
5 to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Article 7 of Chapter 5 of Title 16 of the Official Code of Georgia Annotated, relating to
9 stalking, is amended by adding a new Code section to the end of the article to read as
10 follows:

11 "16-5-95.

12 (a) A person commits the offense of violating a family violence order when the person
13 knowingly and in a nonviolent manner violates the terms of a family violence temporary
14 restraining order, temporary protective order, permanent restraining order, or permanent
15 protective order issued pursuant to Article 1 of Chapter 13 of Title 19, which:

16 (1) Excludes, evicts, or excludes and evicts the person from a residence or household;

17 (2) Directs the person to stay away from a residence, workplace, or school;

18 (3) Restrains the person from approaching within a specified distance of another person;

19 or

20 (4) Restricts the person from having any contact, direct or indirect, by telephone, pager,
21 facsimile, e-mail, or any other means of communication with another person, except as
22 specified in the order.

23 (b) Any person convicted of a violation of subsection (a) of this Code section shall be
24 guilty of a misdemeanor.

25 (c) Nothing contained in this Code section shall prohibit a prosecution for the offense of
26 stalking or aggravated stalking that arose out of the same course of conduct; provided,

