

House Bill 108 (AS PASSED HOUSE AND SENATE)

By: Representatives Crawford of the 91<sup>st</sup>, Ray of the 108<sup>th</sup>, and James of the 114<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Article 4 of Chapter 9 of Title 16 of the Official Code of Georgia Annotated,  
2 relating to fraud and related offenses, so as to change certain provisions related to failing to  
3 pay for natural products or chattels; to repeal conflicting laws; and for other purposes.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

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

6 Article 4 of Chapter 9 of Title 16 of the Official Code of Georgia Annotated, relating to fraud  
7 and related offenses, is amended by striking Code Section 16-9-58, relating to failing to pay  
8 for natural products or chattels, and inserting in lieu thereof the following:

9 "16-9-58.

10 Any person, either on his or her own account or for others, who with fraudulent intent shall  
11 buy cotton, corn, rice, crude turpentine, spirits of turpentine, rosin, pitch, tar, timber,  
12 pulpwood, Christmas trees, pine needles, horticultural crops, poultry and poultry products,  
13 cattle, hogs, sheep, goats, raites, horses, mules, pecans, peaches, apples, watermelons,  
14 cantaloupes, or other products or chattels and ~~shall fail or refuse to pay therefor or shall~~  
15 ~~make way with or dispose of the same before he or she shall have paid therefor unless~~  
16 ~~credit shall be expressly extended therefor~~ within 20 days following receipt of such  
17 products or chattels or by such other payment due date explicitly stated in a written contract  
18 agreed to by the buyer and seller, whichever is later, shall be guilty of a misdemeanor;  
19 except that if the value of the products or chattels exceeded \$500.00 such person shall be  
20 guilty of a felony and, upon conviction thereof, shall be imprisoned for not less than one  
21 year nor more than five years."

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

23 All laws and parts of laws in conflict with this Act are repealed.