

1 Senators Unterman of the 45th, Johnson of the 1st, Price of the 56th, Thomas of the 54th and
2 Smith of the 52nd offered the following amendment:

3 Amend the Senate committee substitute to HB 318 by inserting on line 8 of page 1 after the
4 word and symbol "inspections;" the following:

5 "to amend Chapter 5 of Title 30 of the Official Code of Georgia Annotated, relating to
6 protection of disabled adults and elder persons, so as to increase the penalty for abuse,
7 neglect, and exploitation of disabled adults and elder persons to a felony; to amend Chapter
8 2 of Title 31 of the Official Code of Georgia Annotated, relating to the Department of
9 Human Resources, so as to authorize actions against applicants and licensees of certain
10 centers;".

11 By inserting between lines 20 and 21 of page 3 the following:

12 **"SECTION 1A.**

13 Chapter 5 of Title 30 of the Official Code of Georgia Annotated, relating to protection of
14 disabled adults and elder persons, is amended by striking Code Section 30-5-8, relating to
15 criminal offenses and penalties for abuse, neglect, and exploitation of disabled adults and
16 elder persons, and inserting in lieu thereof the following:

17 '30-5-8.

18 (a)(1) In addition to any other provision of law, it shall be unlawful for any person to
19 abuse, neglect, or exploit any disabled adult or elder person.

20 (2) Except as otherwise provided in Title 16, any person violating the provisions of this
21 subsection shall be guilty of a ~~misdemeanor of a high and aggravated nature~~ felony and,
22 upon conviction, shall be punished by imprisonment for not less than one nor more than
23 five years.

24 (b)(1) It shall be unlawful for any person or official required by paragraph (1) of
25 subsection (a) of Code Section 30-5-4 to report a case of disabled adult or elder person
26 abuse to fail knowingly and willfully to make such report.

27 (2) Any person violating the provisions of this subsection shall be guilty of a
28 misdemeanor.

29 (c) Any violation of this Code section shall constitute a separate offense."

30 By striking line 7 of page 4 and inserting in lieu thereof the following:

31 "(c) This section and Sections 1A and 4 of this Act shall become effective July 1, 2003."