

House Bill 1131

By: Representatives Reece of the 11<sup>th</sup>, Snow of the 1<sup>st</sup>, and Jenkins of the 93<sup>rd</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Chapter 13 of Title 16 of the Official Code of Georgia Annotated, relating to  
2 controlled substances and marijuana, so as to provide for the offense of endangering a child  
3 through the unlawful manufacture of methamphetamine, amphetamine, or a mixture  
4 containing either substance; to provide for a penalty and consecutive sentences in certain  
5 circumstances; to provide that the offense shall not merge with certain other offenses; to  
6 provide for an effective date and for applicability; to repeal conflicting laws; and for other  
7 purposes.

8 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

9 **SECTION 1.**

10 Chapter 13 of Title 16 of the Official Code of Georgia Annotated, relating to controlled  
11 substances and marijuana, is amended by inserting a new Code section to be designated Code  
12 Section 16-13-30.4 to read as follows:

13 "16-13-30.4.

14 (a) As used in this Code section, 'child' means an individual who is less than 14 years old.

15 (b) Any person who knowingly and unlawfully manufactures or attempts to manufacture  
16 methamphetamine, amphetamine, or a mixture containing either substance in the residence  
17 of a child or children or within 200 feet of the residence of a child or children shall be  
18 guilty of the felony offense of endangering a child through unlawful manufacture of  
19 methamphetamine, amphetamine, or a mixture containing either substance and shall, upon  
20 conviction, be punished by imprisonment for ten years. Any sentence imposed for the  
21 offense described in this Code section shall be served consecutively with any other  
22 sentence imposed for manufacture or trafficking in methamphetamine, amphetamine, or  
23 a mixture containing either substance

24 (c) A conviction for the offense described in this Code section shall not merge with a  
25 conviction for manufacture or trafficking in methamphetamine, amphetamine, or a mixture  
26 containing either substance."

1 **SECTION 2.**

2 This Act shall become effective on July 1, 2004, and shall apply to conduct committed on  
3 or after such date.

4 **SECTION 3.**

5 All laws and parts of laws in conflict with this Act are repealed.