

House Bill 1219

By: Representatives Borders of the 142<sup>nd</sup>, Boggs of the 145<sup>th</sup>, and Black of the 144<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

To amend Article 2 of Chapter 5 of Title 16 of the Official Code of Georgia Annotated, relating to assault and battery, so as to provide for enhanced penalties for certain offenses against county or municipal officers or employees; to provide for applicability; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

**SECTION 1.**

Article 2 of Chapter 5 of Title 16 of the Official Code of Georgia Annotated, relating to assault and battery, is amended in Code Section 16-5-20, relating to simple assault, by adding a new subsection (f) to read as follows:

"(f) Any person who commits the offense of simple assault against a county or municipal officer or employee who is engaged in, or on account of the performance of, his or her official duties shall, upon conviction thereof, be punished for a misdemeanor of a high and aggravated nature."

**SECTION 2.**

Said article is further amended in Code Section 16-5-21, relating to aggravated assault, by adding a new subsection (j) to read as follows:

"(j) A person who knowingly commits the offense of aggravated assault upon a county or municipal officer or employee who is engaged in, or on account of the performance of, his or her official duties shall, upon conviction thereof, be punished by imprisonment for not less than five nor more than 20 years."

**SECTION 3.**

Said article is further amended in Code Section 16-5-23, relating to simple battery, by adding a new subsection (i) to read as follows:

“(i) Any person who commits the offense of simple battery against a county or municipal officer or employee who is engaged in, or on account of the performance of, his or her official duties shall, upon conviction thereof, be punished for a misdemeanor of a high and aggravated nature.”

## SECTION 4.

Said article is further amended in Code Section 16-5-23.1, relating to battery, by adding a new subsection (m) to read as follows:

“(m) Except as otherwise provided in subsection (e) and paragraph (2) of subsection (f) of this Code section, any person who commits the offense of battery against a county or municipal officer or employee who is engaged in, or on account of the performance of, his or her official duties shall, upon conviction thereof, be punished for a misdemeanor of a high and aggravated nature.”

## SECTION 5.

Said article is further amended in Code Section 16-5-24, relating to aggravated battery, by adding a new subsection (i) to read as follows:

"(i) A person who knowingly commits the offense of aggravated battery upon a county or municipal officer or employee who is engaged in, or on account of the performance of, his or her official duties shall, upon conviction thereof, be punished by imprisonment for not less than ten nor more than 20 years."

## SECTION 6.

This Act shall apply to offenses committed on or after July 1, 2004.

## SECTION 7.

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