

House Bill 1298

By: Representatives Franklin of the 17th, Hines of the 35th, Coan of the 67th, Post 1, Burmeister of the 96th, Walker of the 71st, Post 1, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 1 of Title 39 of the Official Code of Georgia Annotated, relating to
2 minors in general, so as to change provisions relating to the status of minors; to provide a
3 short title; to provide that a minor shall not have the legal capacity to contract or give legal
4 consent; to provide for effect with respect to earlier laws; to provide for related matters; to
5 repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 This Act shall be known as the "Protection of Children Act of 2004."

9 **SECTION 2.**

10 Chapter 1 of Title 39 of the Official Code of Georgia Annotated, relating to minors in
11 general, is amended by striking Code Section 39-1-1, relating to age of majority and
12 residence of minors, and inserting in its place a new Code section to read as follows:

13 "39-1-1.

14 (a) The age of legal majority in this state is 18 years; until that age all persons are minors.

15 (b) A minor shall not have the legal capacity to contract or to give legal consent. The
16 provisions of this subsection shall control over any other earlier enacted law of this state,
17 including without limitation the provisions of Code Sections 16-6-3, 19-3-2, and 15-11-110
18 through 15-11-118.

19 ~~(b)~~(c) Nothing in this Code section shall be construed automatically to render an individual
20 a resident of this state when that individual is in the state for the purpose of attending
21 school. In the case of such individual, his or her residence will be considered to be the state
22 in which his or her parents reside if under the laws of that state the individual would still
23 be considered a minor and he or she is incapable of proving his or her emancipation."

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SECTION 3.

2 All laws and parts of laws in conflict with this Act are repealed.