

House Bill 1179 (COMMITTEE SUBSTITUTE)

By: Representatives Barnes of the 84th, Post 2, Dodson of the 84th, Post 1, Stephens of the 123rd, Channell of the 77th, and Buckner of the 82nd

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 5 of Title 16 of the Official Code of Georgia Annotated, relating to crimes
2 against the person, so as to establish greater penalties for simple assault and simple battery
3 when the victim of such an offense is a public school employee engaged in official duties or
4 on school property; to provide a definition of school property for such offenses and battery;
5 to amend Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to
6 elementary and secondary schools, so as to provide that the offense of disrupting the
7 operation of a public school applies to disruption of public school buses and certain public
8 school bus stops; to provide an effective date and applicability; to repeal conflicting laws;
9 and for other purposes.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

11 **SECTION 1.**

12 Chapter 5 of Title 16 of the Official Code of Georgia Annotated, relating to crimes against
13 the person, is amended in Code Section 16-5-20, relating to simple assault, by inserting a
14 new subsection to be designated subsection (f) to read as follows:

15 "(f) Any person who commits the offense of simple assault against an employee of a public
16 school system of this state while such employee is engaged in official duties or on school
17 property shall, upon conviction of such offense, be punished for a misdemeanor of a high
18 and aggravated nature. For purposes of this Code section, 'school property' shall include
19 public school buses and stops for public school buses as established by local school boards
20 of education."

21 **SECTION 2.**

22 Said chapter is further amended in Code Section 16-5-23, relating to simple battery, by
23 inserting a new subsection to be designated subsection (i) to read as follows:

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1 "(i) Any person who commits the offense of simple battery against an employee of a public
2 school system of this state while such employee is engaged in official duties or on school
3 property shall, upon conviction of such offense, be punished for a misdemeanor of a high
4 and aggravated nature. For purposes of this Code section, 'school property' shall include
5 public school buses and stops for public school buses as established by local school boards
6 of education."

7 **SECTION 3.**

8 Said chapter is further amended in Code Section 16-5-23.1, relating to battery, by striking
9 subsection (i) and inserting in lieu thereof the following:

10 "(i) Any person who commits the offense of battery against a teacher or other school
11 personnel; engaged in the performance of official duties or while on school property shall,
12 upon conviction thereof, be punished by imprisonment for not less than one nor more than
13 five years or a fine of not more than \$10,000.00, or both. For purposes of this Code
14 section, 'school property' shall include public school buses and public school bus stops as
15 established by local school boards of education."

16 **SECTION 4.**

17 Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to elementary and
18 secondary schools, is amended by striking Code Section 20-2-1181, relating to disruption of
19 public schools, and inserting in lieu thereof the following:

20 "20-2-1181.

21 It shall be unlawful for any person to disrupt or interfere with the operation of any public
22 school, public school bus, or public school bus stop as established by local school boards
23 of education. Any person violating this Code section shall be guilty of a misdemeanor of
24 a high and aggravated nature."

25 **SECTION 5.**

26 This Act shall become effective on July 1, 2004, and shall apply to offenses committed on
27 or after such date.

28 **SECTION 6.**

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