

House Bill 386

By: Representatives Miller of the 106th, Ralston of the 7th, Willard of the 49th, Smith of the 129th, and Mumford of the 95th

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 4 of Title 16 of the Official Code of Georgia Annotated, relating to
2 criminal attempt, conspiracy, and solicitation, so as to change certain penalties for conspiracy
3 to commit a crime; to provide for related matters; to repeal conflicting laws; and for other
4 purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 style="text-align:center">**SECTION 1.**

7 Chapter 4 of Title 16 of the Official Code of Georgia Annotated, relating to criminal attempt,
8 conspiracy, and solicitation, is amended by striking in its entirety Code Section 16-4-8,
9 relating to conspiracy to commit a crime, and inserting in lieu thereof the following:

10 "16-4-8.

11 (a) A person commits the offense of conspiracy to commit a crime when he or she together
12 with one or more persons conspires to commit any crime and any one or more of such
13 persons does any overt act to effect the object of the conspiracy.

14 (b) A person convicted of the offense of criminal conspiracy to commit a crime punishable
15 by death or by life imprisonment shall be punished by imprisonment for not less than one
16 year nor more than 20 years.

17 (c) A person convicted of the offense of criminal conspiracy to commit a felony shall be
18 punished by imprisonment for not less than one year nor more than one-half the maximum
19 period of time for which he or she could have been sentenced if he or she had been
20 convicted of the crime conspired to have been committed, by one-half the maximum fine
21 to which he or she could have been subjected if he or she had been convicted of such crime,
22 or both.

23 (d) A person convicted of the offense of criminal conspiracy to commit a misdemeanor
24 shall be punished as for a misdemeanor. ~~A person convicted of the offense of criminal~~
25 ~~conspiracy to commit a crime punishable by death or by life imprisonment shall be~~
26 ~~punished by imprisonment for not less than one year nor more than ten years."~~

1 **SECTION 2.**

2 All laws and parts of laws in conflict with this Act are repealed.