

Senate Bill 57

By: Senators Hamrick of the 30th, Cagle of the 49th, Hill of the 32nd, Smith of the 52nd,
Rogers of the 21st and others

AS PASSED SENATE

**A BILL TO BE ENTITLED
AN ACT**

1 To amend Code Section 17-10-7 of the Official Code of Georgia Annotated, relating to
2 punishment of repeat offenders, so as to provide that a person convicted of the offense of
3 murder who is not sentenced to death and who has previously been convicted of three or
4 more felonies shall be sentenced to life without parole; to provide for related matters; to
5 provide an effective date; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Code Section 17-10-7 of the Official Code of Georgia Annotated, relating to punishment of
9 repeat offenders, is amended by striking subsection (c) and inserting in lieu thereof new
10 subsections (c) and (c.1) to read as follows:

11 "(c) Except as otherwise provided in subsection (b) and (c.1) of this Code section, any
12 person who, after having been convicted under the laws of this state for three felonies or
13 having been convicted under the laws of any other state or of the United States of three
14 crimes which if committed within this state would be felonies, commits a felony within this
15 state other than a capital felony must, upon conviction for such fourth offense or for
16 subsequent offenses, serve the maximum time provided in the sentence of the judge based
17 upon such conviction and shall not be eligible for parole until the maximum sentence has
18 been served.

19 (c.1) In addition to the provisions of paragraph (2) of subsection (b) of this Code section
20 and Code Section 17-10-30.1, a person convicted of the offense of murder, who is not
21 sentenced to death and who previously has been convicted under the laws of this state of
22 three or more felonies or under the laws of any other state or of the United States of three
23 crimes which if committed within this state would be felonies, shall be sentenced to
24 imprisonment for life without parole without any requirement that the state seek the death
25 penalty or that statutory aggravating circumstances be found under Code Section
26 17-10-30."

1 **SECTION 2.**

2 This Act shall become effective upon its approval by the Governor or upon its becoming law
3 without such approval.

4 **SECTION 3.**

5 All laws and parts of laws in conflict with this Act are repealed.