

House Bill 236 (COMMITTEE SUBSTITUTE)

By: Representatives Lane of the 158<sup>th</sup>, Stephens of the 164<sup>th</sup>, Barnard of the 166<sup>th</sup>, and Burns of the 157<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Article 1 of Chapter 8 of Title 16 of the Official Code of Georgia Annotated,  
2 relating to theft, so as to provide that it shall be prima-facie evidence of deception and intent  
3 to avoid payment if a person who rented a motor vehicle or trailer used false identification,  
4 provided false information on a written contract, made any payment with an insufficient  
5 check, abandoned the vehicle or trailer, or returned the vehicle or trailer after business hours  
6 or without notice; to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Article 1 of Chapter 8 of Title 16 of the Official Code of Georgia Annotated, relating to theft,  
10 is amended by inserting immediately following Code Section 16-8-5 a new Code section to  
11 read as follows:

12 "16-8-5.1.

13 It shall be prima-facie evidence of deception and intent to avoid payment as provided in  
14 Code Section 16-8-5 if a person who rented or leased a motor vehicle or trailer:

- 15 (1) Used false identification;  
16 (2) Provided substantially false information on a written contract;  
17 (3) Made any payment with any check or draft made payable at sight, on demand, or on  
18 a date not subsequent to the date when the same was drawn, which check or draft  
19 payment was refused on presentation;  
20 (4) Abandoned the vehicle or trailer at a location other than the place agreed upon for  
21 return or without notification; or  
22 (5) Returned the vehicle or trailer at a time beyond posted business hours of the renter  
23 or lessor unless otherwise agreed to by the lessor."

24 **SECTION 2.**

25 All laws and parts of laws in conflict with this Act are repealed.