

House Bill 236 (COMMITTEE SUBSTITUTE)

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

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25 All laws and parts of laws in conflict with this Act are repealed.