

ADOPTED SENATE

1 Senators Douglas of the 17th, Staton of the 18th, Whitehead, Sr. of the 24th, Murphy of the
2 27th, Grant of the 25th and others offered the following amendment:

3 *Amend the Senate Appropriations Committee substitute to HB 48 by striking lines 1 and 2*
4 *of page 1 and inserting in lieu thereof the following:*

5 To amend Code Section 16-5-1 and Code Section 45-9-81 of the Official Code of Georgia
6 Annotated, relating to murder and felony murder and definitions relative to the Georgia State
7 Indemnification Fund, so as to change certain provisions of the Code when certain public
8 safety officers are killed; to change the punishment for murder when the victim is a peace
9 officer, corrections employee, provider of emergency medical services, or firefighter while
10 engaged in the performance of his or her official duties; to redefine certain terms; to provide
11 for related matters;

12 *By inserting between lines 4 and 5 of page 1 the following:*

SECTION .1.

14 Code Section 16-5-1 of the Official Code of Georgia Annotated, relating to murder and
15 felony murder, is amended by revising subsection (d) as follows:

16 "(d)(1) Except as provided in paragraph (2) of this subsection, a ~~A~~ person convicted of
17 the offense of murder shall be punished by death, by imprisonment for life without
18 parole, or by imprisonment for life.

19 (2) A person convicted of the offense of murder committed against any peace officer,
20 corrections employee, provider of emergency medical services, or firefighter while
21 engaged in the performance of his or her official duties shall be punished by death or by
22 imprisonment for life without parole.

23 (e) With regard to the offense of murder as described in paragraph (2) of subsection (d)
24 of this Code section, notwithstanding any other provision of law, if the prosecuting attorney
25 has given notice that the state intends to seek the death penalty pursuant to the Uniform
26 Rules of the Superior Courts, and the defendant is convicted and is not sentenced to death,
27 the defendant shall be sentenced to imprisonment for life without parole, and if the
28 prosecuting attorney does not seek the death penalty, and the defendant is convicted, the
29 defendant shall be sentenced to imprisonment for life without parole."