

Senate Bill 421

By: Senators Pearson of the 51st, Rogers of the 21st, Wiles of the 37th, Hawkins of the 49th, Williams of the 19th and others

AS PASSED SENATE

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 16-9-4 of the Official Code of Georgia Annotated, relating to the
2 crime of knowingly manufacturing, selling, or distributing false identification documents,
3 so as to change the penalties for such offense based upon the age of the person convicted and
4 the nature of the crime; to provide for related matters; to provide an effective date; to provide
5 for applicability; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Code Section 16-9-4 of the Official Code of Georgia Annotated, relating to the crime of
9 knowingly manufacturing, selling, or distributing false identification documents, is amended
10 by revising subsection (c) as follows:

11 "(c)(1) Except as provided in paragraph (2) or (3) of this subsection, any person who
12 violates the provisions of paragraph ~~(1), (2)~~, (3); or (6) of subsection (b) of this Code
13 section shall be guilty of a misdemeanor.

14 (2) Except as provided in paragraph (3) of this subsection, any Any person who violates
15 the provisions of paragraph ~~(2)~~, (3); or (6) of subsection (b) of this Code section for the
16 second or any subsequent offense shall be guilty of a felony and shall be punished by a
17 fine of not more than \$25,000.00 or by imprisonment for not more than three years, or
18 both.

19 (3) Except as provided in paragraph (5) of this subsection, any Any person who
20 manufactures, alters, sells, distributes, delivers, receives, possesses, or offers for sale or
21 distribution three or more identification documents in violation of the provisions of
22 subsection (b) of this Code section shall be punished by imprisonment for not less than
23 three nor more than ten years, a fine not to exceed ~~the amount specified by Code Section~~
24 ~~17-10-8~~ \$100,000.00, or both.

25 (4) Except as provided in paragraph (3) or (5) of this subsection, any Any person who
26 violates the provisions of paragraph ~~(1), (2)~~, (4), or (5) of subsection (b) of this Code

1 section shall be punished by imprisonment for not less than one nor more than five years,
2 a fine not to exceed ~~the amount specified by Code Section 17-10-8~~ \$100,000.00, or both.

3 (5) Any person who is under 21 years of age and violates the provisions of subsection
4 (b) of this Code section for the purpose of the identification being used to obtain entry
5 into an age restricted facility or being used to purchase a consumable good that is age
6 restricted, shall, upon a first conviction thereof, be guilty of a misdemeanor and upon a
7 second or subsequent conviction shall be punished as otherwise provided in this
8 subsection.

9 ~~(5)~~(6) Any person convicted of an attempt or conspiracy to violate the provisions of
10 subsection (b) of this Code section shall be punished by imprisonment, by a fine, or by
11 both such punishments not to exceed the maximum punishment prescribed for the offense
12 the commission of which was the object of the attempt or conspiracy."

13 **SECTION 2.**

14 This Act shall become effective on July 1, 2008, and shall apply to all offenses committed
15 on or after that date.

16 **SECTION 3.**

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