

The House Committee on Judiciary Non-civil offers the following substitute to SB 421:

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)~~ (1), (3), or (6) of subsection (b) of this Code section for  
16 the second or any subsequent offense shall be guilty of a felony and shall be punished by  
17 a 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 ~~(2)~~, (4), or (5) of subsection (b) of this Code section

1 shall be punished by imprisonment for not less than one nor more than five years, a fine  
2 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 for a misdemeanor of a high and  
8 aggravated nature.

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.