

House Bill 1208

By: Representatives Wix of the 33<sup>rd</sup>, Dobbs of the 53<sup>rd</sup>, Teilhet of the 40<sup>th</sup>, Johnson of the 37<sup>th</sup>, and Morgan of the 39<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 offenses involving theft, so as to provide for the offense of theft from a designated  
3 disaster area; to provide punishment for the commission of such offense; to provide for  
4 related matters; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 style="text-align:center">**SECTION 1.**

7 Article 1 of Chapter 8 of Title 16 of the Official Code of Georgia Annotated, relating to  
8 offenses involving theft, is amended by adding a new Code section to read as follows:

9 "16-8-2.1.

10 For the purposes of this Code section, 'designated disaster area' means any portion of a  
11 county or municipality that has been designated by the Governor or the President of the  
12 United States as a disaster area subsequent to a natural disaster. A person commits the  
13 offense of theft by taking from a designated disaster area when he or she unlawfully takes  
14 or, being in lawful possession thereof, unlawfully appropriates any property of another with  
15 the intention of depriving him or her of the property and such taking or depriving is  
16 committed in such designated disaster area. A person convicted of the offense of theft by  
17 taking from a designated disaster area shall be guilty of a felony and upon his or her first  
18 conviction shall be punished by imprisonment for not less than one nor more than 20 years.  
19 Upon a second conviction for theft by taking from a designated disaster area, a person shall  
20 be punished by imprisonment for not less than two nor more than 20 years. Upon a third  
21 conviction for theft by taking from a designated disaster area, a person shall be punished  
22 by imprisonment for not less than five nor more than 20 years. Adjudication of guilt or  
23 imposition of sentence shall not be suspended, probated, deferred, or withheld for any  
24 offense punishable under this Code section."

25

**SECTION 2.**

26 All laws and parts of laws in conflict with this Act are repealed.