

The House Committee on Judiciary Non-civil offers the following substitute to HB 1002:

A BILL TO BE ENTITLED
AN ACT

1 To amend Title 16 of the Official Code of Georgia Annotated, relating to crimes and
2 offenses, so as to increase the punishment for certain crimes committed upon judges,
3 attorneys, clerks and deputy clerks of court, court reporters, and probation officers; to change
4 provisions relating to aggravated assault; to change provisions relating to intimidation or
5 injury of grand or petit jurors or court officers; to change provisions relating to terroristic
6 threats and acts; to change provisions relating to dissemination of information relating to
7 terroristic acts; to provide for related matters; to repeal conflicting laws; and for other
8 purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

10 **SECTION 1.**

11 Title 16 of the Official Code of Georgia Annotated, relating to crimes and offenses, is
12 amended in Code Section 16-5-21, relating to aggravated assault, by adding a new subsection
13 to read as follows:

14 "(l) A person who knowingly commits the offense of aggravated assault upon an officer
15 of the court while such officer is engaged in, or on account of the performance of, his or
16 her official duties shall, upon conviction thereof, be punished by imprisonment for not less
17 than five nor more than 20 years. As used in this subsection, the term 'officer of the court'
18 means a judge, attorney, clerk of court, deputy clerk of court, court reporter, or probation
19 officer."

20 **SECTION 2.**

21 Said title is further amended by revising Code Section 16-10-97, relating to intimidation or
22 injury of grand or petit jurors or court officers, as follows:

23 "16-10-97.

24 (a) A person who by threat or force or by any threatening letter or communication:

25 (1) Endeavors to intimidate or impede any grand juror or petit juror or any officer in or
 26 of any court of this state or any court of any county or municipality of this state or any
 27 officer who may be serving at any proceeding in any such court while in the discharge
 28 of such juror's or officer's duties;

29 (2) Injures any grand juror or petit juror in his or her person or property on account of
 30 any indictment or verdict assented to by him or her or on account of his or her being or
 31 having been such juror; or

32 (3) Injures any officer in or of any court of this state or any court of any county or
 33 municipality of this state or any officer who may be serving at any proceeding in any
 34 such court in his or her person or property on account of the performance of his or her
 35 official duties

36 shall, upon conviction thereof, be punished by a fine of not more than \$5,000.00 or by
 37 imprisonment for not more than ~~five~~ 20 years, or both.

38 (b) As used in this Code section, the term 'any officer in or of any court' means a judge,
 39 attorney, clerk of court, deputy clerk of court, court reporter, or probation officer."

40 **SECTION 3.**

41 Said title is further amended by revising paragraph (1) of subsection (d) of Code Section
 42 16-11-37, relating to terroristic threats or acts, as follows:

43 "(1) Attending a judicial or administrative proceeding as a witness, attorney, judge, clerk
 44 of court, deputy clerk of court, court reporter, probation officer, or party or producing any
 45 record, document, or other object in a judicial or official proceeding; or"

46 **SECTION 4.**

47 Said title is further amended by revising Code Section 16-11-37.1, relating to dissemination
 48 of information relating to terroristic acts, as follows:

49 "16-11-37.1.

50 It shall be unlawful for any person knowingly to furnish or disseminate through a computer
 51 or computer network any picture, photograph, ~~or~~ drawing, or similar visual representation
 52 or verbal description of any information designed to encourage, solicit, or otherwise
 53 promote terroristic acts as defined in Code Section 16-11-37. Any person convicted for
 54 violation of this Code section shall be guilty of a misdemeanor of a high and aggravated
 55 nature; provided, however, that if such act is in violation of paragraph (1) of subsection (d)
 56 of Code Section 16-11-37, the person convicted shall be guilty of a felony and shall be
 57 punished by imprisonment for not less than one nor more than ten years or by a fine not to
 58 exceed \$100,000.00 or both."

59

SECTION 5.

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