

WITHDRAWN

Senator James of the 35th offered the following amendment:

1 *Amend the Senate Judiciary Committee substitute to SB 423 (LC 29 4290S) by inserting after*
 2 *"penalties;" on line 3 the following:*

3 to amend Code Section 16-8-12 of the Official Code of Georgia Annotated, relating to
 4 penalties for violations of Code Sections 16-8-2 through 16-8-9, so as to increase the
 5 punishment for burglary and certain theft offenses;

6 *By striking line 16 and inserting in lieu thereof the following:*

7 burglary, is amended by revising subsection (b) of Code Section 16-7-1, relating to burglary,
 8 as follows:

9 "(b) Upon a second conviction for a crime of burglary occurring after the first conviction,
 10 a person shall be punished by imprisonment for not less than ~~two~~ five nor more than 20
 11 years. Upon a third conviction for the crime of burglary occurring after the first conviction,
 12 a person shall be punished by imprisonment for not less than ~~five~~ ten nor more than 20
 13 years. Adjudication of guilt or imposition of sentence shall not be suspended, probated,
 14 deferred, or withheld for any offense punishable under this subsection."

SECTION 1A.

15 Said article is further amended by adding a new Code section to read as follows:

17 *By inserting between lines 29 and 30 the following:*

SECTION 1B.

18 Code Section 16-8-12 of the Official Code of Georgia Annotated, relating to penalties for
 19 violations of Code Section 16-8-2 through 16-8-9, is amended by revising paragraph (1) of
 20 subsection (a) as follows:
 21

22 "(1) If the property which was the subject of the theft exceeded \$500.00 in value, by
 23 imprisonment for not less than one nor more than ten years or, in the discretion of the trial
 24 judge, as for a misdemeanor; provided, however, that upon a second or subsequent
 25 conviction, such person shall be punished by imprisonment for not less than one nor more
 26 than 20 years;"