

**WITHDRAWN**

Senators Murphy of the 27th, Unterman of the 45th and Hawkins of the 49th offered the following amendment:

1 *Amend SB 172 by inserting on line 6 after "awards;" the following:*

2 to provide for an adult entertainment surcharge; to provide for definitions;

3 *By replacing lines 42 through 45 with the following:*

4 of the United States when such act is committed; ~~or~~

5 (C) An act of mass violence which results in physical injury, serious mental or  
6 emotional trauma, or death to the victim, if the victim is a resident of this state and is  
7 outside the territorial boundaries of the United States when such act is committed; or

8 (D) When performed upon a minor under 18 years of age, an act which constitutes  
9 pimping as defined in Code Section 16-6-11, pandering as defined in Code Section  
10 16-6-12, pandering by compulsion as defined in Code Section 16-6-14, or trafficking  
11 a person for sexual servitude as defined in subsection (c) of Code Section 16-5-46.

12 *By inserting after line 214 the following:*

13 Said chapter is further amended by adding a new Code section to read as follows:

14 "17-15-15.

15 (a) As used in this Code section, the term:

16 (1) 'Nude' means:

17 (A) Entirely unclothed; or

18 (B) Clothed in a manner that leaves uncovered or visible through less than fully opaque  
19 clothing any portion of the breasts below the top of the areola of the breasts, if the  
20 person is female, or any portion of the genitals or buttocks.

21 (2) 'Sexually oriented business' means a nightclub, bar, restaurant, or similar commercial  
22 enterprise that:

23 (A) Provides for an audience of two or more individuals live nude entertainment or live  
24 nude performances; and

25 (B) Authorizes on-premises consumption of alcoholic beverages, regardless of whether  
26 the consumption of alcoholic beverages is allowed under a license granted pursuant to  
27 the Georgia Alcoholic Beverage Code.

28 (b) A surcharge shall be imposed on a sexually oriented business in an amount equal to  
29 \$5.00 for each entry by each customer admitted to the business.

30 (c) The sexually oriented business shall remit the surcharge to the state revenue  
31 commissioner in the manner prescribed by the commissioner.

32 (d) The state revenue commissioner shall deposit all amounts received from the surcharge  
33 imposed under this Code section to the fund. The commissioner shall be authorized to  
34 promulgate any rules and regulations necessary to implement and administer the provisions  
35 of this Code section."

36 **SECTION 8.**

37 Said chapter is further amended by adding a new Code section to read as follows:

38 "17-15-16.

39 The board shall be authorized to designate and expend moneys to provide residential  
40 treatment facilities and programs and other appropriate services to victims of the crime  
41 described in subparagraph (D) of paragraph (3) of Code Section 17-15-2."

42 **SECTION 9.**