

House Bill 1002

By: Representatives Willard of the 49th, Ramsey of the 72nd, Powell of the 171st, McKillip of the 115th, Golick of the 34th, and others

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 prosecuting attorneys, public defenders, clerks and deputy clerks of court, court reporters,
4 and probation officers; to change provisions relating to aggravated assault; to change
5 provisions relating to intimidation or injury of grand or petit jurors or court officers; to
6 change provisions relating to terroristic threats and acts; to change provisions relating to
7 dissemination of information relating to terroristic acts; to provide for related matters; to
8 repeal conflicting laws; and for other 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 "(1) A person who knowingly commits the offense of aggravated assault upon a officer of
15 the court while such officer is engaged in, or on account of the performance of, his or her
16 official duties shall, upon conviction thereof, be punished by imprisonment for not less than
17 ten nor more than 20 years. As used in this subsection, the term 'officer of the court' means
18 a judge, prosecuting attorney, public defender, clerk of court, deputy clerk of court, court
19 reporter, or probation 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' shall include
 39 judges, prosecuting attorneys, public defenders, clerks of court, deputy clerks of court,
 40 court reporters, and probation officers."

41 **SECTION 3.**

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

44 "(d) A person who commits or attempts to commit a terroristic threat or act with the intent
 45 to retaliate against any person for:

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

49 (2) Providing to a law enforcement officer, adult or juvenile probation officer,
 50 prosecuting attorney, or judge any information relating to the commission or possible
 51 commission of an offense under the laws of this state or of the United States or a
 52 violation of conditions of bail, pretrial release, probation, or parole

53 shall be guilty of the offense of a terroristic threat or act and, upon conviction thereof, shall
 54 be punished, ~~for a terroristic threat, by imprisonment for not less than five nor more than~~
 55 ~~ten years or by a fine of not less than \$50,000.00, or both, and, for a terroristic act, by~~
 56 imprisonment for not less than five nor more than 20 years or by a fine of not less than
 57 \$100,000.00, or both."

58 **SECTION 4.**

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

61 "16-11-37.1.

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

71 **SECTION 5.**

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