

House Bill 541

By: Representatives Epps of the 140th, Benton of the 31st, Baker of the 78th, Allison of the 8th,
Weldon of the 3rd, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 2 of Chapter 10 of Title 16 of the Official Code of Georgia Annotated,
2 relating to obstruction of public administration and related offenses, so as to provide for the
3 offense of threatening or intimidating a law enforcement officer, public official, or other
4 person relating to such person's involvement in a judicial proceeding; to provide for
5 penalties; to provide for related matters; to provide an effective date; to repeal conflicting
6 laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Article 2 of Chapter 10 of Title 16 of the Official Code of Georgia Annotated, relating to
10 obstruction of public administration and related offenses, is amended by adding a new Code
11 section to read as follows:

12 "16-10-34.

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

14 (1) 'Acts in a manner to intimidate' means to undertake or pursue a knowing and willful
15 course of conduct for the purpose of causing emotional distress by placing another person
16 in reasonable fear for such person's safety or for the safety of another person and which
17 serves no legitimate purpose.

18 (2) 'Public official or participant in a judicial proceeding' means a law enforcement
19 officer, witness, judge, prosecutor, clerk of court, bailiff, juror, or his or her family
20 member.

21 (b) A person who knowingly and willfully harms, threatens to harm, or acts in a manner
22 to intimidate a public official or participant in a judicial proceeding in retaliation or
23 response for anything such public official or participant did in his or her official capacity
24 or for participating in a judicial proceeding shall be guilty of a felony and, upon conviction
25 therefor, be punished by a fine of not less than \$5,000.00 nor more than \$20,000.00, by
26 imprisonment of not less than one nor more than ten years, or both.

27 (c) The offense provided for in this Code section shall not be merged with any other
28 criminal offense arising out of the same or related facts or circumstances."

29 **SECTION 2.**

30 This Act shall become effective on July 1, 2011.

31 **SECTION 3.**

32 All laws and parts of laws in conflict with this Act are repealed.