

House Bill 1093

By: Representatives Braddock of the 19<sup>th</sup>, Jacobs of the 80<sup>th</sup>, Coomer of the 14<sup>th</sup>, Knight of the 126<sup>th</sup>, Clark of the 98<sup>th</sup>, and others

A BILL TO BE ENTITLED  
AN ACT

1 To amend Article 1 of Chapter 8 of Title 16 of the Official Code of Georgia Annotated,  
2 relating to theft, so as to change provisions relating to removal of shopping carts and the  
3 required posting of the Code section in stores and markets; to provide for related matters; to  
4 provide for an effective date; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 style="text-align:center">**SECTION 1.**

7 Article 1 of Chapter 8 of Title 16 of the Official Code of Georgia Annotated, relating to theft,  
8 is amended by revising Code Section 16-8-21, relating to removal or abandonment of  
9 shopping carts, as follows:

10 "16-8-21.

11 (a) As used in this Code section, the term 'shopping cart' means those pushcarts of the type  
12 which are commonly provided by grocery stores, drugstores, or other merchant stores or  
13 markets for the use of the public in transporting commodities in stores and markets and  
14 incidentally from the store to a place outside the store.

15 (b) It shall be unlawful for any person to remove a shopping cart from the premises, ~~posted~~  
16 ~~as provided in subsection (d) of this Code section,~~ of the owner of such shopping cart  
17 without the consent, given at the time of such removal, of the owner or of his or her agent,  
18 servant, or employee. For the purpose of this Code section, the premises shall include all  
19 the parking area set aside by the owner or on behalf of the owner for the parking of cars for  
20 the convenience of the patrons of the owner.

21 (c) It shall be unlawful for any person to abandon a shopping cart upon any public street,  
22 sidewalk, way, or parking lot other than a parking lot on the premises of the owner.

23 (d) ~~The owner of the store in which the shopping cart is used shall post in at least three~~  
24 ~~prominent places in his store and at each exit therefrom a printed copy of this Code section,~~  
25 ~~which copy shall be printed in type no smaller than 12 points.~~

26 (e) Any person who violates subsection (b) or (c) of this Code section shall be guilty of a  
27 misdemeanor."

28 **SECTION 2.**

29 This Act shall become effective upon its approval by the Governor or upon its becoming law  
30 without such approval.

31 **SECTION 3.**

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