

House Bill 899

By: Representatives Cooper of the 43rd, Houston of the 170th, Lindsey of the 54th, Kelley of the 16th, Rynders of the 152nd, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 31-7-12.1 of the Official Code of Georgia Annotated, relating to
2 unlicensed personal care homes, so as to provide for criminal penalties for owning or
3 operating an unlicensed personal care home; to provide for related matters; to repeal
4 conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **SECTION 1.**

7 Code Section 31-7-12.1 of the Official Code of Georgia Annotated, relating to unlicensed
8 personal care homes, is amended by adding a new subsection to read as follows:

9 "(g) It is declared that the owning or operating of an unlicensed personal care home in this
10 state constitutes a nuisance dangerous to the public health, safety, and welfare. Any person
11 who owns or operates an unlicensed personal care home in violation of subsection (b) of
12 Code Section 31-7-12 shall be guilty of a felony and, upon conviction, shall be punished
13 by imprisonment for not less than one nor more than five years and, in the discretion of the
14 trial judge, as for a misdemeanor; provided, however, that upon a second or subsequent
15 conviction, he or she shall be punished by imprisonment for not less than one nor more
16 than ten years."

17 **SECTION 2.**

18 All laws and parts of laws in conflict with this Act are repealed.