

House Bill 12

By: Representatives Rogers of the 10th, Yates of the 73rd, Meadows of the 5th, Holcomb of the 81st, Hitchens of the 161st, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 4 of Chapter 9 of Title 16 of the Official Code of Georgia Annotated,
2 relating to fraud and related offenses, so as to establish the criminal offense of fraudulent
3 representation of military service; to provide for a short title; to provide for definitions; to
4 provide for penalties; to provide for related matters; to repeal conflicting laws; and for other
5 purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 This Act shall be known and may be cited as the "Georgia Military Service Integrity and
9 Preservation Act."

10 **SECTION 2.**

11 Article 4 of Chapter 9 of Title 16 of the Official Code of Georgia Annotated, relating to fraud
12 and related offenses, is amended by adding a new Code section to read as follows:

13 "16-9-63.

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

15 (1) 'Military decoration' means a military medal award, Combat Infantryman Badge,
16 Combat Medical Badge, Combat Action Ribbon, Combat Action Medal, or any other
17 decoration, medal, or badge as provided for by the organized militia, the President of the
18 United States, the United States Congress, the United States Department of Defense, the
19 United States Department of Homeland Security, or federal law.

20 (2) 'Military medal award' shall have the same meaning as provided for under Code
21 Section 40-2-85.1.

22 (3) 'Military veteran' means a current, former, or retired member of the organized militia
23 or state military force of a state or of the armed forces of the United States or a reserve
24 component thereof.

25 (4) 'Organized militia' shall have the same meaning as provided for under Code Section
26 38-2-2.

27 (5) 'Tangible benefit' includes:

28 (A) A benefit relating to military service provided by the federal government or a state
29 or local government;

30 (B) Employment or personal advancement;

31 (C) Money, property, services, retail discounts, or other financial remuneration; and

32 (D) An effect on a court proceeding or an election for public office.

33 (b) Any person who, with the intent of securing a tangible benefit for himself or herself,
34 knowingly and falsely represents himself or herself through a written or oral
35 communication to be a military veteran or a recipient of a military decoration shall be
36 guilty of fraudulent representation of military service.

37 (c) Any person who violates this Code section shall be guilty of a misdemeanor and, upon
38 conviction thereof, shall be punished by a fine of not more than \$1,000.00 or by
39 imprisonment for not more than 12 months, or both."

40 **SECTION 3.**

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