

The House Committee on Judiciary Non-civil offers the following substitute to HB 280:

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 42-1-12 of the Official Code of Georgia Annotated, relating to the
2 State Sexual Offender Registry, so as to require registration when an individual is convicted
3 of trafficking a person for sexual servitude; to provide for venue; to provide for related
4 matters; 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 Code Section 42-1-12 of the Official Code of Georgia Annotated, relating to the State Sexual
8 Offender Registry, is amended in paragraph (10) of subsection (a) by revising subparagraph
9 (a)(10)(B) and adding a new subparagraph and by adding a new subsection to read as
10 follows:

11 "(B) 'Dangerous sexual offense' with respect to convictions occurring ~~after June 30,~~
12 between July 1, 2006, and June 30, 2015, means any criminal offense, or the attempt
13 to commit any criminal offense, under Title 16 as specified in this paragraph or any
14 offense under federal law or the laws of another state or territory of the United States
15 which consists of the same or similar elements of the following offenses:

- 16 (i) Aggravated assault with the intent to rape in violation of Code Section 16-5-21;
17 (ii) Kidnapping in violation of Code Section 16-5-40 which involves a victim who
18 is less than 14 years of age, except by a parent;
19 (iii) False imprisonment in violation of Code Section 16-5-41 which involves a
20 victim who is less than 14 years of age, except by a parent;
21 (iv) Rape in violation of Code Section 16-6-1;
22 (v) Sodomy in violation of Code Section 16-6-2;
23 (vi) Aggravated sodomy in violation of Code Section 16-6-2;
24 (vii) Statutory rape in violation of Code Section 16-6-3, if the individual convicted
25 of the offense is 21 years of age or older;
26 (viii) Child molestation in violation of Code Section 16-6-4;

- 27 (ix) Aggravated child molestation in violation of Code Section 16-6-4, unless the
 28 person was convicted of a misdemeanor offense;
- 29 (x) Enticing a child for indecent purposes in violation of Code Section 16-6-5;
- 30 (xi) Sexual assault against persons in custody in violation of Code Section 16-6-5.1;
- 31 (xii) Incest in violation of Code Section 16-6-22;
- 32 (xiii) A second conviction for sexual battery in violation of Code Section 16-6-22.1;
- 33 (xiv) Aggravated sexual battery in violation of Code Section 16-6-22.2;
- 34 (xv) Sexual exploitation of children in violation of Code Section 16-12-100;
- 35 (xvi) Electronically furnishing obscene material to minors in violation of Code
 36 Section 16-12-100.1;
- 37 (xvii) Computer pornography and child exploitation ~~prevention~~ in violation of Code
 38 Section 16-12-100.2;
- 39 (xviii) Obscene telephone contact in violation of Code Section 16-12-100.3; or
- 40 (xix) Any conduct which, by its nature, is a sexual offense against a victim who is a
 41 minor or an attempt to commit a sexual offense against a victim who is a minor.
- 42 (B.1) 'Dangerous sexual offense' with respect to convictions occurring after June 30,
 43 2015, means any criminal offense, or the attempt to commit any criminal offense, under
 44 Title 16 as specified in this paragraph or any offense under federal law or the laws of
 45 another state or territory of the United States which consists of the same or similar
 46 elements of the following offenses:
- 47 (i) Aggravated assault with the intent to rape in violation of Code Section 16-5-21;
- 48 (ii) Kidnapping in violation of Code Section 16-5-40 which involves a victim who
 49 is less than 14 years of age, except by a parent;
- 50 (iii) False imprisonment in violation of Code Section 16-5-41 which involves a
 51 victim who is less than 14 years of age, except by a parent;
- 52 (iv) Trafficking a person for sexual servitude in violation of Code Section 16-5-46,
- 53 (v) Rape in violation of Code Section 16-6-1;
- 54 (vi) Sodomy in violation of Code Section 16-6-2;
- 55 (vii) Aggravated sodomy in violation of Code Section 16-6-2;
- 56 (viii) Statutory rape in violation of Code Section 16-6-3, if the individual convicted
 57 of the offense is 21 years of age or older;
- 58 (ix) Child molestation in violation of Code Section 16-6-4;
- 59 (x) Aggravated child molestation in violation of Code Section 16-6-4, unless the
 60 person was convicted of a misdemeanor offense;
- 61 (xi) Enticing a child for indecent purposes in violation of Code Section 16-6-5;
- 62 (xii) Sexual assault against persons in custody in violation of Code Section 16-6-5.1;
- 63 (xiii) Incest in violation of Code Section 16-6-22;

- 64 (xiv) A second conviction for sexual battery in violation of Code Section 16-6-22.1;
65 (xv) Aggravated sexual battery in violation of Code Section 16-6-22.2;
66 (xvi) Sexual exploitation of children in violation of Code Section 16-12-100;
67 (xvii) Electronically furnishing obscene material to minors in violation of Code
68 Section 16-12-100.1;
69 (xviii) Computer pornography and child exploitation in violation of Code Section
70 16-12-100.2;
71 (xix) Obscene telephone contact in violation of Code Section 16-12-100.3; or
72 (xx) Any conduct which, by its nature, is a sexual offense against a victim who is a
73 minor or an attempt to commit a sexual offense against a victim who is a minor."
74 "(r) Any violation of this Code section is declared to be a continuous offense, and venue
75 for such offense shall be considered to have been committed in any county where:
76 (1) A sexual offender is required to register;
77 (2) An accused fails to comply with the requirements of this Code section; or
78 (3) An accused provides false information."

79 **SECTION 2.**

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