

ADOPTED

Representative Rogers of the 10th offers the following amendment:

1 *Amend the House committee substitute to SB 270 (LC 41 0821S) by replacing line 1 with the*
 2 *following:*

3 To amend Article 4 of Chapter 9 of Title 16 of the Official Code of Georgia Annotated,
 4 relating to fraud and related offenses, so as to create an offense involving the fraudulent
 5 representation of military service or award received due to military service; to provide for
 6 definitions; to provide for penalties; to amend Article 2 of Chapter 10 of Title 16 of the
 7 Official Code of Georgia Annotated,

8 *By redesignating Sections 1 through 8 as Sections 2 through 9, respectively, and by inserting*
 9 *between lines 17 and 18 the following:*

10 **SECTION 1.**

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) 'Armed forces of the United States' means the army, navy, air force, marine corps,
 16 or coast guard and the reserve components thereof and the uniformed components of the
 17 Public Health Service or the National Oceanic and Atmospheric Administration.

18 (2) 'Military decoration' means:

19 (A) A medal, decoration, badge, or ribbon authorized by law, executive order, or
 20 regulation to be awarded to a member of the armed forces of the United States by the
 21 President of the United States, Congress, the United States Department of Defense, or
 22 the United States Department of Homeland Security;

23 (B) A medal, decoration, badge, or ribbon authorized by law, executive order, or
 24 regulation to be awarded to members of the organized militia; or

25 (C) A rosette or metal lapel button depicting a medal, decoration, badge, or ribbon
 26 described in subparagraph (A) or (B) of this paragraph which is authorized by law,
 27 executive order, or regulation to be worn on civilian clothing.

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

30 (4) 'Military veteran' means a current, former, or retired member of the armed forces of
 31 the United States, the organized militia, or a state military force of another state.

- 32 (5) 'Organized militia' means the Army National Guard, the Air National Guard, the
33 Georgia Naval Militia, and the State Defense Force.
- 34 (6) 'Tangible benefit' means:
- 35 (A) A benefit, preference, service, or other thing of value offered to a military veteran
36 which is enhanced or offered at a reduced rate or free of charge by an agency of this
37 state, or any political subdivision or authority thereof, based on such military veteran's
38 service or the award of a military decoration;
- 39 (B) Employment or promotion in an individual's employment; or
- 40 (C) Election to public office.
- 41 (b) It shall be unlawful for any individual, with the intent to secure a tangible benefit for
42 himself or herself, to make a false, fictitious, or fraudulent statement or representation that
43 such individual is a military veteran or recipient of a military decoration.
- 44 (c) It shall be unlawful for any individual, with the intent to deceive, to appear in a court
45 of this state while wearing:
- 46 (1) The uniform of the armed forces of the United States or of the organized militia of
47 this state if such individual is not authorized to wear such uniform; or
- 48 (2) Any military decoration which such individual has not, in fact, been awarded.
- 49 (d) Any person who violates this Code section shall be guilty of a misdemeanor; provided,
50 however, that if such violation involves a military medal award, such person shall be guilty
51 of a misdemeanor of a high and aggravated nature.
- 52 (e) Any violation of this Code section shall be considered a separate offense and shall not
53 merge with any other offense. If an individual is convicted of a violation of Code Section
54 16-10-20 and this Code section arising out of the same incident, any penalty imposed for
55 a violation of this Code section shall be served consecutively to any sentence that may be
56 imposed for a violation of Code Section 16-10-20."