

House Bill 214

By: Representatives Golick of the 40<sup>th</sup>, Smith of the 134<sup>th</sup>, Reeves of the 34<sup>th</sup>, Coomer of the 14<sup>th</sup>, Gravley of the 67<sup>th</sup>, and others

A BILL TO BE ENTITLED  
AN ACT

1 To amend Article 1 of Chapter 9 of Title 16 of the Official Code of Georgia Annotated,  
2 relating to forgery and related offenses, so to provide consistent punishment for the unlawful  
3 manufacture, sale, or distribution of a proof of insurance document and the issuing of fake  
4 or counterfeit insurance identification cards; to provide for related matters; to repeal  
5 conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Article 1 of Chapter 9 of Title 16 of the Official Code of Georgia Annotated, relating to  
9 forgery and related offenses, is amended by revising Code Section 16-9-5, relating to  
10 counterfeit or false proof of insurance document, as follows:

11 "16-9-5.

12 (a) As used in this Code section, the term 'proof of insurance document' means any  
13 document issued by, on behalf of, or purportedly on behalf of an insurer to a motor vehicle  
14 policyholder or applicant for motor vehicle coverage, which document is designed to  
15 constitute proof or evidence of the minimum motor vehicle liability insurance required by  
16 law for the purposes of Code Section 40-6-10.

17 (b)(1) It shall be unlawful for any person knowingly to manufacture, sell, or distribute  
18 a counterfeit or false proof of insurance document.

19 (2) It shall be unlawful for any person to possess a counterfeit or false proof of insurance  
20 document.

21 (3) A proof of insurance document shall be deemed counterfeit or false if the proof of  
22 insurance document has been altered, modified, or originally issued in any manner which  
23 contains false information concerning the insurer, the owner, the motor vehicle, or the  
24 insurance thereon.

25 (c)(1) ~~Any person who violates paragraph (1) of subsection (b) of this Code section on~~  
26 ~~the first offense shall be guilty of a misdemeanor.~~ Any person who violates paragraph

27 (1) of subsection (b) of this Code section ~~for the second or any subsequent offense~~ shall  
28 be guilty of a felony and shall be punished by a fine of not more than ~~\$5,000.00~~  
29 \$10,000.00 or by imprisonment for not ~~more than three years~~ less than two nor more than  
30 ten years, or both.

31 (2) Any person who violates paragraph (2) of subsection (b) of this Code section shall  
32 be guilty of a misdemeanor."

33 **SECTION 2.**

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