

House Bill 396

By: Representative Reeves of the 34th

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 17-10-6.2 of the Official Code of Georgia Annotated, relating to
2 punishment for sexual offenders, so as to clarify provisions relating to the probation portion
3 of a split sentence imposed for certain sexual offenses; to provide for related matters; to
4 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 17-10-6.2 of the Official Code of Georgia Annotated, relating to punishment
8 for sexual offenders, is amended by revising subsection (b) as follows:

9 "(b) Except as provided in subsection (c) of this Code section, and notwithstanding any
10 other provisions of law to the contrary, any person convicted of a sexual offense shall be
11 sentenced to a split sentence which shall include the minimum term of imprisonment
12 specified in the Code section applicable to ~~the~~ such sexual offense. No portion of the
13 mandatory minimum sentence imposed shall be suspended, stayed, probated, deferred, or
14 withheld by the ~~sentencing~~ court ~~and~~. Any such sentence shall include, in addition to the
15 mandatory term of imprisonment, an additional probated sentence of at least one year;
16 provided, however, that when a court imposes consecutive sentences for sexual offenses,
17 the requirement that the court impose a probated sentence of at least one year shall only
18 apply to the final consecutive sentence imposed. No person convicted of a sexual offense
19 shall be sentenced as a first offender pursuant to Article 3 of Chapter 8 of Title 42, ~~relating~~
20 ~~to probation for first offenders~~, or any other provision of Georgia law relating to the
21 sentencing of first offenders."

22 style="text-align:center">**SECTION 2.**

23 All laws and parts of laws in conflict with this Act are repealed.