

The Senate Committee on Insurance and Labor offered the following substitute to HB 214:

A BILL TO BE ENTITLED  
AN ACT

1 To amend Code Section 16-9-5 of the Official Code of Georgia Annotated, relating to  
2 counterfeit or false proof of insurance document, so as to change provisions relating to  
3 punishment for the unlawful manufacture, sale, or distribution of a counterfeit or false proof  
4 of insurance document; to provide for related matters; to repeal conflicting laws; and for  
5 other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

**SECTION 1.**

7 Code Section 16-9-5 of the Official Code of Georgia Annotated, relating to counterfeit or  
8 false proof of insurance document, is amended as follows:

9 "16-9-5.

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

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

17 (2) It shall be unlawful for any person to possess a counterfeit or false proof of insurance  
18 document that he or she knows to be a counterfeit or false proof of insurance document.

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

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

27 be guilty of a felony and upon conviction shall be punished by a fine of not more than  
28 ~~\$5,000.00~~ \$10,000.00 or by imprisonment for not ~~more than three years~~ less than two nor  
29 more than ten years, or both.

30 (2) Any person who violates paragraph (2) of subsection (b) of this Code section shall  
31 upon conviction be guilty of and be punished as for a misdemeanor."

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**SECTION 2.**

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