

Senate Resolution 902

By: Senator James of the 35th

A RESOLUTION

1 Creating the Joint Study Committee on Revising the Applicability and Nomenclature of the
2 Offense of Rape; and for other purposes.

3 WHEREAS, sexual assault involving sexual penetration carried out against a person without
4 that person's consent affects victims across genders, gender identities, and sexual
5 orientations; and

6 WHEREAS, the injuries and the traumatic effects incurred by such sexual assault are the
7 same for all victims; and

8 WHEREAS, in recognition that all victims of sexual assault involving sexual penetration are
9 of the same standing, the offense of rape may need to be reclassified under Georgia law to
10 include elements of the offenses of aggravated sodomy, aggravated sexual battery, and other
11 such sexual offenses; and

12 WHEREAS, study is needed on sexual offenses and the elements of such crimes to determine
13 whether elements and nomenclature for the offense of rape need to be revised in Georgia law.

14 NOW, THEREFORE, BE IT RESOLVED BY THE GENERAL ASSEMBLY OF
15 GEORGIA:

16 (1) **Creation of joint study committee.** There is created the Joint Study Committee on
17 Revising the Applicability and Nomenclature of the Offense of Rape.

18 (2) **Members and officers.** The committee shall be composed of six members appointed
19 as follows:

20 (A) Three members of the Senate appointed by the President of the Senate, who shall
21 designate one of their number to serve as cochairperson; and

22 (B) Three members of the House of Representatives appointed by the Speaker of the
23 House of Representatives, who shall designate one of their number to serve as
24 cochairperson.

25 (3) **Powers and duties.** The committee shall undertake a study of the conditions, needs,
26 issues, and problems mentioned above or related thereto and recommend any action or
27 legislation which the committee deems necessary or appropriate.

28 (4) **Meetings.** The cochairpersons shall call all meetings of the committee. The
29 committee may conduct such meetings at such places and at such times as it may deem
30 necessary or convenient to enable it to exercise fully and effectively its powers, perform
31 its duties, and accomplish the objectives and purposes of this resolution.

32 (5) **Allowances, expenses, and funding.**

33 (A) The legislative members of the committee shall receive the allowances provided
34 for in Code Section 28-1-8 of the Official Code of Georgia Annotated.

35 (B) The allowances and expenses authorized by this resolution shall not be received
36 by any member of the committee for more than five days unless additional days are
37 authorized. Funds necessary to carry out the provisions of this resolution shall come
38 from funds appropriated to the Senate and the House of Representatives.

39 (6) **Report.**

40 (A) In the event the committee adopts any specific findings or recommendations that
41 include suggestions for proposed legislation, the cochairpersons shall file a report of the
42 same prior to the date of abolishment specified in this resolution, subject to
43 subparagraph (C) of this paragraph.

44 (B) In the event the committee adopts a report that does not include suggestions for
45 proposed legislation, the cochairpersons shall file the report, subject to
46 subparagraph (C) of this paragraph.

47 (C) No report shall be filed unless the same has been approved prior to the date of
48 abolishment specified in this resolution by majority vote of a quorum of the committee.
49 A report so approved shall be signed by the cochairpersons of the committee and filed
50 with the Secretary of the Senate and the Clerk of the House of Representatives.

51 (D) In the absence of an approved report, the cochairpersons may file with the
52 Secretary of the Senate and the Clerk of the House of Representatives copies of the
53 minutes of the meetings of the committee in lieu thereof.

54 (7) **Abolishment.** The committee shall stand abolished on December 31, 2018.