

The House Committee on Judiciary Non-Civil offers the following substitute to SB 39:

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 6 of Title 16 of the Official Code of Georgia Annotated, relating to sexual
2 offenses, so as to increase the penalty provisions relating to pimping and pandering; to
3 change penalty provisions relating to a person convicted of keeping a place of prostitution,
4 pimping, and pandering when the offense involves the conduct of a person under the age of
5 16 years; to provide for related matters; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Chapter 6 of Title 16 of the Official Code of Georgia Annotated, relating to sexual offenses,
9 is amended by revising subsection (a) and paragraph (2) of subsection (b) of Code Section
10 16-6-13, relating to penalties for violating Code Sections 16-6-9 through 16-6-12, as follows:

11 "(a) Except as otherwise provided in subsection (b) of this Code section, a person
12 convicted of violating:

13 (1) Code Section 16-6-10 shall be punished as for a misdemeanor of a high and
14 aggravated nature, and at the sole discretion of the judge, all but 24 hours of any term of
15 imprisonment imposed may be suspended, stayed, or probated;

16 (2) Code Section 16-6-9 shall be punished as for a misdemeanor;

17 (3) Code Section 16-6-11 for a:

18 (A) First offense shall be punished as for a misdemeanor of a high and aggravated
19 nature, and at the sole discretion of the judge, all but ~~24~~ 72 hours of any term of
20 imprisonment imposed may be suspended, stayed, or probated;

21 (B) Second offense shall be guilty of a felony and shall be punished by a term of
22 imprisonment of not less than one year nor more than five years; and

23 (C) Third or subsequent offense shall be guilty of a felony and shall be punished by a
24 term of imprisonment of not less than one year nor more than ten years; or

25 (4) Code Section 16-6-12 for a:

26 (A) First offense shall be punished as for a misdemeanor of a high and aggravated
 27 nature, and at the sole discretion of the judge, all but 24 hours of any term of
 28 imprisonment imposed may be suspended, stayed, or probated;

29 (B) Second offense shall be punished as for a misdemeanor of a high and aggravated
 30 nature, and at the sole discretion of the judge, all but 72 hours of any term of
 31 imprisonment imposed may be suspended, stayed, or probated; and

32 (C) Third or subsequent offense shall be punished as for a misdemeanor of a high and
 33 aggravated nature, and at the sole discretion of the judge, all but 96 hours of any term
 34 of imprisonment imposed may be suspended, stayed, or probated."

35 "(2) A person convicted of any of the offenses enumerated in Code Sections 16-6-10
 36 through 16-6-12 when such offense involves the conduct of a person under the age of 16
 37 years shall be guilty of a felony and shall be punished by imprisonment for a period of
 38 not less than ten nor more than 30 years; and a fine of not more than \$100,000.00, ~~or~~
 39 ~~both."~~

40 **SECTION 2.**

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