

The Senate Committee on Public Safety offered the following substitute to HB 823:

A BILL TO BE ENTITLED  
AN ACT

1 To amend Code Sections 16-5-46 and 40-5-151 of the Official Code of Georgia Annotated,  
2 relating to trafficking of persons for labor or sexual servitude and disqualification from  
3 driving a commercial motor vehicle and action required after suspending, revoking, or  
4 canceling license or nonresident privileges, respectively, so as to provide for a lifetime  
5 disqualification from operating a commercial motor vehicle by persons convicted of  
6 trafficking other persons for labor or sexual servitude while using a commercial motor  
7 vehicle; to provide for related matters; to provide for an effective date and applicability; to  
8 repeal conflicting laws; and for other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

**SECTION 1.**

10 Code Section 16-5-46 of the Official Code of Georgia Annotated, relating to trafficking of  
11 persons for labor or sexual servitude, is amended by adding a new subsection to read as  
12 follows:  
13

14 "(1) Any individual who knowingly uses a commercial motor vehicle while committing the  
15 offense of trafficking a person for labor or sexual servitude in violation of this Code section  
16 shall also be punished by the revocation of the defendant's commercial driver's license and  
17 disqualification from driving a commercial motor vehicle for life in accordance with Code  
18 Section 40-5-151."

**SECTION 2.**

19 Code Section 40-5-151 of the Official Code of Georgia Annotated, relating to  
20 disqualification from driving a commercial motor vehicle and action required after  
21 suspending, revoking, or canceling license or nonresident privileges, is amended by revising  
22 subsection (e) as follows:  
23

24 "(e) Notwithstanding the provisions of subsection (d) of this Code section, any person is  
25 disqualified from driving a commercial motor vehicle for life who knowingly uses a ~~motor~~

26        (1) Motor vehicle in the commission of any felony involving the manufacture,  
 27        distribution, cultivation, sale, transfer of, trafficking in, or dispensing of a controlled  
 28        substance or marijuana, or possession with intent to manufacture, distribute, cultivate,  
 29        sell, transfer, traffic in, or dispense a controlled substance or marijuana; or  
 30        (2) Commercial motor vehicle in the commission of an offense of trafficking an  
 31        individual for labor servitude or sexual servitude in violation of Code Section 16-5-46."

32    **SECTION 3.**

33        This Act shall become effective upon its approval by the Governor or upon its becoming law  
 34        without such approval and shall apply to offenses committed on or after such date.

35    **SECTION 4.**

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