

**WITHDRAWN**

Senator Jordan of the 6th offered the following amendment:

1 *Amend HB 1188 (LC 48 0518-EC) by inserting after "depiction;" on line 6 the following:*  
2 to amend Article 2 of Chapter 1 of Title 42 of the Official Code of Georgia Annotated,  
3 relating to Sexual Offender Registration Review Board, so as to prohibit certain sexual  
4 offenders from utilizing any commercial social networking website; to provide for  
5 definitions; to provide for violation and penalty;

6 *By inserting between lines 46 and 47 the following:*

7 **SECTION 2.1.**

8 Article 2 of Chapter 1 of Title 42 of the Official Code of Georgia Annotated, relating to  
9 Sexual Offender Registration Review Board, is amended by adding a new Code section to  
10 read as follows:

11 "42-1-14.1.

12 (a) As used in this Code section, the term:

13 (1) 'Commercial social networking website' includes any website, application, portal,  
14 or other means of accessing the internet that:

15 (A) Is operated by a person that derives revenue from membership fees, advertising,  
16 or other sources related to the operation of the website, application, portal, or other  
17 means of accessing the internet;

18 (B) Allows users to create personal web pages or profiles that contain the user's name  
19 or nickname, photographs of the user, and other personal information; and

20 (C) Provides users or visitors a mechanism by which to communicate with others, such  
21 as a message board, chat room, or instant messenger.

22 Such term shall not include a website that is either owned or operated by a local, state,  
23 or federal governmental entity or that has as its primary purpose the facilitation of  
24 commercial transactions, the dissemination of news, the discussion of political or social  
25 issues, or professional networking.

26 (2) 'High-risk sex offender' means any individual who is registered with the State Sexual  
27 Offender Registry and who has been classified as a sexually dangerous predator pursuant  
28 to Code Section 42-1-14 based on a conviction of a sexually violent offense committed  
29 against a minor.

30 (b) It shall be unlawful for any person who has been classified as a high-risk sex offender  
31 to access or use any commercial social networking website to:

32 (1) Communicate with a person who the offender believes is under 16 years of age;

33 (2) Contact a person who the offender believes is under 16 years of age;

34 (3) Pose falsely as a person under 16 years of age with the intent to commit an unlawful  
35 sex act with a person the offender believes is under 16 years of age; or

36 (4) Gather information about a person who the offender believes is under 16 years of  
37 age.

38 (c) For purposes of determining jurisdiction, an offense shall be deemed to be committed  
39 in this state if the transmission that constitutes the offense either originates in this state or  
40 is received in this state.

41 (d) Any person that violates this Code section shall be guilty of a felony and, upon  
42 conviction thereof, shall be punished by imprisonment for not less than one nor more than  
43 ten years or by a fine of not more than \$10,000.00.

44 (e) This Code section shall be severable in accordance with Code Section 1-1-3, relating  
45 to severability."