

WITHDRAWN

Senators Harbin of the 16th, Albers of the 56th, Payne of the 54th, and Anavitarte of the 31st offered the following amendment #3:

1 *Amend the Senate Committee on Judiciary substitute to HB 926 (LC 48 1298S) by inserting*
 2 *after "battery by a juvenile;" on line 3 the following:*

3 to amend Code Section 16-5-46 of the Official Code of Georgia Annotated, relating to
 4 trafficking of persons for labor or sexual servitude, so as to provide for increased sentences
 5 for persons convicted of trafficking a minor or a developmentally disabled person for sexual
 6 servitude;

7 *By replacing line 14 with the following:*

8 date and applicability; to repeal conflicting laws; and for other purposes.

9 *By inserting after line 26 the following:*

10

SECTION 3.

11 Code Section 16-5-46 of the Official Code of Georgia Annotated, relating to trafficking of
 12 persons for labor or sexual servitude, is amended by revising subsection (f) as follows:

13 "(f)(1) Except as provided in paragraph (2) of this subsection, any person who commits
 14 the offense of trafficking an individual for labor servitude or sexual servitude shall be
 15 guilty of a felony, and upon conviction thereof, shall be punished by imprisonment for
 16 not less than ten nor more than 20 years and a fine not to exceed \$100,000.00.

17 (2)(A) Any person who commits the offense of trafficking an individual for labor
 18 servitude ~~or sexual servitude~~ against an individual who is under 18 years of age or if the
 19 offense is committed against an individual who has a developmental disability, ~~the~~
 20 ~~person~~ shall be guilty of a felony, and upon conviction thereof, shall be punished by

21 imprisonment for not less than 25 nor more than 50 years or life imprisonment and a
22 fine not to exceed \$100,000.00.

23 (B) Any person who commits the offense of trafficking an individual for sexual
24 servitude against an individual who is under 18 years of age or if the offense is
25 committed against an individual who has a developmental disability shall be guilty of
26 a felony, and upon conviction thereof, shall be punished by imprisonment for life or by
27 a split sentence that is a term of imprisonment for not less than 30 years and not
28 exceeding life imprisonment, followed by probation for life, and a fine not to exceed
29 \$250,000.00. As a condition of probation, the court shall impose the requirement of
30 electronic monitoring as set forth in paragraph (14) of subsection (a) of Code
31 Section 42-8-35.

32 (3)(A) As used in this paragraph, the term 'sexual felony' shall have the same meaning
33 as set forth in paragraph (2) of subsection (j) of Code Section 16-5-21.

34 (B) Any person having been previously convicted of a sexual felony who is convicted
35 of the offense of trafficking of persons for sexual servitude shall be punished by
36 imprisonment for life or a split sentence that is a term of imprisonment followed by
37 probation for life. As a condition of probation, the court shall impose the requirement
38 of electronic monitoring as set forth in paragraph (14) of subsection (a) of Code
39 Section 42-8-35."

40 *By replacing lines 253 and 254 with the following:*

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

43 *By redesignating Sections 3, 4, 5, 6, 7, 8, 9, and 10 on lines 27, 77, 181, 204, 213, 245, 252,*
44 *and 255, respectively, as Sections 4, 5, 6, 7, 8, 9, 10, and 11.*