

House Bill 804 (AS PASSED HOUSE AND SENATE)

By: Representatives Ralston of the 7th and Willard of the 49th

A BILL TO BE ENTITLED
AN ACT

To amend Title 16 of the Official Code of Georgia Annotated, relating to crimes and offenses, so as to repeal the offense of barratry; to correct cross-references; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Title 16 of the Official Code of Georgia Annotated, relating to crimes and offenses, is amended by striking Code Section 16-10-95, relating to barratry, and inserting in lieu thereof the following:

"16-10-95.

~~(a) A person commits the offense of barratry when he knowingly and willfully commits any of the following acts:~~

~~(1) Excites and stirs up groundless actions in the courts or quarrels in administrative proceedings;~~

~~(2) Institutes or causes to be instituted a legal proceeding without obtaining proper authorization; or~~

~~(3) Solicits or encourages the institution of a judicial or administrative proceeding or offers assistance therein before being consulted by a complainant in relation thereto.~~

~~(b) A person convicted of the offense of barratry shall be punished by a fine of not more than \$5,000.00 or by imprisonment for not less than one nor more than five years, or both.~~

Reserved."

SECTION 2.

Said title is further amended by striking division (9)(A)(xv) of Code Section 16-14-3, relating to definitions relative to the "Georgia RICO (Racketeer Influenced and Corrupt Organizations) Act," and inserting in lieu thereof the following:

3 **SECTION 3.**
4 All laws and parts of laws in conflict with this Act are repealed.