

House Bill 905 (COMMITTEE SUBSTITUTE)

By: Representatives Ballinger of the 23rd, Oliver of the 82nd, Dempsey of the 13th, Efstration of the 104th, Reeves of the 34th, and others

A BILL TO BE ENTITLED
AN ACT

To amend Article 2 of Chapter 3 of Title 16, Title 19, and Chapter 5 of Title 49 of the Official Code of Georgia Annotated, relating to justification and excuse, domestic relations, and programs and protection for children and youth, respectively, so as to change provisions relating to child abuse; to provide for immunity from criminal liability for possession of certain materials or images under certain circumstances; to change and provide for defined terms; to change provisions relating to protocol committees on child abuse; to remove certain reporting requirements to the child abuse registry; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article 2 of Chapter 3 of Title 16 of the Official Code of Georgia Annotated, relating to justification and excuse, is amended

27 affected and threatened by the conduct of another. This Code section shall be liberally
28 construed so as to carry out the purposes thereof."

29 **SECTION 2.**

30 Title 19 of the Official Code of Georgia Annotated, relating to domestic relations, is
31 amended by revising subsection (b) of Code Section 19-7-5, relating to reporting of child
32 abuse, as follows:

33 "(b) As used in this Code section, the term:

34 (1) 'Abortion' shall have the same meaning as set forth in Code Section 15-11-681.

35 (2) 'Abused' means subjected to child abuse.

36 (3) 'Child' means any person under 18 years of age.

37 (4) 'Child abuse' means:

38 (A) Physical injury or death inflicted upon a child by a parent or caretaker thereof by
39 other than accidental means; provided, however, that physical forms of

