

## House Bill 32

By: Representatives Chandler of the 105<sup>th</sup>, Turner of the 21<sup>st</sup>, Caldwell of the 20<sup>th</sup>, Cantrell of the 22<sup>nd</sup>, Carson of the 46<sup>th</sup>, and others

A BILL TO BE ENTITLED  
AN ACT

1 To amend Code Section 16-6-5.1 of the Official Code of Georgia Annotated, relating to  
2 sexual assault by persons with supervisory or disciplinary authority, so as to prohibit sexual  
3 contact between school employees or agents and students enrolled at such school; to provide  
4 for related matters; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 style="text-align:center">**SECTION 1.**

7 Code Section 16-6-5.1 of the Official Code of Georgia Annotated, relating to sexual assault  
8 by persons with supervisory or disciplinary authority, is amended by revising subsection (b)  
9 as follows:

10 "(b) A person who has supervisory or disciplinary authority over another individual  
11 commits sexual assault when ~~that~~ such person:

12 (1) Is ~~a teacher, principal, assistant principal, or other administrator~~ an employee or agent  
13 of any a school but not a student enrolled at such school and engages in sexual contact  
14 with such other individual who the actor knew or should have known is enrolled at the  
15 same school; ~~provided, however, that such contact shall not be prohibited when the actor~~  
16 ~~is married to such other individual;~~

17 (2) Is an employee or agent of any community supervision office, county juvenile  
18 probation office, Department of Juvenile Justice juvenile probation office, or probation  
19 office under Article 6 of Chapter 8 of Title 42 and engages in sexual contact with such  
20 other individual who the actor knew or should have known is a probationer or parolee  
21 under the supervision of any such office;

22 (3) Is an employee or agent of a law enforcement agency and engages in sexual contact  
23 with such other individual who the actor knew or should have known is being detained  
24 by or is in the custody of any law enforcement agency;

25 (4) Is an employee or agent of a hospital and engages in sexual contact with such other  
26 individual who the actor knew or should have known is a patient or is being detained in  
27 the same hospital; or

28 (5) Is an employee or agent of a correctional facility, juvenile detention facility, facility  
29 providing services to a person with a disability, as such term is defined in Code Section  
30 37-1-1, or a facility providing child welfare and youth services, as such term is defined  
31 in Code Section 49-5-3, who engages in sexual contact with such other individual who  
32 the actor knew or should have known is in the custody of any such facility."

33 **SECTION 2.**

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