

The Senate Committee on Judiciary offered the following substitute to SB 236:

A BILL TO BE ENTITLED
AN ACT

To amend Code Section 40-6-391 of the Official Code of Georgia Annotated, relating to driving under the influence of alcohol, drugs, or other intoxicating substances, penalties, and endangering a child, so as to allow the county or district department of family and children services to be notified when certain offenders are convicted of endangering a child by driving under the influence of alcohol or drugs; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Code Section 40-6-391 of the Official Code of Georgia Annotated, relating to driving under the influence of alcohol, drugs, or other intoxicating substances, penalties, and endangering a child, is amended by revising subsection (l) as follows:

"(l)(1) A person who violates this Code section while transporting in a motor vehicle a child under the age of 14 years is guilty of the separate offense of endangering a child by driving under the influence of alcohol or drugs. The offense of endangering a child by driving under the influence of alcohol or drugs shall not be merged with the offense of driving under the influence of alcohol or drugs for the purposes of prosecution and sentencing. An offender who is convicted of a violation of this ~~subsection~~ paragraph shall be punished in accordance with the provisions of subsection (d) of Code Section 16-12-1.

(2) If any offender who is convicted of a violation of this subsection is the parent or guardian of the child passenger, the prosecuting attorney may provide a copy of the traffic citation and all pertinent documents to the county or district department of family and children services of such person's residence to aid in an investigation of possible child neglect."

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SECTION 2.
All laws and parts of laws in conflict with this Act are repealed.