

Senate Bill 33

By: Senators Dixon of the 45th, Hatchett of the 50th, Mullis of the 53rd, Miller of the 49th, Jackson of the 2nd and others

AS PASSED SENATE

A BILL TO BE ENTITLED

AN ACT

1 To amend Chapter 1 of Title 51 of the Official Code of Georgia Annotated, relating to
2 general provisions regarding torts, so as to provide a cause of action against perpetrators for
3 victims of human trafficking; to provide for definitions; to provide a cause of action against
4 certain perpetrators of human trafficking by the Attorney General on behalf of the state; to
5 provide for related matters; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Chapter 1 of Title 51 of the Official Code of Georgia Annotated, relating to general
9 provisions regarding torts, is amended by adding a new Code section to read as follows:

10 "51-1-56.

11 (a) As used in this Code section, the term:

12 (1) 'Criminal action' means the investigation or prosecution of an offense that is pending
13 final adjudication in a trial court.

14 (2) 'Perpetrator' means a person or entity that knowingly benefits, financially or by
15 receiving anything of value, from participation in a venture or scheme which such person
16 or entity knew or should have known involved a violation of Code Section 16-5-46.

17 (b) An individual who is a victim of a violation of Code Section 16-5-46 shall have a cause
18 of action against any perpetrator of said violation and may recover damages and reasonable
19 attorney's fees.

20 (c) Any action filed under subsection (b) of this Code section shall be stayed during the
21 pendency of any criminal action arising out of the same occurrence in which the individual
22 is the victim.

23 (d) Notwithstanding any other law to the contrary, an action may be brought under
24 subsection (b) of this Code section within ten years after the:

25 (1) Cause of action arose; or

26 (2) Victim reaches 18 years of age, if the victim was a minor at the time of the alleged
27 violation.

28 (e) Whenever the Attorney General has reasonable cause to believe that an interest of the
29 citizens of this state has been or is threatened or adversely affected by a perpetrator, the
30 Attorney General shall have a cause of action against such perpetrator on behalf of the state
31 to obtain appropriate relief."

32 **SECTION 2.**

33 All laws and parts of laws in conflict with this Act are repealed.