

House Bill 219

By: Representatives Hilton of the 48th, Cooper of the 45th, Leverett of the 123rd, Ballard of the 147th, Petrea of the 166th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 11 of Chapter 1 of Title 7 of the Official Code of Georgia Annotated,
2 relating to records and reports of currency transactions, so as to provide for venue for the
3 offense of money laundering; to provide for legislative findings; to amend Article 1 of
4 Chapter 8 of Title 16 of the Official Code of Georgia Annotated, relating to theft, so as to
5 provide for venue for the offense of theft of money held in a financial institution; to provide
6 for legislative findings; to provide for related matters: to repeal conflicting laws; and for
7 other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 Article 11 of Chapter 1 of Title 7 of the Official Code of Georgia Annotated, relating to
11 records and reports of currency transactions, is amended by adding a new Code section to
12 read as follows:

13 "7-1-915.1.

14 The General Assembly finds that movement of the money or currency that represents the
15 proceeds of any form of illegal activity held in accounts at financial institutions, as defined
16 by Code Section 16-8-1, involves the unlawful movement of property stored digitally as

17 data on computer servers and networks accessible to consumer and business account
18 holders wherever the consumer or business account holder resides or is found, and such
19 property is considered to be in the lawful possession of a consumer or business account
20 holder in any county where the consumer or business account holder currently resides or
21 is found. As such, the unlawful movement of such money or currency representing the
22 proceeds of any form of illegal activity involves the unlawful exercise of control over
23 property that is, for the purposes of this article, found within the county where the
24 consumer or business victim account holder of the theft resides or is found. Accordingly,
25 in addition to venue provisions found elsewhere in this Code, in a proceeding under this
26 article, when the property which is the subject of the unlawful movement of the proceeds
27 of any form of illegal activity is money or currency of any kind, including, but not limited
28 to, electronic money, digital money, and cryptocurrency, and was held in a financial
29 institution at any time during the course of the unlawful movement of the proceeds of
30 illegal activity, the crime will be considered to have been committed in any county from
31 where the unlawful movement of money or currency was transferred or where an attempt
32 at unlawful transfer was made, taken, obtained, converted, or come into control of, or in
33 any county where the transfer was received, in any county where the defendant resides or
34 is found, or in any county in which any other part of the offense took place, regardless of
35 whether the defendant was ever actually in such county."

36 **SECTION 2.**

37 Article 1 of Chapter 8 of Title 16 of the Official Code of Georgia Annotated, relating to theft,
38 is amended by adding a new Code section to read as follows:

39 "16-8-11.1.

40 The General Assembly finds that the theft of money or currency, including any digital
41 forms of currency, but not limited to, electronic money, digital money, and cryptocurrency,
42 held in accounts at financial institutions involves the unlawful taking of property stored

43 digitally as data on computer servers and networks accessible to consumer and business
44 account holders wherever the consumer or business account holder resides or is found, and
45 such property is considered to be in the lawful possession of a consumer or business
46 account holder in any county where the consumer or business account holder currently
47 resides or is found. As such, the unlawful taking of such money or currency involves the
48 unlawful exercise of control over property that is, for the purposes of this article, found
49 within the county where the consumer or business account holder victim of the theft resides
50 or is found. Accordingly, in addition to venue provisions found elsewhere in this Code, in
51 a proceeding under this article, when the property which is the subject of the theft is money
52 or currency of any kind, including, but not limited to, electronic money, digital money, and
53 cryptocurrency, and which was held in a financial institution at any time during the course
54 of the theft, the crime will be considered to have been committed in any county where the
55 consumer or business account holder whose property was unlawfully taken, obtained,
56 converted, come into control of, or received resides or is found, or in any county in which
57 any other part of the offense took place, regardless of whether the defendant was ever
58 actually in such county."

59 **SECTION 2.**

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