

House Bill 922

By: Representatives Vance of the 133rd, Tarvin of the 2nd, Lumsden of the 12th, Collins of the 71st, and Hitchens of the 161st

A BILL TO BE ENTITLED
AN ACT

1 To amend Part 1 of Article 2 of Chapter 7 of Title 16 of the Official Code of Georgia
2 Annotated, relating to general provisions relative to criminal trespass and damage to
3 property, so as to provide that entrance upon property of another without consent shall be an
4 offense of criminal trespass; to provide for related matters; to repeal conflicting laws; and for
5 other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Part 1 of Article 2 of Chapter 7 of Title 16 of the Official Code of Georgia Annotated,
9 relating to general provisions relative to criminal trespass and damage to property, is
10 amended by revising Code Section 16-7-21, relating to criminal trespass, as follows:

11 "16-7-21.

12 (a) A person commits the offense of criminal trespass when he or she intentionally
13 damages any property of another without consent of that other person and the damage
14 thereto is \$500.00 or less or knowingly and maliciously interferes with the possession or
15 use of the property of another person without consent of that person.

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(b) A person commits the offense of criminal trespass when he or she knowingly and without authority:

(1) Enters upon the land or premises of another person or into any part of any vehicle, railroad car, aircraft, or watercraft of another person for an unlawful purpose;

(2) Enters upon the land or premises of another person or into any part of any vehicle, railroad car, aircraft, or watercraft of another person after receiving, prior to such entry, notice from the owner, rightful occupant, or, upon proper identification, an authorized representative of the owner or rightful occupant that such entry is forbidden; ~~or~~

(3) Remains upon the land or premises of another person or within the vehicle, railroad car, aircraft, or watercraft of another person after receiving notice from the owner, rightful occupant, or, upon proper identification, an authorized representative of the owner or rightful occupant to depart; or

(4) Enters upon the land or premises of another person or into any part of any vehicle, railroad car, aircraft, or watercraft of another person without consent of the owner or rightful occupant.

(c) For the purposes of subsection (b) of this Code section, permission to enter or invitation to enter given by a minor who is or is not present on or in the property of the minor's parent or guardian is not sufficient to allow lawful entry of another person upon the land, premises, vehicle, railroad car, aircraft, or watercraft owned or rightfully occupied by such minor's parent or guardian if such parent or guardian has previously given notice that such entry is forbidden or notice to depart.

(d) A person who commits the offense of criminal trespass shall be guilty of a misdemeanor.

(e) A person commits the offense of criminal trespass when he or she intentionally defaces, mutilates, or defiles any grave marker, monument, or memorial to one or more deceased persons who served in the military service of this state, the United States of America or any of the states thereof, or the Confederate States of America or any of the

43 states thereof, or a monument, plaque, marker, or memorial which is dedicated to, honors,
44 or recounts the military service of any past or present military personnel of this state, the
45 United States of America or any of the states thereof, or the Confederate States of America
46 or any of the states thereof if such grave marker, monument, memorial, plaque, or marker
47 is privately owned or located on land which is privately owned."

48 **SECTION 2.**

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