

Harbin of the 16th, Williams of the 25th and Payne of the 54th offered the following amendment #3:

1 *Amend HB 505 SCS (LC 49 1934S) by inserting on line 4 after "proof;" the following:*

2 so as to provide for increased sentences for persons convicted of trafficking a minor or a
3 developmentally disabled person for sexual servitude; to prohibit distribution of computer
4 generated obscene material depicting a child; to provide for definitions; to provide for
5 penalties; to provide for affirmative defenses;

6 *By inserting after line 41 the following:*

7 **SECTION 1A.**

8 Title 16 of the Official Code of Georgia Annotated is amended in Code Section 16-5-46,
9 relating to trafficking of persons for labor or sexual servitude, by revising subsection (f) as
10 follows:

11 "(f)(1) Except as provided in paragraph (2) of this subsection, any person who commits
12 the offense of trafficking an individual for labor servitude or sexual servitude shall be
13 guilty of a felony, and upon conviction thereof, shall be punished by imprisonment for
14 not less than ten nor more than 20 years and a fine not to exceed \$100,000.00.

15 (2)(A) Any person who commits the offense of trafficking an individual for labor
16 servitude ~~or sexual servitude~~ against an individual who is under 18 years of age or if the
17 offense is committed against an individual who has a developmental disability, ~~the~~
18 ~~person~~ shall be guilty of a felony, and upon conviction thereof, shall be punished by
19 imprisonment for not less than 25 nor more than 50 years or life imprisonment and a
20 fine not to exceed \$100,000.00.

21 (B) Any person who commits the offense of trafficking an individual for sexual
22 servitude against an individual who is under 18 years of age or if the offense is
23 committed against an individual who has a developmental disability shall be guilty of
24 a felony, and upon conviction thereof, shall be punished by imprisonment for life or by
25 a split sentence that is a term of imprisonment for not less than 30 years and not
26 exceeding life imprisonment, followed by probation for life, and a fine not to exceed
27 \$250,000.00. As a condition of probation, the court shall impose the requirement of
28 electronic monitoring as set forth in paragraph (14) of subsection (a) of Code Section
29 42-8-35.

30 (3)(A) As used in this paragraph, the term 'sexual felony' shall have the same meaning
31 as set forth in paragraph (2) of subsection (j) of Code Section 16-5-21.

32 (B) Any person having been previously convicted of a sexual felony who is convicted
33 of the offense of trafficking of persons for sexual servitude shall be punished by
34 imprisonment for life or a split sentence that is a term of imprisonment followed by
35 probation for life. As a condition of probation, the court shall impose the requirement
36 of electronic monitoring as set forth in paragraph (14) of subsection (a) of Code Section
37 42-8-35."