

House Bill 319

By: Representatives Clark of the 100<sup>th</sup>, Gaines of the 120<sup>th</sup>, Sainz of the 180<sup>th</sup>, Jasperse of the 11<sup>th</sup>, Petrea of the 166<sup>th</sup>, and others

A BILL TO BE ENTITLED  
AN ACT

1 To amend Article 5 of Chapter 11 of Title 16 of the Official Code of Georgia, relating to  
2 offenses involving illegal aliens, so as to provide for penalties for state and local officials and  
3 employees for noncompliance; to provide for related matters; to repeal conflicting laws; and  
4 for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **SECTION 1.**

7 Article 5 of Chapter 11 of Title 16 of the Official Code of Georgia, relating to offenses  
8 involving illegal aliens, is amended by revising subsection (d) of Code Section 16-11-201,  
9 relating to definitions, offense of concealing, harboring, or shielding an illegal alien,  
10 penalties, and exceptions, as follows:

11 "(d) It shall be unlawful for any state or local official or employee to knowingly and  
12 willfully violate any state law related to deterring the concealing, harboring, or shielding  
13 of an illegal alien guilty of a criminal offense in violation of this Code section. In addition  
14 to the penalties provided in subsection (c) of this Code section, any state or local official  
15 or employee found to have violated this Code section shall be subject to prosecution by the  
16 Attorney General, and may be subject to removal and replacement by the Governor. This

17 ~~Code section shall not apply to a government employee or any person acting at the express~~  
18 ~~direction of a government employee who conceals, harbors, or shelters an illegal alien~~  
19 ~~when such illegal alien is or has been the victim of a criminal offense or is a witness in any~~  
20 ~~civil or criminal proceeding or who holds an illegal alien in a jail, prison, or other detention~~  
21 ~~facility."~~

22 **SECTION 2.**

23 All laws and parts of laws in conflict with this Act are repealed.