

House Bill 636

By: Representatives McQueen of the 61st, Bell of the 75th, Berry of the 56th, Cannon of the 58th, and Willis of the 55th

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 6 of Title 16 of the Official Code of Georgia Annotated, relating to sexual
2 offenses, so as to revise penalties for violations of certain offenses; to provide for fines for
3 such violations and to provide that such collected fines be made available to the Safe Harbor
4 for Sexually Exploited Children Fund Commission; to provide for related matters; to repeal
5 conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Chapter 6 of Title 16 of the Official Code of Georgia Annotated, relating to sexual offenses,
9 is amended by revising subsection (a) of Code Section 16-6-13, relating to penalties for
10 violating Code Sections 16-6-9 through 16-6-12, as follows:

11 "(a) Except as otherwise provided in subsection (b) of this Code section, a person
12 convicted of violating:

13 (1) Code Section ~~16-6-10~~ 16-6-9 shall be punished as for a misdemeanor of a high and
14 aggravated nature, and at the sole discretion of the judge, all but 24 hours of any term of
15 imprisonment imposed may be suspended, stayed, or probated fined \$75.00, and such

16 collected fine shall be made available to the Department of Human Services for the Safe
17 Harbor for Sexually Exploited Children Fund Commission;

18 (2) Code Section ~~16-6-9~~ 16-6-10 shall be ~~punished as for a misdemeanor~~ fined \$75.00,
19 and such collected fine shall be made available to the Department of Human Services for
20 the Safe Harbor for Sexually Exploited Children Fund Commission;

21 (3) Code Section 16-6-11 for a:

22 (A) First offense shall be ~~punished as for a misdemeanor of a high and aggravated~~
23 ~~nature, and at the sole discretion of the judge, all but 72 hours of any term of~~
24 ~~imprisonment imposed may be suspended, stayed, or probated~~ fined \$75.00, and such
25 collected fine shall be made available to the Department of Human Services for the
26 Safe Harbor for Sexually Exploited Children Fund Commission; and

27 (B) Second or subsequent offense shall be ~~guilty of a felony and shall be punished by~~
28 ~~a term of imprisonment of not less than one year nor more than ten years~~ fined \$100.00,
29 and such collected fine shall be made available to the Department of Human Services
30 for the Safe Harbor for Sexually Exploited Children Fund Commission; or

31 (4) Code Section 16-6-12 for a:

32 (A) First offense shall be ~~punished as for a misdemeanor of a high and aggravated~~
33 ~~nature, and at the sole discretion of the judge, all but 72 hours of any term of~~
34 ~~imprisonment imposed may be suspended, stayed, or probated~~ fined \$75.00, and such
35 collected fine shall be made available to the Department of Human Services for the
36 Safe Harbor for Sexually Exploited Children Fund Commission; and

37 (B) Second or subsequent offense shall be ~~guilty of a felony and shall be punished by~~
38 ~~a term of imprisonment of not less than one year nor more than ten years~~ fined \$100.00,
39 and such collected fine shall be made available to the Department of Human Services
40 for the Safe Harbor for Sexually Exploited Children Fund Commission."

41

SECTION 2.

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