

House Bill 1075

By: Representatives Chastain of the 7<sup>th</sup>, Gunter of the 8<sup>th</sup>, Smith of the 18<sup>th</sup>, Hagan of the 156<sup>th</sup>, Camp of the 135<sup>th</sup>, and others

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 modify the penalty for offenders previously convicted of the offense of  
3 trafficking of persons for labor or sexual servitude; to provide for related matters; to repeal  
4 conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 style="text-align:center">**SECTION 1.**

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

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

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

15 (2) Code Section 16-6-9 shall be punished as for a misdemeanor;

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

- 17 (A) First offense shall be punished as for a misdemeanor of a high and aggravated  
18 nature, and at the sole discretion of the judge, all but 72 hours of any term of  
19 imprisonment confinement imposed may be suspended, stayed, or probated; and  
20 (B) Second or subsequent offense shall be guilty of a felony and shall be punished by  
21 a term of imprisonment of not less than one year nor more than ten years; or  
22 (4) Code Section 16-6-12 for a:  
23 (A) First offense shall be punished as for a misdemeanor of a high and aggravated  
24 nature, and at the sole discretion of the judge, all but 72 hours of any term of  
25 imprisonment confinement imposed may be suspended, stayed, or probated; and  
26 (B) Second or subsequent offense shall be guilty of a felony and shall be punished by  
27 a term of imprisonment of not less than one year nor more than ten years.  
28 (b) A person convicted of violating Code Section 16-6-11 who has a prior conviction of  
29 the offense of trafficking of persons for labor or sexual servitude in violation of Code  
30 Section 16-5-46 shall be guilty of a felony and shall be punished by a term of imprisonment  
31 of not less than one year nor more than ten years. Reserved."

32 **SECTION 2.**

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