

Senate Bill 443

By: Senators Summers of the 13th, Albers of the 56th, Dixon of the 45th, Hickman of the 4th, Ginn of the 47th and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 2 of Chapter 11 of Title 16 of the Official Code of Georgia Annotated,
2 relating to offenses against public order, so as to increase the punishment for the offense of
3 obstructing highways, streets, sidewalks, or other public passages; to provide for enhanced
4 punishment in certain instances; to authorize civil liability for damages; to provide for related
5 matters; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Article 2 of Chapter 11 of Title 16 of the Official Code of Georgia Annotated, relating to
9 offenses against public order, is amended by revising Code Section 16-11-43, relating to
10 obstructing highways, streets, sidewalks, or other public passages, as follows:

11 "16-11-43.

12 A person who, without authority of law, purposely or recklessly obstructs any highway,
13 street, sidewalk, or other public passage in such a way as to render it impassable without
14 unreasonable inconvenience or hazard and fails or refuses to remove the obstruction after
15 receiving a reasonable official request or the order of a peace officer that he or she do so,
16 is guilty of a high and aggravated misdemeanor; provided, however, that, if the commission

17 of such offense results in the infliction of bodily injury to another person or destruction of
18 property, the person shall be guilty of a felony and, upon conviction thereof, shall be
19 punished by a fine of not less than \$5,000.00 or by imprisonment for not less than five
20 years, or both. In addition to any other fine, penalty, or restitution which may be imposed
21 by law, such person may be held civilly liable for damages that results from an offense of
22 this Code section."

23

SECTION 2.

24 All laws and parts of laws in conflict with this Act are repealed.