

House Bill 1189

By: Representatives Moore of the 91st, Panitch of the 51st, Bell of the 75th, Baker of the 64th,
and Sanchez of the 42nd

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 prohibit the prosecution of the offense of sodomy regarding consenting
3 adults in accordance with *Powell v. The State*, 270 Ga. 327 (1998); to provide for related
4 matters; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **SECTION 1.**

7 Chapter 6 of Title 16 of the Official Code of Georgia Annotated, relating to sexual offenses,
8 is amended by adding a new Code section to read as follows:

9 "16-6-2.1.

10 Except as otherwise provided by state and federal law, prosecution for the offense of
11 sodomy, as such term is defined in subsection (a) of Code Section 16-6-2, shall be
12 prohibited when the persons committing sodomy are adults and consent to such sodomy,
13 in accordance with the Supreme Court of Georgia's ruling in *Powell v. The State*, 270
14 Ga. 327 (1998)."

15

SECTION 2.

16 All laws and parts of laws in conflict with this Act are repealed.