

The House Committee on Judiciary Non-Civil offers the following substitute to HB 917:

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 16-8-60 of the Official Code of Georgia Annotated, relating to
2 reproduction of recorded material, transfer, sale, distribution, circulation, civil forfeiture, and
3 restitution, so as to update terminology; to provide for related matters; to repeal conflicting
4 laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **SECTION 1.**

7 Code Section 16-8-60 of the Official Code of Georgia Annotated, relating to reproduction
8 of recorded material, transfer, sale, distribution, circulation, civil forfeiture, and restitution,
9 is amended by revising paragraph (1) of subsections (a) and (f) and subsection (b), as
10 follows:

11 "(1) Transfer or cause to be transferred any sounds or visual images recorded on a
12 phonograph record, disc, wire, tape, videotape, film, memory card, flash drive, hard
13 drive, data storage device, or other article on which sounds or visual images are recorded
14 onto any other phonograph record, disc, wire, tape, videotape, film, memory card, flash
15 drive, hard drive, data storage device, or article without the consent of the person who
16 owns the master phonograph record, master disc, master tape, master videotape, master
17 film, or other device or article from which the sounds or visual images are derived; or"

18 "(b) It is unlawful for any person, firm, partnership, corporation, or association to sell;
19 distribute; circulate; offer for sale, distribution, or circulation; or possess for the purposes
20 of sale, distribution, or circulation any phonograph record, disc, wire, tape, videotape, film,
21 memory card, flash drive, hard drive, data storage device, or other article on which sounds
22 or visual images have been transferred unless such phonograph record, disc, wire, tape,
23 videotape, film, memory card, flash drive, hard drive, data storage device, or other article
24 bears the actual name and address of the transferor of the sounds or visual images in a
25 prominent place on its outside face or package."

26 "(f)(1) Any phonograph record, disc, wire, tape, videotape, film, memory card, flash
27 drive, hard drive, data storage device, or other article onto which sounds or visual images
28 have been transferred in violation of this Code section are declared to be contraband and
29 no person shall have a property right in them; provided, however, that notwithstanding
30 paragraph (2) of subsection (a) of Code Section 9-16-17, no property of any owner shall
31 be forfeited under this paragraph, to the extent of the interest of such owner, by reason
32 of an act or omission established by such owner to have been committed or omitted
33 without knowledge or consent of such owner."

34 **SECTION 2.**

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