

Senate Bill 133

By: Senators Carter of the 1st, Millar of the 40th, Hufstetler of the 52nd and Orrock of the 36th

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 16-13-78.2 of the Official Code of Georgia Annotated, relating to
2 possession, manufacture, delivery, distribution, or sale of counterfeit substances, so as to
3 revise the definition of and penalties for the possession, manufacture, delivery, distribution,
4 or sale of counterfeit substances; to provide for related matters; to repeal conflicting laws;
5 and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Code Section 16-13-78.2 of the Official Code of Georgia Annotated, relating to possession,
9 manufacture, delivery, distribution, or sale of counterfeit substances, is amended as follows:
10 "16-13-78.2.

11 Except as authorized by this article, it is unlawful for any person to possess, have under his
12 or her control, manufacture, deliver, distribute, dispense, administer, sell, offer or attempt
13 to sell, or possess with intent to distribute a dangerous drug that is marked as a drug
14 sample, adulterated, or misbranded or a counterfeit substance as defined by Code Section
15 16-13-21 or under the provisions of the Federal Food, Drug, and Cosmetic Act as such
16 provisions existed on January 1, 2013. Any person who violates this Code section shall be
17 guilty of a misdemeanor or felony and upon conviction thereof shall be punished by not less
18 than five years imprisonment or by a fine not to exceed \$100,000.00, or both."

19 **SECTION 2.**

20 All laws and parts of laws in conflict with this Act are repealed.