

Senate Bill 466

By: Senators Hatchett of the 50th, Payne of the 54th, Still of the 48th, Echols of the 49th,
Harbin of the 16th and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 3 of Chapter 12 of Title 16 of the Official Code of Georgia Annotated,
2 relating to obscenity and related offenses, so as to provide for limitations of defense that a
3 sexually exploitive visual medium is digitally altered for the offense of sexual exploitation
4 of children; to provide for related matters; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 SECTION 1.

7 Article 3 of Chapter 12 of Title 16 of the Official Code of Georgia Annotated, relating to
8 obscenity and related offenses, is amended by adding a new subsection to Code Section
9 16-12-100, relating to sexual exploitation of children, reporting violation, civil forfeiture, and
10 penalties, to read as follows:

11 "(b.2) It shall not constitute a defense in a prosecution for a violation of this Code section
12 that prior to or during the accused's creation, reproduction, publishing, promotion, selling,
13 distributing, giving, exhibiting, possessing with the intent to sell or distribute, bringing or
14 causing to be brought into this state, or possession or control of such visual medium that
15 such visual medium was created, adapted, or modified to appear that an identifiable minor
16 is engaging in sexually explicit conduct."

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SECTION 2.

18 All laws and parts of laws in conflict with this Act are repealed.