

House Bill 341 (AS PASSED HOUSE AND SENATE)

By: Representatives Dollar of the 45<sup>th</sup>, Frye of the 118<sup>th</sup>, Stephens of the 164<sup>th</sup>, Hawkins of the 27<sup>th</sup>, Werkheiser of the 157<sup>th</sup>, and others

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 style="text-align:center">**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 subsection (a), subsection (b), and paragraph (1) of  
10 subsection (f) as 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~~ memory card, flash drive, hard drive, data storage device, or other  
18 article from which the sounds or visual images are derived; or"

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

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

35 **SECTION 2.**

36 All laws and parts of laws in conflict with this Act are repealed.