

House Bill 823 (AS PASSED HOUSE AND SENATE)

By: Representatives Gaines of the 117th, Jones of the 47th, Lott of the 122nd, Reeves of the 34th, Wiedower of the 119th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Sections 16-5-46 and 40-5-151 of the Official Code of Georgia Annotated,
2 relating to trafficking of persons for labor or sexual servitude and disqualification from
3 driving a commercial motor vehicle and action required after suspending, revoking, or
4 canceling license or nonresident privileges, respectively, so as to provide for a lifetime
5 disqualification from operating a commercial motor vehicle by persons convicted of
6 trafficking other persons for labor or sexual servitude while using a commercial motor
7 vehicle; to provide for related matters; to provide for an effective date and applicability; to
8 repeal conflicting laws; and for other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

10 style="text-align:center">**SECTION 1.**

11 Code Section 16-5-46 of the Official Code of Georgia Annotated, relating to trafficking of
12 persons for labor or sexual servitude, is amended by adding a new subsection to read as
13 follows:

14 "(1) Any individual who knowingly uses a commercial motor vehicle while committing the
15 offense of trafficking a person for labor or sexual servitude in violation of this Code section
16 shall also be punished by the revocation of the defendant's commercial driver's license and
17 disqualification from driving a commercial motor vehicle for life in accordance with Code
18 Section 40-5-151."

19 style="text-align:center">**SECTION 2.**

20 Code Section 40-5-151 of the Official Code of Georgia Annotated, relating to
21 disqualification from driving a commercial motor vehicle and action required after
22 suspending, revoking, or canceling license or nonresident privileges, is amended by revising
23 subsection (e) as follows:

24 "(e) Notwithstanding the provisions of subsection (d) of this Code section, any person is
25 disqualified from driving a commercial motor vehicle for life who knowingly uses a ~~motor~~

26 (1) Motor vehicle in the commission of any felony involving the manufacture,
27 distribution, cultivation, sale, transfer of, trafficking in, or dispensing of a controlled
28 substance or marijuana, or possession with intent to manufacture, distribute, cultivate,
29 sell, transfer, traffic in, or dispense a controlled substance or marijuana; or
30 (2) Commercial motor vehicle in the commission of an offense of trafficking an
31 individual for labor servitude or sexual servitude in violation of Code Section 16-5-46."

32 **SECTION 3.**

33 This Act shall become effective upon its approval by the Governor or upon its becoming law
34 without such approval and shall apply to offenses committed on or after such date.

35 **SECTION 4.**

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