

House Resolution 223

By: Representatives Efration of the 104th, Welch of the 110th, Taylor of the 173rd, Oliver of the 82nd, Brockway of the 102nd, and others

A RESOLUTION

Proposing an amendment to the Constitution so as to provide that the General Assembly by general law may impose additional penalties or fees for the offenses of keeping a place of prostitution, pimping, pandering, pandering by compulsion, solicitation of sodomy, masturbation for hire, trafficking of persons for sexual servitude, or sexual exploitation of children; may impose assessments on adult entertainment establishments; and may provide for the allocation of such additional penalties or fees and assessments to the Safe Harbor for Sexually Exploited Children Fund, as provided by law, for the purpose of providing care and rehabilitative and social services to individuals in this state who have been or may be sexually exploited; to provide that such funds shall not lapse; to provide for related matters; to provide for the submission of this amendment for ratification or rejection; and for other purposes.

BE IT RESOLVED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article III, Section IX, Paragraph VI of the Constitution is amended by adding a new subparagraph to read as follows:

"(o) The General Assembly may provide by general law for additional penalties or fees in any case in any court in this state in which a person is adjudged guilty of keeping a place of prostitution, pimping, pandering, pandering by compulsion, solicitation of sodomy, masturbation for hire, trafficking of persons for sexual servitude, or sexual exploitation of children and may impose assessments on adult entertainment establishments as defined by law; and such appropriated amount shall not lapse as required by Article III, Section IX, Paragraph IV(c) and shall not be subject to the limitations of subparagraph (a) of this Paragraph or Article VII, Section III, Paragraph I(a). The General Assembly may provide by general law for the allocation of such assessments and additional penalties or fees to the Safe Harbor for Sexually Exploited Children Fund for the specified purpose of meeting any and all costs, or any portion of the costs, of providing care and rehabilitative and social services to individuals in this state who have been or may be sexually exploited. The

28 General Assembly may provide by general law for the administration of such fund by such
29 authority as the General Assembly shall determine."

30 **SECTION 2.**

31 The above proposed amendment to the Constitution shall be published and submitted as
32 provided in Article X, Section I, Paragraph II of the Constitution. The ballot submitting the
33 above proposed amendment shall have written or printed thereon the following:

34 "() YES Shall the Constitution of Georgia be amended to allow additional penalties
35 or fees for criminal cases in which a person is adjudged guilty of keeping a
36 place of prostitution, pimping, pandering, pandering by compulsion,
37 solicitation of sodomy, masturbation for hire, trafficking of persons for
38 () NO sexual servitude, or sexual exploitation of children and to allow assessments
39 on adult entertainment establishments to fund the Safe Harbor for Sexually
40 Exploited Children Fund to pay for care and rehabilitative and social services
41 for individuals in this state who have been or may be sexually exploited?"

42 All persons desiring to vote in favor of ratifying the proposed amendment shall vote "Yes."

43 All persons desiring to vote against ratifying the proposed amendment shall vote "No." If
44 such amendment shall be ratified as provided in said Paragraph of the Constitution, it shall
45 become a part of the Constitution of this state.