

Senate Bill 599

By: Senators Hickman of the 4th, Mullis of the 53rd, Albers of the 56th, Strickland of the 17th, Summers of the 13th and others

A BILL TO BE ENTITLED  
AN ACT

1 To amend Article 4 of Chapter 5 of Title 16 of the Official Code of Georgia Annotated,  
2 relating to reckless conduct, so as to provide for the offense of reckless conduct by  
3 discharging a firearm; to provide for penalties; to prohibit merger of offenses; to prohibit  
4 probation and other alternatives to incarceration; to provide for related matters; to repeal  
5 conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Article 4 of Chapter 5 of Title 16 of the Official Code of Georgia Annotated, relating to  
9 reckless conduct, is amended by adding a new Code section to read as follows:

10 "16-5-62.

11 (a) A person who by intentionally discharging a firearm in the direction of another person  
12 causes bodily harm to or endangers the bodily safety of another person by consciously  
13 disregarding a substantial and unjustifiable risk that his or her act will cause harm to or  
14 endanger the safety of any other person, and whose disregard constitutes a gross deviation  
15 from the standard of care which a reasonable person would exercise in the situation, shall  
16 be guilty of a felony.

17 (b)(1) A person convicted of violating subsection (a) of this Code section when no injury  
18 results shall be punished by imprisonment for not less than two nor more than ten years.

19 (2) A person convicted of violating subsection (a) of this Code section when injury  
20 results shall be punished by imprisonment for not less than five nor more than ten years.

21 (c) The offense of violating subsection (a) of this Code section shall not merge with any  
22 other offense.

23 (d) A person convicted of violating subsection (a) of this Code section shall not be eligible  
24 for probation, parole, furlough, or work release."

25 **SECTION 2.**

26 All laws and parts of laws in conflict with this Act are repealed.