

**Law of Georgia  
on amendments to the Criminal Code of Georgia**

**Article 1.** Following amendment shall be made to the Criminal Code of Georgia (Georgian Legislative Herald, №41(48), 1999 Art. 209):

1. Article 120, paragraph 2, subparagraph A shall be amended as follows:

“a) knowingly against a minor, a helpless person, a person with disability, with mental health disorder or/and a pregnant woman;”

2. Article 126:

a) Paragraph 1<sup>1</sup>, subparagraph A shall be amended as follows:

“a) knowingly against a minor, a helpless person, a person with disability, with mental health disorder or/and a pregnant woman;”

b) Paragraph 2, subparagraph D shall be amended as follows:

“d) knowingly by the offender against a minor, a helpless person, a person with disability, with mental health disorder or/and a person who depends on the offender materially or otherwise;”

3. Article 126<sup>1</sup>, Paragraph 2, subparagraph A shall be amended as follows:

a) knowingly against a minor, a helpless person, a person with disability, with mental health disorder or/and a pregnant woman;

4. Article 133, Paragraph 2, shall be amended as follows:

2. The same act committed by a person convicted of illegal abortion, or knowingly by the offender against a person with mental health disorder or/and which has resulted in a permanent loss of ability to procreate or other grave consequences,

– shall be punished by imprisonment for a term of two to five years, with deprivation of the right to hold an office or to carry out activities for up to three years.

5. Article 133<sup>1</sup>, Paragraph 2, subparagraph B shall be amended as follows:

b) knowingly by an offender against a minor, a helpless person, a person with disability, with mental health disorder or/and a pregnant woman;

6. Article 133<sup>2</sup>, Paragraph 2, subparagraph B shall be amended as follows:

b) knowingly by an offender against a minor, a helpless person, a person with disability, with mental health disorder or/and a pregnant woman;

7. Article 134, paragraph 2 shall be amended as follows:

2. The same act committed knowingly by the offender against a pregnant woman, minor or helpless person, a person with disability, with mental health disorder or/and a person who materially or otherwise depends on the offender,

– shall be punished by imprisonment for a term of three to five years, with deprivation of the right to hold an office or to carry out activities for up to three years.

8. Article 137, paragraph 3, subparagraph D shall be amended as follows:

d) knowingly by an offender against a minor, a person with disability, with mental health disorder or/and a pregnant woman;

9. Article 138, paragraph 2, subparagraph D shall be amended as follows:

d) committed knowingly by an offender against a minor, a person with disability, with mental health disorder or/and a pregnant woman;

10. Article 139, paragraph 3, subparagraph D shall be amended as follows:

d) knowingly by an offender against a minor, a person with disability, with mental health disorder or/and a pregnant woman;

11. Article 140, paragraph 2, subparagraph A shall be amended as follows:

a) knowingly by an offender against a person with disability, with mental health disorder or/and a pregnant woman;

12. Article 141, paragraph 2, subparagraph A shall be amended as follows:

a) knowingly by an offender against a person with disability, with mental health disorder or/and a pregnant woman;

13. Article 142<sup>3</sup> shall be added to the Code as follows:

Article 142<sup>3</sup> – Restriction of rights of persons with mental health disorder

1. Refusing a person with mental health disorder to exercise the right granted by law and/or an international treaties to which Georgia is a party, based on their mental health disorder, which substantially breaches his/her right,

– shall be punished by a fine and/or by imprisonment for a term of up to two years.

2. The same act:

- a) committed repeatedly;
- b) committed by abusing official position;
- c) committed with violence or threat of violence;
- d) which caused serious consequences,

– shall be punished by a fine or imprisonment for a term of two to five years.

**Note:**

1. For the act provided by this article, the fine for a natural person shall be no less than a double amount of the fine provided by the Law of Georgia on mental health for the same offence.”

2. For the act provided by this article, a legal person shall be punished by liquidation or deprivation of the right to carry out activities and/or with a fine, which cannot be less than a double amount of the fine provided by the Law of Georgia on mental health for the same offence.”

14. Article 142<sup>4</sup> shall be added to the Code as follows:

Article 142<sup>4</sup>. Violation of the Law of Georgia on Mental Health

1. Committing an administrative offence under the Law of Georgia on “Mental Health”, by a person who was previously subjected to an administrative penalty for committing such or other offence set by the Law of Georgia on “Mental Health or by a person convicted for this crime,

– shall be punished by a fine and/or by imprisonment for a term of up to two years.

2. The same act:

- a) committed repeatedly;
- b) committed by abusing official position;
- c) committed with violence or threat of violence;
- d) which caused serious consequences,

– shall be punished by a fine or imprisonment for a term of two to five years.

**Note:**

1. For the act provided by this article, the fine for a natural person shall be no less than a double amount of the fine provided by the Law of Georgia on mental health for the same offence.”

2. For the act provided by this article, a legal person shall be punished by liquidation or deprivation of the right to carry out activities and/or with a fine, which cannot be less than a double amount of the fine provided by the Law of Georgia on mental health for the same offence.”

15. Article 143, paragraph 3, subparagraph D shall be amended as follows:

d) knowingly by the offender against a pregnant woman, a minor or a helpless person, a person with disability or/and with mental health disorder;

16. Article 143<sup>1</sup>, paragraph 2, subparagraph B shall be amended as follows:

b) knowingly by the offender against a helpless person, a person with disability, with mental health disorder or/and a person who financially or otherwise depends on the offender;

17. Article 143<sup>2</sup>, paragraph 2, subparagraph B shall be amended as follows:

b) knowingly by the offender against a helpless person, a person with disability, with mental health disorder or/and a person who financially or otherwise depends on the offender;

18. Article 143<sup>3</sup>, paragraph 2, subparagraph C shall be amended as follows:

c) knowingly by the offender against a helpless person, a person with disability, with mental health disorder or/and a person who financially or otherwise depends on the offender;

19. Article 144, paragraph 2, subparagraph G shall be amended as follows:

g) knowingly by the offender against a pregnant woman, a minor or a helpless person, a person with disability or/and with mental health disorder;

20. Article 144<sup>1</sup>, paragraph 2, subparagraph G shall be amended as follows:

g) knowingly by the offender against a pregnant woman, a minor, a person arrested or otherwise deprived of freedom, a helpless person, a person with disability, with mental health disorder or/and a person dependent on the offender materially or otherwise;

21. Article 144<sup>2</sup>, paragraph 2 shall be amended as follows:

2. The same act committed:

a) repeatedly;

b) knowingly by the offender against a person with mental health disorder, -

– shall be punished by imprisonment for a term of two to four years, with or without restriction of the rights regarding weapons.

22. Article 144<sup>3</sup>, paragraph 2, subparagraph G shall be amended as follows:

g) knowingly by the offender against a pregnant woman, a minor, a person arrested or otherwise deprived of freedom, a helpless person a person with disability, with mental health disorder or/and a person dependent on the offender materially or otherwise;

23. Article 150, paragraph 2, subparagraph A shall be amended as follows:

a) knowingly by an offender against a minor, a person in a helpless condition, a person with disability, with mental health disorder or/and a pregnant woman;

24. Article 151, paragraph 2, subparagraph C shall be amended as follows:

c) premeditatedly by a perpetrator against a pregnant woman, a person in a helpless condition, a person with disability, with mental health disorder or/and a minor,

25. Article 151<sup>1</sup>, paragraph 2, subparagraph A shall be amended as follows:

a) knowingly by an offender against a minor, a person in a helpless condition, a person with disability, with mental health disorder or/and a pregnant woman;

26. Paragraph 3, subparagraph C shall be added to the Article 157:

c) knowingly by the offender against a person with mental health disorder, -

27. Paragraph 3, subparagraph C shall be added to the Article 157<sup>1</sup>:

c) knowingly by the offender against a person with mental health disorder, -

28. Paragraph 3, subparagraph C shall be added to the Article 158:

c) knowingly by the offender against a person with mental health disorder, -

29. Paragraph 3, subparagraph C shall be added to the Article 159:

c) knowingly by the offender against a person with mental health disorder, -

**Article 2.** This law shall enter into its legal force upon its publication.

President of Georgia

Salome Zourabichvili

Tbilisi,  
24 April 2020

## **Article 149 – Illegal placement or arrest in a psychiatric hospital**

1. Illegal placement or arrest in a psychiatric hospital,

– shall be punished by imprisonment for a term of three to six years, with or without restriction of the rights regarding weapons.

2. The same act:

a) committed by abusing one's official position;

b) which resulted in the death of an affected person by negligence, or another grave consequence;

c) committed repeatedly,

– shall be punished by imprisonment for a term of five to nine years, with or without deprivation of the right to hold an office or carry out activities for a term of up to three years, with or without restriction of the rights regarding weapons.