

O.C.G.A. § 16-12-160

GEORGIA CODE
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*** Current through the 2007 Regular Session ***

TITLE 16. CRIMES AND OFFENSES
CHAPTER 12. OFFENSES AGAINST PUBLIC HEALTH AND MORALS
ARTICLE 6. HUMAN BODY TRAFFIC

O.C.G.A. § 16-12-160 (2007)

§ 16-12-160. Buying or selling or offering to buy or sell the human body or parts

(a) It shall be unlawful, except as provided in subsection (b) of this Code section, for any person, firm, or corporation to buy or sell, to offer to buy or sell, or to assist another in buying or selling or offering to buy or sell a human body or any part of a human body or buy or sell a human fetus or any part thereof.

(b) The prohibition contained in subsection (a) of this Code section shall not apply to:

(1) The purchase or sale of whole blood, blood plasma, blood products, blood derivatives, other self-replicating body fluids, or hair;

(2) A gift or donation of a human body or any part of a human body or any procedure connected therewith as provided in Article 6 of Chapter 5 of Title 44 or to the payment of a processing fee in connection with such gift or donation if such fee is paid to a bank or storage facility, as those terms are defined in Code Section 44-5-142;

(3) The reimbursement of actual expenses, including medical costs, lost income, and travel expenses, incurred by a living person in giving or donating a part of the person's body;

(4) The payment of financial assistance under a plan of insurance or other health care coverage;

(5) The purchase or sale of human tissue, organs, or other parts of the human body for health sciences education; or

(6) The payment of reasonable costs associated with the removal, storage, or transportation of a human body or any part of a human body given or donated for medical or scientific purposes.

(c) Any person, firm, or corporation convicted of violating subsection (a) of this Code section shall be guilty of a felony and, upon conviction thereof, shall be punished by a fine not exceeding \$5,000.00 or by imprisonment for not less than one year nor more than five years, or both.

HISTORY: Code 1981, § 16-12-160, enacted by Ga. L. 1986, p. 645, § 4; Ga. L. 1989, p. 456, § 1; Ga. L. 1992, p. 2946, § 1.