House Bill 601

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

By: Representatives Jackson of the 68th, Au of the 50th, Mitchell of the 88th, Draper of the 90th, and Sanchez of the 42nd

A BILL TO BE ENTITLED AN ACT

To amend Article 4 of Chapter 11 of Title 16, Chapter 8 of Title 35, and Article 2 of Chapter 3 of Title 38 of the Official Code of Georgia Annotated, relating to dangerous instrumentalities and practices, the employment and training of peace officers, and organization and administration relative to emergency management, respectively, so as to broadly increase the regulation surrounding gun sales and ownership; to provide for the offense of selling or furnishing handguns or long guns to minors; to prohibit parents or legal guardians from permitting the possession of handguns or long guns by a minor in certain circumstances; to provide for exceptions; to provide for the offense of the possession of a large capacity magazine or a firearm produced by means of 3D printing; to provide for circumstances under which individuals who are not licensed to carry a weapon may transport such weapon; to provide a time frame for new residents of the state to obtain a weapons carry license; to provide for school safety zones to extend 500 yards from school premises; to require weapons carry licenses to be renewed each year; to reduce the fee for weapons carry licenses; to provide for certain conditions to obtain or renew a weapons carry license, including for active service members; to prohibit anyone under the age of 16 years from possessing or controlling a handgun or long gun; to provide for anyone under the age of 18 years from possessing or controlling a handgun or long gun without parental or guardian supervision or in certain circumstances; to require individuals who are carrying a weapon to

have a weapons carry license on their person; to provide for the establishment of the Georgia Firearms Registry; to require the registration of all firearms sales and transfers in this state after a certain date; to require certain information to be entered into the Georgia Firearms Registry; to provide for requirements for safe storage of a firearm in a vehicle; to provide for requirements for safe storage of firearms when the owner is not present on the premises; to provide for exceptions; to provide for safe storage of firearms when access by a child is reasonably likely; to require ammunition be stored separately from firearms; to subject all transfers or purchases of firearms at gun shows to the National Instant Criminal Background Check System; to provide for facilitation by licensed dealers; to prohibit sales of firearms to individuals under the age of 21; to require a five-day waiting period to complete transactions for firearms to individuals under the age of 27; to prohibit the sale or transfer by certain dealers of assault weapons in this state until a certain date; to prohibit the certification or hiring of any individual as a peace officer who has been terminated for misconduct related to any previous employment as a peace officer; to provide for exceptions; to provide for violations, penalties, and fines; to provide for definitions; to provide for conforming changes; to provide for related matters; to provide for a short title; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

19

20

21

22

23

24

25

26

27

28

29

30

31

32

33

34

35

36

38 This Act shall be known and may be cited as the "Georgia Gun Safe Act of 2025."

39 SECTION 2.

40 Article 4 of Chapter 11 of Title 16 of the Official Code of Georgia Annotated, relating to

41 dangerous instrumentalities and practices, is amended in Part 1, relating to general

42 provisions, by revising Code Section 16-11-101.1, relating to furnishing pistol or revolver

- 43 to person under the age of 18 years, as follows:
- 44 "16-11-101.1.
- 45 (a) For the purposes of As used in this Code section, the term:
- 46 (1) 'Handgun' shall have the same meaning as set forth in Code Section 16-11-125.1.
- 47 (2) 'Long gun' shall have the same meaning as set forth in Code Section 16-11-125.1.
- 48 (3) 'Minor' means any person under the age of 18 years.
- 49 (2) 'Pistol or revolver' means a handgun as defined in Code Section 16-11-125.1.
- 50 (b) It shall be unlawful for a person to intentionally, knowingly, or recklessly to sell or
- furnish a pistol or revolver handgun or long gun to a minor, except that it shall be lawful
- for a parent or legal guardian to permit possession of a pistol or revolver handgun or long
- 53 gun by a minor for the purposes specified in subsection (c) (d) of Code Section 16-11-132
- unless otherwise expressly limited by subsection (c) of this Code section.
- (c)(1) It shall be unlawful for a parent or legal guardian to permit possession of a pistol
- or revolver <u>handgun</u> or <u>long gun</u> by a minor if the parent or legal guardian knows of a
- 57 minor's conduct which violates the provisions of Code Section 16-11-132 and fails to
- 58 make reasonable efforts to prevent any such violation of Code Section 16-11-132.
- 59 (2) Notwithstanding any provisions of subsection (c) (d) of Code Section 16-11-132 or
- any other law to the contrary, it shall be unlawful for any parent or legal guardian to
- 61 intentionally, knowingly, or recklessly to furnish to or permit a minor to possess a pistol
- 62 or revolver handgun or long gun if such parent or legal guardian is aware of a substantial
- risk that such minor will use a pistol or revolver to commit a felony offense or if such
- parent or legal guardian who is aware of such substantial risk fails to make reasonable
- efforts to prevent commission of the offense by the minor.
- 66 (3) In addition to any other act which violates this subsection, a parent or legal guardian
- shall be deemed to have violated this subsection if such parent or legal guardian furnishes
- to or permits possession of a pistol or revolver handgun or long gun by any minor who

has been convicted of a forcible felony or forcible misdemeanor, as defined in Code

- Section 16-1-3, or who has been adjudicated for committing a delinquent act under the
- 71 provisions of Article 6 of Chapter 11 of Title 15 for an offense which would constitute
- a forcible felony or forcible misdemeanor, as defined in Code Section 16-1-3, if such
- 73 minor were an adult.
- 74 (d) Upon conviction of a violation of subsection (b) or (c) of this Code section, a person
- shall be guilty of a felony and punished by a fine not to exceed \$5,000.00 or by
- imprisonment for not less than three nor more than five years, or both."
- 77 SECTION 3.
- 78 Said article is further amended in said part by adding a new Code section to read as follows:
- 79 "<u>16-11-114.</u>
- 80 (a) As used in this Code section, the term '3D printed firearm' means any weapon produced
- 81 by means of three-dimensional printing from computer-aided design files which is designed
- or intended to propel a missile of any kind and which is not produced subject to a license
- from the Bureau of Alcohol, Tobacco, Firearms and Explosives of the United States
- Department of Justice for the manufacture of firearms.
- (b) It shall be unlawful to print or to produce a 3D printed firearm in this state.
- 86 (c) Any person that violates this Code section shall commit the offense of possessing a 3D
- 87 printed firearm and upon conviction thereof, shall be punished by imprisonment for a
- 88 period of five years."
- SECTION 4.
- 90 Said article is further amended by revising Part 2, relating to possession of dangerous
- 91 weapons, as follows:

92 "Part 2

- 93 16-11-120.
- This part shall be known and may be cited as the 'Georgia Firearms and Weapons Act.'
- 95 16-11-121.
- As used in this part, the term:
- 97 (1) '3D printed firearm' means any weapon produced by means of three-dimensional
- printing from computer-aided design files which is designed or intended to propel a
- 99 missile of any kind and which is not produced subject to a license from the Bureau of
- Alcohol, Tobacco, Firearms and Explosives of the United States Department of Justice
- for the manufacture of firearms.
- 102 (2) 'Dangerous weapon' means any weapon commonly known as a 'rocket launcher,'
- 103 <u>"bazooka," or 'recoilless rifle" rocket launcher, bazooka, or recoilless rifle</u> which fires
- explosive or nonexplosive rockets designed to injure or kill personnel or destroy heavy
- armor, or similar weapon used for such purpose. The Such term shall also mean a
- weapon commonly known as a 'mortar' mortar which fires high explosive from a metallic
- cylinder and which is commonly used by the armed forces as an antipersonnel weapon
- or similar weapon used for such purpose. The Such term shall also mean a weapon
- 109 commonly known as a 'hand grenade' hand grenade or other similar weapon which is
- designed to explode and injure personnel or similar weapon used for such purpose.
- (3) 'Large capacity magazine' means any ammunition feeding device with the capacity
- to accept more than sixteen rounds of ammunition; provided, however, that such term
- shall not include:
- (A) A feeding device that has been permanently altered so that it cannot accommodate
- more than ten rounds; or
- (B) A tubular magazine that is contained in a lever-action firearm.

117 'Machine gun' means any weapon which shoots or is designed to shoot, $\frac{(2)}{(4)}$ 118 automatically, more than six shots, without manual reloading, by a single function of the 119 trigger. 120 (3)(5) 'Person' means any individual, partnership, company, association, or corporation. (4)(6) 'Sawed-off rifle' means a weapon designed or redesigned, made or remade, and 121 122 intended to be fired from the shoulder; and designed or redesigned, made or remade, to 123 use the energy of the explosive in a fixed metallic cartridge to fire only a single projectile 124 through a rifle bore for each single pull of the trigger; and which has a barrel or barrels 125 of less than 16 inches in length or has an overall length of less than 26 inches. 126 (5)(7) 'Sawed-off shotgun' means a shotgun or any weapon made from a shotgun whether 127 by alteration, modification, or otherwise having one or more barrels less than 18 inches 128 in length or if such weapon as modified has an overall length of less than 26 inches. 129 (6)(8) 'Shotgun' means a weapon designed or redesigned, made or remade, and intended 130 to be fired from the shoulder; and designed or redesigned, and made or remade, to use the 131 energy of the explosive in a fixed shotgun shell to fire through a smooth bore either a 132 number of ball shot or a single projectile for each single pull of the trigger. 133 (7)(9) 'Silencer' means any device for silencing or diminishing the report of any portable 134 weapon such as a rifle, carbine, pistol, revolver, machine gun, shotgun, fowling piece, or 135 other device from which a shot, bullet, or projectile may be discharged by an explosive. 136 16-11-122. No person shall have in his or her possession any 3D printed firearm, sawed-off shotgun, 137 138 sawed-off rifle, machine gun, large capacity magazine, dangerous weapon, or silencer except as provided in Code Section 16-11-124. 139

- 140 16-11-123.
- 141 A person commits the offense of unlawful possession of firearms or weapons when he or
- she knowingly has in his or her possession any <u>3D printed firearm</u>, sawed-off shotgun,
- sawed-off rifle, machine gun, <u>large capacity magazine</u>, dangerous weapon, or silencer, and,
- upon conviction thereof, he or she shall be punished by imprisonment for a period of five
- 145 years.
- 146 16-11-124.
- 147 This part shall not apply to:
- (1) A peace officer of any duly authorized police agency of this state or of any political
- subdivision thereof, or a law enforcement officer of any department or agency of the
- United States who is regularly employed and paid by the United States, this state, or any
- such political subdivision, or an employee of the Department of Corrections of this state
- who is authorized in writing by the commissioner of corrections to transfer or possess
- such firearms while in the official performance of his or her duties;
- 154 (2) A member of the National Guard or of the armed forces of the United States,
- including to wit: the army, navy, marine corps, air force, space force, or coast guard who,
- while serving therein, possesses such firearm in the line of duty;
- 157 (3) Any <u>3D printed firearm</u>, sawed-off shotgun, sawed-off rifle, machine gun, <u>large</u>
- capacity magazine, dangerous weapon, or silencer which has been modified or changed
- to the extent that it is inoperative. Examples of the requisite modification include
- weapons with their barrel or barrels filled with lead, hand grenades filled with sand, or
- other nonexplosive materials;
- 162 (4) Possession of a sawed-off shotgun, sawed-off rifle, machine gun, dangerous weapon,
- or silencer by a person who is authorized to possess the same because he <u>or she</u> has
- registered the <u>3D printed firearm</u>, sawed-off shotgun, sawed-off rifle, machine gun, <u>large</u>

165 <u>capacity magazine</u>, dangerous weapon, or silencer in accordance with the dictates of the
166 National Firearms Act, 68A Stat. 725 (26 U.S.C. Sections 5841-5862); and

- (5) A security officer employed by a federally licensed nuclear power facility or a licensee of such facility, including a contract security officer, who is trained and qualified under a security plan approved by the United States Nuclear Regulatory Commission or other federal agency authorized to regulate nuclear facility security; provided, however, that this exemption shall apply only while such security officer is acting in connection with his or her official duties on the premises of such nuclear power facility or on properties outside the facility property pursuant to a written agreement entered into with the local law enforcement agency having jurisdiction over the facility. The exemption under this paragraph does not include the possession of silencers.
- 176 16-11-125.

167

168

169

170

171

172

173

174

175

- In any complaint, accusation, or indictment and in any action or proceeding brought for the enforcement of this part it shall not be necessary to negative any exception, excuse, proviso, or exemption contained in this part, and the burden of proof of any such exception,
- excuse, proviso, or exemption shall be upon the defendant."

181 SECTION 5.

- 182 Said article is further amended in Part 3, relating to carrying and possession of firearms, by
- revising Code Section 16-11-125.1, relating to definitions, as follows:
- 184 "16-11-125.1.
- 185 As used in this part, the term:
- 186 (1) 'Handgun' means a firearm of any description, loaded or unloaded, from which any shot, bullet, or other missile can be discharged by an action of an explosive where the
- length of the barrel, not including any revolving, detachable, or magazine breech, does

not exceed 12 inches; provided, however, that the term 'handgun' such term shall not include a gun which discharges a single shot of 0.46 centimeter or less in diameter.

- (2) 'Knife' means a cutting instrument designed for the purpose of offense and defense
- consisting of a blade that is greater than 12 inches in length which is fastened to a handle.
- 193 (2.1) 'Lawful weapons carrier' means any person who is licensed or eligible for a license
- pursuant to Code Section 16-11-129 and who is not otherwise prohibited by law from
- possessing a weapon or long gun, any resident of any other state who would otherwise
- be eligible to obtain a license pursuant to such Code section but for the residency
- requirement, and any person licensed to carry a weapon in any other state.
- 198 (3) 'License holder' means a person who holds a valid weapons carry license.
- (4) 'Long gun' means a firearm with a barrel length of at least 18 inches and overall
- length of at least 26 inches designed or made and intended to be fired from the shoulder
- and designed or made to use the energy of the explosive in a fixed:
- 202 (A) Shotgun shell to fire through a smooth bore either a number of ball shot or a single
- projectile for each single pull of the trigger or from which any shot, bullet, or other
- 204 missile can be discharged; or
- 205 (B) Metallic cartridge to fire only a single projectile through a rifle bore for each single
- pull of the trigger;

191

- provided, however, that the term 'long gun' such term shall not include a gun which
- discharges a single shot of 0.46 centimeter or less in diameter.
- 209 (5) 'Weapon' means a knife or handgun.
- 210 (6) 'Weapons carry license' or 'license' means a license issued pursuant to Code Section
- 211 16-11-129."

212 **SECTION 6.**

- 213 Said article is further amended in said part by revising Code Section 16-11-126, relating to
- 214 having or carrying handguns, long guns, or other weapons, exceptions for homes, motor

vehicles, private property, and other locations and conditions and unlawful carrying of a

- 216 weapon, as follows:
- 217 "16-11-126.
- (a) Any person who is not prohibited by law from possessing a handgun or long gun may
- 219 have or carry on his or her person a weapon or long gun on his or her property or inside his
- or her home, motor vehicle, or place of business.
- (b) Any person who is not prohibited by law from possessing a handgun or long gun may
- have or carry on his or her person a long gun.
- (c) Any person who is <u>not prohibited by law from possessing a handgun or long gun may</u>
- have or carry any handgun, provided that it is enclosed in a case and unloaded.
- 225 (d) Any person who is not prohibited by law from possessing a handgun or long gun who
- 226 <u>is eligible for a weapons carry license</u> a lawful weapons carrier may transport a handgun
- or long gun in any private passenger motor vehicle; provided, however, that private
- property owners or persons in legal control of private property through a lease, rental
- agreement, licensing agreement, contract, or any other agreement to control access to such
- private property shall have the right to exclude or eject a person who is in possession of a
- weapon or long gun on their private property in accordance with paragraph (3) of
- subsection (b) of Code Section 16-7-21, except as provided in Code Section 16-11-135.
- 233 (d)(e)(1) Any person licensed to carry a weapon in any other state shall be authorized to
- carry a weapon in this state while the licensee is not a resident of this state; provided,
- however, that:
- (A) Such licensee person licensed to carry a weapon in any other state shall carry the
- 237 weapon in compliance with the laws of this state; and
- 238 (B) No other state shall be required to recognize and give effect to a license issued
- pursuant to this part that is held by a person who is younger than 21 years of age.

(2)(A) The Attorney General shall create and maintain on the Department of Law's website a list of states whose laws recognize and give effect to a license issued pursuant to this part.

- (B) The Attorney General shall enter into an agreement with any state that requires an agreement to recognize and give effect to a license issued pursuant to this part.
- (C) Any person who is not a weapons carry license holder in this state and who is licensed to carry a weapon in any other state whose laws recognize and give effect to a license issued pursuant to this part shall be authorized to carry a weapon in this state for 90 days after he or she becomes a resident of this state; provided, however, that such person shall carry the weapon in compliance with the laws of this state, shall as soon as practicable submit a weapons carry license application as provided for under Code Section 16-11-129, and shall remain licensed in such other state for the duration of time that he or she is a resident of this state but not a weapons carry license holder in this state.
- (e)(f)(1) Any person with a valid hunting or fishing license on his or her person, or any person not required by law to have a hunting or fishing license, who is engaged in legal hunting, fishing, or sport shooting when the person has the permission of the owner of the land on which the activities are being conducted may have or carry on his or her person a weapon or long gun while hunting, fishing, or engaging in sport shooting.
- (2) Any person with a valid hunting or fishing license on his or her person, or any person not required by law to have a hunting or fishing license, who is otherwise engaged in legal hunting, fishing, or sport shooting on recreational or wildlife management areas owned by this state may have or carry on his or her person a knife while engaging in such hunting, fishing, or sport shooting.
- 264 (f)(g) Notwithstanding Code Sections 12-3-10, 27-3-1.1, 27-3-6, and 16-12-122 through 265 16-12-127, any lawful weapons carrier may carry a weapon in all parks, historic sites, or 266 recreational areas, as such term is defined in Code Section 12-3-10, including all publicly

owned buildings located in such parks, historic sites, and recreational areas, in wildlife management areas, and on public transportation; provided, however, that a person shall not carry a handgun into a place where it is prohibited by federal law.

- (g)(h)(1) Except as otherwise provided in subsections (a) through (f) (g) of this Code section, no person shall carry a weapon unless he or she is a lawful weapons carrier.
- 272 (2) A person commits the offense of unlawful carrying of a weapon when he or she violates the provisions of paragraph (1) of this subsection.
- 274 (h)(i) Upon conviction of the offense of unlawful carrying of a weapon, a person shall be 275 punished as follows:
 - (1) For the first offense, he or she shall be guilty of a misdemeanor; and
- 277 (2) For the second offense within five years, as measured from the dates of previous 278 arrests for which convictions were obtained to the date of the current arrest for which a 279 conviction is obtained, and for any subsequent offense, he or she shall be guilty of a 280 felony and, upon conviction thereof, shall be imprisoned for not less than two years and 281 not more than five years.
- 282 (i)(j) Nothing in this Code section shall in any way operate or be construed to affect, repeal, 283 or limit the exemptions provided for under Code Section 16-11-130."

284 **SECTION 7.**

270

271

- Said article is further amended in said part in Code Section 16-11-127.1, relating to carrying weapons within school safety zones, at school functions, or on a bus or other transportation furnished by a school, by revising subsection (a), by reserving paragraph (6) of subsection (c), and by revising paragraph (20) of subsection (c) as follows:
- 289 "(a) As used in this Code section, the term:
- (1) 'Bus or other transportation furnished by a school' means a bus or other transportation
 furnished by a public or private elementary or secondary school.

292 (2) 'School function' means a school function or related activity that occurs outside of a 293 school safety zone and is for a public or private elementary or secondary school.

- (3) 'School safety zone' means in or on within 500 yards of any real property or building owned by or leased to:
 - (A) Any public or private elementary school, secondary school, or local board of education and used for elementary or secondary education; and
 - (B) Any public or private technical school, vocational school, college, university, or other institution of postsecondary education.
- (4) 'Weapon' means and includes any pistol, revolver, or any weapon designed or intended to propel a missile of any kind, or any dirk, bowie knife, switchblade knife, ballistic knife, any other knife having a blade of two or more inches, straight-edge razor, razor blade, spring stick, knuckles, whether made from metal, thermoplastic, wood, or other similar material, blackjack, any bat, club, or other bludgeon-type weapon, or any flailing instrument consisting of two or more rigid parts connected in such a manner as to allow them to swing freely, which may be known as a nun chahka, nun chuck, nunchaku, shuriken, or fighting chain, or any disc, of whatever configuration, having at least two points or pointed blades which is designed to be thrown or propelled and which may be known as a throwing star or oriental dart, or any weapon of like kind, and any stun gun or taser as defined in subsection (a) of Code Section 16-11-106. This paragraph excludes any of these instruments used for classroom work authorized by the teacher."
 - "(20)(A) Any lawful weapons carrier when he or she is in any building or on real property owned by or leased to any public technical school, vocational school, college, or university, or other public institution of postsecondary education; provided, however, that such exception shall:
 - (i) Not apply to buildings or property used for athletic sporting events or student housing, including, but not limited to, fraternity and sorority houses;

318 (ii) Not apply to any preschool or childcare space located within such buildings or 319 real property; 320 (iii) Not apply to any room or space being used for classes related to a college and 321 career academy or other specialized school as provided for under Code Section 322 20-4-37; (iv) Not apply to any room or space being used for classes in which high school 323 324 students are enrolled through a dual enrollment program, including, but not limited 325 to, classes related to the 'Dual Enrollment Act' as provided for under Code Section 326 20-2-161.3; 327 (v) Not apply to faculty, staff, or administrative offices or rooms where disciplinary 328 proceedings are conducted; and 329 (vi) Only apply to the carrying of handguns which a person is licensed to carry pursuant to subsection (e) of Code Section 16-11-126 and pursuant to Code Section 330 331 16-11-129; and 332 (vii) Only apply to the carrying of handguns which are concealed. 333 (B) Any lawful weapons carrier who carries a handgun in a manner or in a building, 334 property, room, or space in violation of this paragraph shall be guilty of a misdemeanor; 335 provided, however, that, for a conviction of a first offense, such lawful weapons carrier 336 shall be punished by a fine of \$25.00 and not be sentenced to serve any term of confinement. 337 338 (C) As used in this paragraph, the term: (i) 'Concealed' means carried in such a fashion that does not actively solicit the 339 340 attention of others and is not prominently, openly, and intentionally displayed except for purposes of defense of self or others. Such term shall include, but not be limited 341 342 to, carrying on one's person while such handgun is substantially, but not necessarily 343 completely, covered by an article of clothing which is worn by such person, carrying

within a bag of a nondescript nature which is being carried about by such person, or

carrying in any other fashion as to not be clearly discernible by the passive observation of others.

(ii) 'Preschool or childcare space' means any room or continuous collection of rooms or any enclosed outdoor facilities which are separated from other spaces by an electronic mechanism or human-staffed point of controlled access and designated for the provision of preschool or childcare services, including, but not limited to, preschool or childcare services licensed or regulated under Article 1 of Chapter 1A of Title 20."

353 SECTION 8.

Said article is further amended in said part in Code Section 16-11-129, relating to weapons carry license, gun safety information, temporary renewal permit, mandamus, and verification of license, by revising subsection (a) and subparagraph (b)(2)(H) as follows:

"(a) Application for weapons carry license or renewal license; term.

- (1) The judge of the probate court of each county shall, on application under oath, on payment of a fee of \$30.00 \$20.00, and on investigation of the applicant pursuant to subsections (b) and (d) of this Code section, issue a weapons carry license or renewal license valid for a period of five years one year to any person whose domicile is in that county or who is on active duty with the United States armed forces and who is not a domiciliary of this state but who either resides in that county or on a military reservation located in whole or in part in that county at the time of such application. Such license or renewal license shall authorize that person to carry any weapon in any county of this state notwithstanding any change in that person's county of residence or state of domicile.
 - (2)(A) As used in this paragraph subsection, the term 'service member' means an active duty member of the regular or reserve component of the United States Army, United States Navy, United States Marine Corps, United States Coast Guard, United States Air

Force, United States Space Force, United States National Guard, Georgia Army National Guard, or Georgia Air National Guard.

(B) Any service member whose weapons carry license or renewal license expired while such service member was serving on active duty outside this state shall be authorized to carry any weapon in accordance with such expired license for a period of six months from the date of his or her discharge from active duty or reassignment to a location within this state. When carrying a weapon pursuant to Code Section 16-11-137, the service member shall also have in his or her immediate possession a copy of the official military orders or a written verification signed by such service member's commanding officer which shall evidence that such service member is authorized to carry any weapon in accordance with such expired license for a period of six months from the date of his or her discharge from active duty or reassignment to a location within this state.

(3)(A)(B) Applicants shall submit the application for a weapons carry license or renewal license to the judge of the probate court on forms prescribed and furnished free of charge to persons wishing to apply for the license or renewal license.

(C)(B)(i) An application shall be considered to be for a renewal license if the applicant has a weapons carry license or renewal license with 90 or fewer days remaining before the expiration of such weapons carry license or renewal license or 30 or fewer days since the expiration of such weapons carry license or renewal license regardless of the county of issuance of the applicant's expired or expiring weapons carry license or renewal license.

(ii) An application of any service member whose weapons carry license or renewal license expired while such service member was serving on active duty outside this state shall be considered to be for a renewal license if such service member applies within six months from the date of his or her discharge from active duty or reassignment to a location within this state as provided for in a copy of such service

member's official military orders or a written verification signed by such service member's commanding officer as provided by the service member.

- (iii) An applicant who is not a United States citizen shall provide sufficient personal identifying data, including without limitation, his or her place of birth and United States issued alien or admission number, as the Georgia Bureau of Investigation may prescribe by rule or regulation. An applicant who is in nonimmigrant status shall provide proof of his or her qualifications for an exception to the federal firearm prohibition pursuant to 18 U.S.C. Section 922(y). Forms shall be designed to elicit information from the applicant pertinent to his or her eligibility under this Code section, including citizenship, but shall not require data which is nonpertinent or irrelevant, such as serial numbers or other identification capable of being used as a de facto registration of firearms owned by the applicant. The Department of Public Safety shall furnish application forms and license forms required by this Code section. The forms shall be furnished to each judge of each probate court within this state at no cost."
- "(H) Any person who has been convicted of <u>any of the following:</u>
- 413 (i) Carrying a weapon without a weapons carry license in violation of Code
 414 Section 16-11-126; or
 - (ii) Carrying earrying a weapon or long gun in an unauthorized location in violation of Code Section 16-11-127 and has not been free of all restraint or supervision in connection therewith and free of any other conviction for at least five years immediately preceding the date of the application;"

SECTION 9.

Said article is further amended in said part by repealing in its entirety Code Section 16-11-130.1, relating to allowing personnel to carry weapons within certain school safety zones and at school functions, and designating said Code section as reserved.

423 **SECTION 10.**

- 424 Said article is further amended in said part by revising Code Section 16-11-132, relating to
- possession of handgun by person under the age of 18 years, as follows:
- 426 "16-11-132.
- 427 (a) For the purposes of this Code section, a handgun or long gun is considered loaded if
- 428 there is a cartridge in the chamber or cylinder of the handgun.
- 429 (b) Notwithstanding any other provisions of this part and except as otherwise provided in
- 430 this Code section, it shall be unlawful for any person under the age of 18 16 years to
- possess or have under such person's control a handgun or long gun. A person convicted
- of a first violation of this subsection shall be guilty of a misdemeanor and shall be punished
- by a fine not to exceed \$1,000.00 or by imprisonment confinement for not more than 12
- 434 months, or both. A person convicted of a second or subsequent violation of this subsection
- shall be guilty of a felony and shall be punished by a fine of \$5,000.00 or by imprisonment
- for a period of three years, or both.
- 437 (c) Notwithstanding any other provisions of this part and except as otherwise provided in
- 438 this Code section, it shall be unlawful for any person under the age of 18 years to possess
- or have under such person's control a handgun or long gun. A person convicted of a first
- violation of this subsection shall be guilty of a misdemeanor and shall be punished by a
- fine not to exceed \$1,000.00 or by confinement for not more than 12 months, or both. A
- person convicted of a second or subsequent violation of this subsection shall be guilty of
- a felony and shall be punished by a fine of \$5,000.00 or by imprisonment for a period of
- three years, or both.
- (c)(d) Except as otherwise provided in subsection (d) (e) of this Code section, the
- provisions of subsection (b) (c) of this Code section shall not apply to:
- (1) Any person under the age of 18 years who is:
- (A) Attending a hunter education course or a firearms safety course;

449 (B) Engaging in practice in the use of a firearm or target shooting at an established 450 range authorized by the governing body of the jurisdiction where such range is located;

- (C) Engaging in an organized competition involving the use of a firearm or participating in or practicing for a performance by an organized group under 26 U.S.C.
- Section 501(c)(3) which uses firearms as a part of such performance;

- (D) Hunting or fishing pursuant to a valid license if such person has in his or her possession such a valid hunting or fishing license if required; is engaged in legal hunting or fishing; has permission of the owner of the land on which the activities are being conducted; and the handgun or long gun, whenever loaded, is carried only in an open and fully exposed manner; or
- (E) Traveling to or from any activity described in subparagraphs (A) through (D) of this paragraph if the handgun <u>or long gun</u> in such person's possession is not loaded;
- (2) Any person under the age of 18 years who is on real property under the control of such person's parent, legal guardian, or grandparent and who has the permission of such person's parent or legal guardian to possess a handgun or long gun; or
- (3) Any person under the age of 18 years who is at such person's residence and who, with the permission of such person's parent or legal guardian, possesses a handgun or long gun for the purpose of exercising the rights authorized in Code Section 16-3-21 or 16-3-23. (d)(e) Subsection (c) (d) of this Code section shall not apply to any person under the age of 18 years who has been convicted of a forcible felony or forcible misdemeanor, as defined in Code Section 16-1-3, or who has been adjudicated for committing a delinquent act under the provisions of Article 6 of Chapter 11 of Title 15 for an offense which would constitute a forcible felony or forcible misdemeanor, as defined in Code Section 16-1-3, if such person were an adult."

473	SECTION 11.
474	
	Said article is further amended in said part by revising Code Section 16-11-137, relating to
475	detention for investigation of license to carry prohibited, as follows:
476	″16-11-137.
477	(a) Each weapons carry license holder shall have his or her valid weapons carry license in
478	his or her immediate possession at all times when carrying a weapon, or if such person is
479	exempt from having a weapons carry license pursuant to Code Section 16-11-130 or
480	subsection (c) of Code Section 16-11-127.1, he or she shall have proof of his or her
481	exemption in his or her immediate possession at all times when carrying a weapon, and his
482	or her failure to do so shall be prima-facie evidence of a violation of the applicable
483	provision of Code Sections 16-11-126 through 16-11-127.2.
484	(b) A person carrying a weapon shall not be subject to detention for the sole purpose of
485	investigating whether such person has a weapons carry license, whether such person is
486	exempt from having a weapons carry license pursuant to Code Section 16-11-130 or
487	subsection (c) of Code Section 16-11-127.1, or whether such person is a lawful weapons
488	carrier as defined in Code Section 16-11-125.1.
489	(c) A person convicted of a violation of this Code section shall be fined not more than
490	\$10.00 if he or she produces in court his or her weapons carry license, provided that such
491	license was valid at the time of his or her arrest, or produces proof of his or her exemption."
492	SECTION 12.
493	Said article is further amended in said part by adding new Code sections to read as follows:
494	" <u>16-11-139.</u>
105	(a) There is established the Georgia Fireness Pagistry to be maintained by the Secretary

- (a) There is established the Georgia Firearms Registry, to be maintained by the Secretary 495
- of State. The Georgia Firearms Registry shall collect for each entry: 496
- (1) The name of the owner or owners of the firearm; 497

498 (2) The name of the individual or entity from which the firearm was purchased or 499 received; 500 (3) The identification number of the firearm; and 501 (4) The date of purchase or transfer. 502 (b)(1) Except as provided in paragraph (2) of this subsection, any firearm purchased through private sale, purchased through a retailer, gifted, inherited, or otherwise acquired 503 504 by a resident of this state after July 1, 2025, shall be registered by the purchaser or 505 recipient with the Georgia Firearms Registry within 30 days of such purchase or receipt. (2) Any firearm purchased through private sale, purchased through a retailer, gifted, 506 inherited, or otherwise acquired by a resident of this state outside of this state after July 1, 507 508 2025, shall be registered by the purchaser or recipient with the Georgia Firearms Registry 509 within 30 days of such person's return to the state. 510 (c) A person convicted of a first violation of subsection (b) of this Code section shall be 511 guilty of a misdemeanor and shall be punished by a fine not to exceed \$1,000.00 or by 512 confinement for not more than 12 months, or both. A person convicted of a second or 513 subsequent violation of subsection (b) of this Code section shall be guilty of a felony and 514 shall be punished by a fine of \$5,000.00 or by imprisonment for a period of three years, or 515 both. 516 16-11-140. 517 (a) A person shall not store a firearm in a motor vehicle unless the firearm is:

- 518 (1) Unloaded and in a case expressly made to contain such firearm, and the case fully
- encloses the firearm by being zipped, snapped, buckled, tied, or otherwise fastened, and 519
- without any portion of the firearm exposed; or 520
- (2) Unloaded and in the closed trunk of a motor vehicle. 521

522 (b) Subsection (a) of this Code section shall not apply to the following persons when 523 acting in the performance of their official duties or when en route to or from their official 524 duties: (1) A peace officer as defined by Code Section 35-8-2; 525 526 (2) A law enforcement officer of the United States government; 527 (3) A prosecuting attorney of this state or of the United States; 528 (4) An employee of the Department of Corrections or a correctional facility operated by 529 a political subdivision of this state or the United States who is authorized to carry a 530 firearm by the head of such department or correctional agency or facility; 531 (5) An employee of the Department of Community Supervision who is authorized by the commissioner of community supervision to carry a firearm; 532 (6) A person employed as a campus police officer or school security officer who is 533 authorized to carry a weapon in accordance with Chapter 8 of Title 20; or 534 535 (7) Medical examiners, coroners, and their investigators who are employed by the state 536 or any political subdivision thereof. (c) When the licensed owner of a firearm is not on the premises where such firearm is 537 538 stored or when such owner knows, or should reasonably know, that a child is likely to gain 539 access to such firearm unless reasonable action is taken to secure the firearm against access 540 by the child, any such firearm shall be secured or stored by using one of the following 541 methods appropriate to each firearm: 542 (1) Secure the firearm with a hardened steel rod or cable at least one-eighth of an inch in diameter through the trigger guard of such firearm. The steel rod or cable shall be 543 544 secured with a hardened steel lock that has a shackle. The lock and shackle shall be

protected or shielded from the use of a bolt cutter, and the rod or cable shall be anchored

in a manner that prevents the removal of such firearm from the premises; or

(2) Store the firearm in a locked fireproof safe or vault.

545

546

548 (d) When a firearm is required to be stored pursuant to this Code section, no ammunition 549 for such firearm shall be stored in the same lock box, safe, or other container."

- 550 **SECTION 13.**
- 551 Said article is further amended in Part 5, relating to Brady Law regulations, by revising Code
- 552 Section 16-11-171, relating to definitions, as follows:
- 553 "16-11-171.
- As used in this part, the term:
- (1) 'Center' means the Georgia Crime Information Center within the Georgia Bureau of
- 556 Investigation.
- 557 (2) 'Dealer' means any person licensed as a dealer pursuant to 18 U.S.C. Section 921, et
- 558 seq.
- (3) 'Firearm' means any weapon that is designed to or may readily be converted to expel
- a projectile by the action of an explosive or the frame or receiver of any such weapon,
- any firearm muffler or firearm silencer, or any destructive device as defined in 18 U.S.C.
- 562 Section 921(a)(3).
- 563 (4) 'Gun show' means any event, function, or marketplace at which 25 or more firearms
- are offered or exhibited for sale, transfer, or exchange.
- 565 (5) 'Gun show vendor' means any person that offers for sale, exhibits, sells, transfers, or
- exchanges one or more firearms at a gun show.
- (6) 'Involuntarily hospitalized' means hospitalized as an inpatient in any mental health
- facility pursuant to Code Section 37-3-81 or hospitalized as an inpatient in any mental
- health facility as a result of being adjudicated mentally incompetent to stand trial or being
- adjudicated not guilty by reason of insanity at the time of the crime pursuant to Part 2 of
- Article 6 of Chapter 7 of Title 17.
- 572 (5)(7) 'NICS' means the National Instant Criminal Background Check System created
- by the federal 'Brady Handgun Violence Prevention Act' (P. L. No. 103-159)."

SECTION 14.

575 Said article is further amended in said part by revising subsection (a) of Code Section

- 576 16-11-172, relating to transfers or purchases of firearms subject to the NICS, information
- 577 concerning persons who have been involuntarily hospitalized to be forwarded to the FBI,
- 578 penalties for breach of confidentiality, and exceptions, as follows:
- 579 "(a) All transfers or purchases of firearms conducted by a licensed importer, licensed
- manufacturer, gun show vendor, or licensed dealer shall be subject to the NICS. To the
- extent possible, the center shall provide to the NICS all necessary criminal history
- information and wanted person records in order to complete an NICS check. A gun show
- vendor may contract with a licensed dealer for purposes of facilitating transfers, purchases,
- or NICS checks."

585 **SECTION 15.**

- Said article is further amended in said part by adding a new Code section to read as follows:
- 587 "16-11-172.1.
- 588 (a) No purchase or transfer of a firearm shall be conducted by a licensed importer, licensed
- manufacturer, licensed dealer, or gun show vendor to any individual under 21 years of age.
- 590 (b) All purchases or transfers of firearms to individuals under 27 years of age and
- 591 <u>conducted by a licensed importer, licensed manufacturer, licensed dealer, or gun show</u>
- 592 vendor shall not be completed until the fifth day after the initiation of such purchase or
- 593 <u>transfer; provided, however, that the calculation of the five days shall not include</u>
- 594 <u>Saturdays, Sundays, or state or federal holidays; and provided, further, that the NICS check</u>
- 595 provided for under Code Section 16-11-172 may be conducted within the five days.
- (c) Licensed importers, licensed manufacturers, licensed dealers, and gun show vendors
- shall, during normal business hours, make records available for inspection by any law
- 598 <u>enforcement agency for purposes of any criminal investigation.</u>

(d) Any licensed importer, licensed manufacturer, licensed dealer, or gun show vendor that
 violates this Code section, or any purchaser or transferee who uses fraud or false
 representation to circumvent the requirements of subsection (a) of this Code section, shall
 be guilty of a felony and, upon conviction, shall be punished by imprisonment for not less
 than one nor more than five years."

604 **SECTION 16.**

- Said article is further amended in said part by adding a new Code section to read as follows:
- 606 "16-11-174.
- (a) As used in this Code section, the term 'assault weapon' means:
- (1) A semiautomatic rifle that has an overall length of less than 30 inches;
- 609 (2) A conversion kit, part, or combination of parts, from which an assault weapon can
- be assembled or from which a firearm can be converted into an assault weapon if such
- parts are in the possession or under the control of the same person;
- 612 (3) A semiautomatic, center fire rifle that has the capacity to accept a detachable
- magazine and has one or more of the following:
- (A) A grip that is independent or detached from the stock that protrudes conspicuously
- beneath the action of the weapon. The addition of a fin attaching the grip to the stock
- does not exempt the grip if it otherwise resembles the grip found on a pistol;
- 617 (B) Thumbhole stock;
- 618 (C) Folding or telescoping stock;
- (D) Forward pistol, vertical, angled, or other grip designed for use by the nonfiring
- hand to improve control;
- (E) Flash suppressor, flash guard, flash eliminator, flash hider, sound suppressor,
- silencer, or any item designed to reduce the visual or audio signature of the firearm;
- (F) Muzzle brake, recoil compensator, or any item designed to be affixed to the barrel
- 624 to reduce recoil or muzzle rise;

625 (G) Threaded barrel designed to attach a flash suppressor, sound suppressor, muzzle 626 break, or similar item; (H) Grenade launcher or flare launcher; or 627 628 (I) A shroud that encircles either all or part of the barrel designed to shield the bearer's hand from heat, except a solid forearm of a stock that covers only the bottom of the 629 630 barrel: (4) A semiautomatic, center fire rifle that has a fixed magazine with the capacity to 631 632 accept more than ten rounds; (5) A semiautomatic pistol that has the capacity to accept a detachable magazine and has 633 634 one or more of the following: 635 (A) A threaded barrel, capable of accepting a flash suppressor, forward handgrip, or 636 silencer; 637 (B) A second hand grip; 638 (C) A shroud that encircles either all or part of the barrel designed to shield the bearer's 639 hand from heat, except a solid forearm of a stock that covers only the bottom of the 640 barrel; or 641 (D) The capacity to accept a detachable magazine at some location outside of the pistol 642 grip; or 643 (6) A semiautomatic shotgun that has any of the following: 644 (A) A folding or telescoping stock; 645 (B) A grip that is independent or detached from the stock that protrudes conspicuously 646 beneath the action of the weapon. The addition of a fin attaching the grip to the stock 647 does not exempt the grip if it otherwise resembles the grip found on a pistol; 648 (C) A thumbhole stock; (D) A forward pistol, vertical, angled, or other grip designed for use by the nonfiring 649 650 hand to improve control; 651 (E) A fixed magazine in excess of seven rounds; or

- (F) A revolving cylinder shotgun.
- (b) No purchase or transfer of any assault weapon shall be conducted by a licensed
- 654 <u>importer, licensed manufacturer, licensed dealer, or gun show vendor in this state for the</u>
- period beginning July 1, 2025, through January 1, 2036.
- 656 (c) Any licensed importer, licensed manufacturer, licensed dealer, or gun show vendor that
- violates this Code section, or any purchaser or transferee who uses fraud or false
- representation to circumvent the requirements of subsection (b) of this Code section, shall
- be guilty of a felony and, upon conviction, shall be punished by imprisonment for not less
- than one nor more than five years."

SECTION 17.

- 662 Chapter 8 of Title 35 of the Official Code of Georgia Annotated, relating to the employment
- and training of peace officers, is amended by revising Code Section 35-8-8, relating to the
- 664 requirements for appointment or certification of persons as peace officers and
- preemployment attendance at a basic training course, and "employment related information"
- defined, as follows:
- 667 "35-8-8.
- 668 (a) Any person employed or certified as a peace officer shall:
- 669 (1) Be at least 18 years of age;
- 670 (2) Be a citizen of the United States:
- (3) Have a high school diploma or its recognized equivalent;
- (4) Not have been convicted by any state or by the federal government of any crime the
- punishment for which could have been imprisonment in the federal or state prison or
- institution nor have been convicted of sufficient misdemeanors to establish a pattern of
- disregard for the law, provided that, for the purposes of this paragraph, violations of
- traffic laws and other offenses involving the operation of motor vehicles when the
- applicant has received a pardon shall not be considered;

(5) Be fingerprinted for the purpose of conducting a fingerprint based search at the Georgia Bureau of Investigation and the Federal Bureau of Investigation to determine the existence of any criminal record;

681

682

700

701

702

703

- (6) Possess good moral character as determined by investigation under procedure established by the council and fully cooperate during the course of such investigation;
- 683 (7) Be found, after examination by a licensed physician or surgeon, to be free from any 684 physical, emotional, or mental conditions which might adversely affect his or her exercise 685 of the powers or duties of a peace officer; and
- 686 (8) Successfully complete a job related academy entrance examination provided for and 687 administered by the council in conformity with state and federal law. Such examination 688 shall be administered prior to entrance to the basic course provided for in Code Sections 689 35-8-9 and 35-8-11. The council may change or modify such examination and shall 690 establish the criteria for determining satisfactory performance on such examination. The 691 provisions of this paragraph establish only the minimum requirements of academy 692 entrance examinations for peace officer candidates in this state; each law enforcement 693 unit is encouraged to provide such additional requirements and any preemployment 694 examination as it deems necessary and appropriate. Any person with a degree from a 695 postsecondary institution accredited by a regional accrediting agency recognized by the 696 United States Department of Education shall be deemed to have met the requirements of this paragraph. 697
- 698 (b) Any person authorized to attend the basic training course prior to employment as a peace officer shall meet the requirements of subsection (a) of this Code section.
 - (c)(1) For purposes of As used in this subsection, the term 'employment related information' means written information contained in a prior employer's records or personnel files that relates to an applicant's, candidate's, or peace officer's performance or behavior while employed by such prior employer, including performance evaluations, records of disciplinary actions, and eligibility for rehire. Such term shall not include

information prohibited from disclosure by federal law or any document not in the possession of the employer at the time a request for such information is received.

- (2) Where an investigation is conducted for the purpose of hiring, certifying, or continuing the certification of a peace officer, an employer shall disclose employment related information to the investigating law enforcement agency upon receiving a written request from such agency. Disclosure shall only be required under this subsection if the law enforcement agency's request is accompanied by a copy of a signed, notarized statement from the applicant, candidate, or peace officer releasing and holding harmless such employer from any and all liability for disclosing complete and accurate information to the law enforcement agency.
- (3) An employer may charge a reasonable fee to cover actual costs incurred in copying and furnishing documents to a requesting law enforcement agency, including retrieving and redacting costs, provided that such amount shall not exceed \$25.00 or 25¢ per page, whichever is greater. No employer shall be required to prepare or create any document not already in the employer's possession at the time a request for employment related information is received. Any employment related information provided pursuant to this subsection that is not subject to public disclosure while in the possession of a prior employer shall continue to be privileged and protected from public disclosure as a record of the requesting law enforcement agency.
- (4) No employer or law enforcement agency shall be subject to any civil liability for any cause of action by virtue of disclosing complete and accurate information to a law enforcement agency in good faith and without malice pursuant to this subsection. In any such cause of action, malice or bad faith shall only be demonstrated by clear and convincing evidence. Nothing contained in this subsection shall be construed so as to affect or limit rights or remedies provided by federal law.
- (5) Before taking final action on an application for employment based, in whole or in part, on any unfavorable employment related information received from a previous

732

733

734

735

736

737

738

739

740

741

742

743

744

745

746

747

748

749

750

751

752

753

754

755

756

employer, a law enforcement agency shall inform the applicant, candidate, or peace officer that it has received such employment related information and that the applicant, candidate, or peace officer may inspect and respond in writing to such information. Upon the applicant's, candidate's, or peace officer's request, the law enforcement agency shall allow him or her to inspect the employment related information and to submit a written response to such information. The request for inspection shall be made within five business days from the date that the applicant, candidate, or peace officer is notified of the law enforcement agency's receipt of such employment related information. The inspection shall occur not later than ten business days after said notification. Any response to the employment related information shall be made by the applicant, candidate, or peace officer not later than three business days after his or her inspection. (6) No person shall be certified, or allowed to continue in his or her certification, or hired as a peace officer if an investigation undertaken pursuant to this subsection determines that such individual has ever been terminated from a position as a peace officer based on misconduct related to such position. (7) Nothing contained in this Code section shall be construed so as to require any person to provide self-incriminating information or otherwise to compel any person to act in violation of his or her right guaranteed by the Fifth Amendment of the United States Constitution and Article I, Section I, Paragraph XVI of the Georgia Constitution. It shall not be a violation of this Code section for a person to fail to provide requested information based on a claim that such information is self-incriminating, provided that notice of such claim is served in lieu of the requested information. An action against such person to require disclosure on the grounds that the claim of self-incrimination is not substantiated may be brought in the superior court of the county of such party's residence or where such information is located."

SECTION 18.

Article 2 of Chapter 3 of Title 38 of the Official Code of Georgia Annotated, relating to organization and administration relative to emergency management, is amended in Code Section 38-3-37, relating to prohibited actions by government official or employee during declared state of emergency, by inserting "or" at the end of paragraph (2), replacing "; or" at the end of paragraph (3) with a period, and by repealing paragraph (4) of subsection (b).

SECTION 19.

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