

House Bill 788

By: Representatives Park of the 101st, Nguyen of the 89th, and Lim of the 99th

A BILL TO BE ENTITLED
AN ACT

1 To amend Part 5 of Article 4 of Chapter 11 of Title 16 of the Official Code of Georgia
2 Annotated, relating to Brady Law Regulations, so as to require a five-day waiting period for
3 the purchase or transfer of certain firearms; to provide for exceptions; to provide for criminal
4 penalties; to provide for related matters; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **SECTION 1.**

7 Part 5 of Article 4 of Chapter 11 of Title 16 of the Official Code of Georgia Annotated,
8 relating to Brady Law Regulations, is amended by adding a new Code section to read as
9 follows:

10 "16-11-172.1

11 (a) All transfers or purchases of firearms conducted by a licensed importer, licensed
12 manufacturer, or licensed dealer shall not be completed until the fifth day after the
13 initiation of such transfer or purchase; provided, however, that the calculation of the five
14 days shall not include Saturdays, Sundays, or state or federal holidays and provided,
15 further, that the NICS check provided for under Code Section 16-11-172 may be conducted
16 within the five days.

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17 (b) Licensed importers, licensed manufacturers, and licensed dealers shall, during normal
18 business hours, make records available for inspection by any law enforcement agency for
19 purposes of any criminal investigation.

20 (c) Subsection (a) of this Code section shall not apply when a firearm is being purchased
21 by, or transferred to:

22 (1) The holder of a weapons carry license issued pursuant to Code Section 16-11-129;
23 or

24 (2) Any person provided for under Code Section 16-11-130.

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

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SECTION 2.

31 All laws and parts of laws in conflict with this Act are repealed.