

Senate Bill 231

By: Senators Anavitarte of the 31st, Gooch of the 51st, Bearden of the 30th, Robertson of the 29th, Goodman of the 8th and others

A BILL TO BE ENTITLED  
AN ACT

1 To amend Code Section 16-11-173 of the Official Code of Georgia Annotated, relating to  
2 legislative findings, preemption of local regulation and lawsuits relative to firearms, and  
3 exceptions, so as to limit liability of a weapons, firearms, or ammunition manufacturer, trade  
4 association, owner or operator of a sport shooting range, or dealer for unlawful, intentional,  
5 or negligent acts of a third party involving the use of a weapon, firearm, or ammunition or  
6 activities relating to such that occur at a sport shooting range; to provide the state with the  
7 exclusive right to bring suit against a weapons, firearms, or ammunition manufacturer, trade  
8 association, owner or operator of a sport shooting range, or dealer on behalf of any state  
9 agency or a local government; to provide for related matters; to repeal conflicting laws; and  
10 for other purposes.

11 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

12 **SECTION 1.**

13 Code Section 16-11-173 of the Official Code of Georgia Annotated, relating to legislative  
14 findings, preemption of local regulation and lawsuits relative to firearms, and exceptions, is  
15 amended by revising subsection (b) as follows:

S. B. 231

16 "(b)(1) Except as provided in subsection (c) of this Code section, no county or municipal  
17 corporation, by zoning, by ordinance or resolution, or by any other means, nor any  
18 agency, board, department, commission, political subdivision, school district, or authority  
19 of this state, other than the General Assembly, by rule or regulation or by any other  
20 means shall regulate in any manner:

21 (A) Gun shows;

22 (B) The possession, ownership, transport, carrying, transfer, sale, purchase, licensing,  
23 or registration of firearms or other weapons or components of firearms or other  
24 weapons;

25 (C) Firearms dealers or dealers of other weapons; or

26 (D) Dealers in components of firearms or other weapons.

27 (2) A weapons, firearms, or ammunition manufacturer, trade association, owner or  
28 operator of a sport shooting range, or dealer shall not be held liable as a third party for  
29 unlawful, intentional, or negligent acts of another involving the use of a weapon, firearm,  
30 or ammunition or activities relating to such that occur at a sport shooting range. The  
31 authority to bring suit and right to recover against any weapons, firearms, or ammunition  
32 manufacturer, trade association, owner or operator of a sport shooting range, or dealer by  
33 or on behalf of any governmental unit created by or pursuant to an Act of the General  
34 Assembly or the Constitution, or any department, agency, or authority thereof, for  
35 damages, abatement, or injunctive relief resulting from or relating to the lawful design,  
36 manufacture, marketing, or sale of weapons, firearms, or ammunition to the public or  
37 activities relating to weapons, firearms, or ammunition that occur at a sport shooting  
38 range shall be reserved exclusively to the state. ~~This paragraph shall not prohibit a~~  
39 ~~political subdivision or local government authority from bringing an action against a~~  
40 ~~weapons, firearms, or ammunition manufacturer or dealer for breach of contract or~~  
41 ~~express warranty as to weapons, firearms, or ammunition purchased by the political~~  
42 ~~subdivision or local government authority."~~

43

**SECTION 2.**

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