

House Bill 224

By: Representatives Scott of the 76th, Davis of the 87th, and Schofield of the 63rd

A BILL TO BE ENTITLED
AN ACT

1 To amend Part 1 of Article 4 of Chapter 11 of Title 16 of the Official Code of Georgia
2 Annotated, relating to general provisions relative to dangerous instrumentalities and
3 practices, so as to provide for the reporting of a lost or stolen firearm; to provide for penalties
4 for failure to report; to provide for an exception; to provide for the entry of information
5 regarding such firearm into the criminal justice information system; to provide for related
6 matters; to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Part 1 of Article 4 of Chapter 11 of Title 16 of the Official Code of Georgia Annotated,
10 relating to general provisions relative to dangerous instrumentalities and practices, is
11 amended by adding a new Code section to read as follows:

12 "16-11-114.

13 (a)(1) Any person who owns a firearm and who has reasonable cause to believe that the
14 firearm has been lost or stolen shall report such fact to a law enforcement agency not
15 more than five days after discovering that the firearm has been lost or stolen. A report
16 of a lost or stolen firearm shall include, and the law enforcement agency receiving the

17 report shall request, an accurate and detailed description of the firearm, including, to the
18 extent known, the manufacturer, model, serial number, caliber, and any other
19 identification number or distinguishing mark of the firearm being reported.

20 (2) Any person other than the owner of a lost or stolen firearm who is a member of the
21 owner's family or who resides with the owner may report the loss or theft to a law
22 enforcement agency. Making a report pursuant to this paragraph does not constitute
23 acknowledgment of ownership of the firearm for the purposes of any other provision of
24 law.

25 (b) Any person who previously reported a lost or stolen firearm pursuant to this Code
26 section who has found or otherwise recovered the firearm, or any other person who has
27 found or recovered the firearm, shall report to the law enforcement agency that received
28 the report that the firearm has been recovered.

29 (c)(1) Except as otherwise provided in subsection (d), any person who knowingly
30 violates paragraph (1) of subsection (a) of this Code section shall be guilty of failure to
31 report a lost or stolen firearm.

32 (2) Failure to report a lost or stolen firearm shall be a misdemeanor punishable by a fine
33 of \$25.00 and a second or subsequent violation of this Code section shall be punished by
34 a fine of not more than \$500.00.

35 (d) This Code section shall not apply to a dealer, as such term is defined in Code
36 Section 16-11-171.

37 (e) Within five days after receiving a report of a lost or stolen firearm pursuant to this
38 Code section, the law enforcement agency that receives the report shall enter any available
39 descriptive information related to the lost or stolen firearm into the Georgia Crime
40 Information Center."

41 **SECTION 2.**

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