

Senate Bill 319

By: Senators Anavitarte of the 31st, Payne of the 54th, Thompson of the 14th, Robertson of the 29th, Hickman of the 4th and others

**AS PASSED**

A BILL TO BE ENTITLED

AN ACT

1 To amend Article 1 of Chapter 3 of Title 12 of the Official Code of Georgia Annotated,  
2 relating to general provisions regarding parks, historic areas, memorials, and recreation, so  
3 as to revise provisions of law regarding the use or possession of any handgun in a park,  
4 historic site, or recreational area; to amend Part 3 of Article 4 of Chapter 11 of Title 16 of the  
5 Official Code of Georgia Annotated, relating to carrying and possession of firearms, so as  
6 to provide a definition; to revise provisions of law regarding the carrying of firearms; to  
7 provide for applications for a weapons carry license or renewal of such license; to amend  
8 Part 2 of Article 4 of Chapter 12 of Title 16 of the Official Code of Georgia Annotated,  
9 relating to transportation passenger safety, so as to revise provisions of law regarding the  
10 carrying of firearms; to amend Title 27 of the Official Code of Georgia Annotated, relating  
11 to game and fish, so as to revise certain laws regarding the carrying of firearms; to amend  
12 Part 2 of Article 10 of Chapter 6 of Title 40 of the Official Code of Georgia Annotated,  
13 relating to parking for persons with disabilities, so as to revise certain laws regarding the  
14 carrying of firearms; to provide for a short title; to provide for legislative findings; to provide  
15 for related matters; to provide for an effective date; to repeal conflicting laws; and for other  
16 purposes.

17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

S. B. 319

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18

**SECTION 1.**

19 This Act shall be known and may be cited as the "Chairman John Meadows Act."

20

**SECTION 2.**

21 The General Assembly finds and determines that:

22 (1) The Second Amendment to the United States Constitution recognizes the right of the  
23 people to keep and bear arms and that such right shall not be infringed; and

24 (2) The people of this state, to perpetuate the principles of free government, insure justice  
25 to all, preserve peace, promote the interest and happiness of the citizen and of the family,  
26 and transmit to posterity the enjoyment of liberty, provided that the right of the people to  
27 keep and bear arms shall not be infringed but that the General Assembly shall have power  
28 to prescribe the manner in which arms may be borne.

29

**SECTION 3.**

30 Article 1 of Chapter 3 of Title 12 of the Official Code of Georgia Annotated, relating to  
31 general provisions regarding parks, historic areas, memorials, and recreation, is amended in  
32 Code Section 12-3-10, relating to directing persons to leave parks, historic sites, or  
33 recreational areas upon their refusal to observe rules and regulations and prohibited acts  
34 generally, by revising subsection (o) as follows:

35 "(o)(1) It shall be unlawful for any person to use or possess in any park, historic site, or  
36 recreational area any fireworks, explosives, or firecrackers, unless stored so as not to be  
37 readily accessible or unless such use has been approved by prior written permission of  
38 the commissioner of natural resources or his or her authorized representative.

39 ~~(2) It shall be unlawful for any person to use or possess in any park, historic site, or~~  
40 ~~recreational area any firearms other than a handgun, as such term is defined in Code~~  
41 ~~Section 16-11-125.1.~~

42 ~~(3)~~(2) It shall be unlawful for any person to use or possess in any park, historic site, or  
 43 recreational area any handgun without a valid weapons carry license issued pursuant to  
 44 ~~Code Section 16-11-129~~ weapon or long gun unless such person is a lawful weapons  
 45 carrier. As used in this paragraph, the terms 'weapon,' 'long gun,' and 'lawful weapons  
 46 carrier' shall have the same meanings as provided for in Code Section 16-11-125.1.

47 ~~(4)~~(3) It shall be unlawful for any person to use or possess in any park, historic site, or  
 48 recreational area any bows and arrows, spring guns, air rifles, slingshots, or any other  
 49 device which discharges projectiles by any means, unless the device is unloaded and  
 50 stored so as not to be readily accessible or unless such use has been approved within  
 51 restricted areas by prior written permission of the commissioner of natural resources or  
 52 his or her authorized representative."

53

#### SECTION 4.

54 Part 3 of Article 4 of Chapter 11 of Title 16 of the Official Code of Georgia Annotated,  
 55 relating to carrying and possession of firearms, is amended by revising Code  
 56 Section 16-11-125.1, relating to definitions, as follows:

57 "16-11-125.1.

58 As used in this part, the term:

59 (1) 'Handgun' means a firearm of any description, loaded or unloaded, from which any  
 60 shot, bullet, or other missile can be discharged by an action of an explosive where the  
 61 length of the barrel, not including any revolving, detachable, or magazine breech, does  
 62 not exceed 12 inches; provided, however, that the term 'handgun' shall not include a gun  
 63 which discharges a single shot of 0.46 centimeter or less in diameter.

64 (2) 'Knife' means a cutting instrument designed for the purpose of offense and defense  
 65 consisting of a blade that is greater than 12 inches in length which is fastened to a handle.

66 (2.1) 'Lawful weapons carrier' means any person who is licensed or eligible for a license  
 67 pursuant to Code Section 16-11-129 and who is not otherwise prohibited by law from

68 possessing a weapon or long gun, any resident of any other state who would otherwise  
69 be eligible to obtain a license pursuant to such Code section but for the residency  
70 requirement, and any person licensed to carry a weapon in any other state.

71 (3) 'License holder' means a person who holds a valid weapons carry license.

72 (4) 'Long gun' means a firearm with a barrel length of at least 18 inches and overall  
73 length of at least 26 inches designed or made and intended to be fired from the shoulder  
74 and designed or made to use the energy of the explosive in a fixed:

75 (A) Shotgun shell to fire through a smooth bore either a number of ball shot or a single  
76 projectile for each single pull of the trigger or from which any shot, bullet, or other  
77 missile can be discharged; or

78 (B) Metallic cartridge to fire only a single projectile through a rifle bore for each single  
79 pull of the trigger;

80 provided, however, that the term 'long gun' shall not include a gun which discharges a  
81 single shot of 0.46 centimeter or less in diameter.

82 (5) 'Weapon' means a knife or handgun.

83 (6) 'Weapons carry license' or 'license' means a license issued pursuant to Code  
84 Section 16-11-129."

85 **SECTION 5.**

86 Said part is further amended by revising Code Section 16-11-126, relating to having or  
87 carrying handguns, long guns, or other weapons, license requirement, and exceptions for  
88 homes, motor vehicles, private property, and other locations and conditions, as follows:

89 "16-11-126.

90 (a) Any person who is not prohibited by law from possessing a handgun or long gun may  
91 have or carry on his or her person a weapon or long gun on his or her property or inside his  
92 or her home, motor vehicle, or place of business ~~without a valid weapons carry license.~~

93 (b) Any person who is not prohibited by law from possessing a handgun or long gun may  
94 have or carry on his or her person a long gun ~~without a valid weapons carry license,~~  
95 ~~provided that if the long gun is loaded, it shall only be carried in an open and fully exposed~~  
96 ~~manner.~~

97 (c) Any person who is ~~not prohibited by law from possessing a handgun or long gun may~~  
98 ~~have or carry any handgun provided that it is enclosed in a case and unloaded.~~

99 ~~(d) Any person who is not prohibited by law from possessing a handgun or long gun who~~  
100 ~~is eligible for a weapons carry license~~ a lawful weapons carrier may transport a handgun  
101 or long gun in any private passenger motor vehicle; provided, however, that private  
102 property owners or persons in legal control of private property through a lease, rental  
103 agreement, licensing agreement, contract, or any other agreement to control access to such  
104 private property shall have the right to exclude or eject a person who is in possession of a  
105 weapon or long gun on their private property in accordance with paragraph (3) of  
106 subsection (b) of Code Section 16-7-21, except as provided in Code Section 16-11-135.

107 ~~(e)(d)(1)(A)~~ Any person licensed to carry a weapon in any other state whose laws  
108 recognize and give effect to a license issued pursuant to this part shall be authorized to  
109 carry a weapon in this state, ~~but only while the licensee is not a resident of this state;~~  
110 provided, however, that:

111 ~~(i)(A)~~ Such licensee licensed to carry a weapon in any other state shall carry the  
112 weapon in compliance with the laws of this state; and

113 ~~(ii)(B)~~ No other state shall be required to recognize and give effect to a license issued  
114 pursuant to this part that is held by a person who is younger than 21 years of age.

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

118 ~~(2) Any person who is not a weapons carry license holder in this state and who is~~  
119 ~~licensed to carry a weapon in any other state whose laws recognize and give effect to a~~

120 license issued pursuant to this part shall be authorized to carry a weapon in this state for  
121 90 days after he or she becomes a resident of this state; provided, however, that such  
122 person shall carry the weapon in compliance with the laws of this state, shall as soon as  
123 practicable submit a weapons carry license application as provided for under Code  
124 Section 16-11-129, and shall remain licensed in such other state for the duration of time  
125 that he or she is a resident of this state but not a weapons carry license holder in this state.

126 (f)(e)(1) Any person with a valid hunting or fishing license on his or her person, or any  
127 person not required by law to have a hunting or fishing license, who is engaged in legal  
128 hunting, fishing, or sport shooting when the person has the permission of the owner of  
129 the land on which the activities are being conducted may have or carry on his or her  
130 person a weapon or long gun without a valid weapons carry license while hunting,  
131 fishing, or engaging in sport shooting.

132 (2) Any person with a valid hunting or fishing license on his or her person, or any person  
133 not required by law to have a hunting or fishing license, who is otherwise engaged in  
134 legal hunting, fishing, or sport shooting on recreational or wildlife management areas  
135 owned by this state may have or carry on his or her person a knife without a valid  
136 weapons carry license while engaging in such hunting, fishing, or sport shooting.

137 (g)(f) Notwithstanding Code Sections 12-3-10, 27-3-1.1, 27-3-6, and 16-12-122 through  
138 16-12-127, any person with a valid weapons carry license lawful weapons carrier may  
139 carry a weapon in all parks, historic sites, or recreational areas, as such term is defined in  
140 Code Section 12-3-10, including all publicly owned buildings located in such parks,  
141 historic sites, and recreational areas, in wildlife management areas, and on public  
142 transportation; provided, however, that a person shall not carry a handgun into a place  
143 where it is prohibited by federal law.

144 (h)(g)(1) No person shall carry a weapon without a valid weapons carry license unless  
145 he or she meets one of the exceptions to having such license as Except as

146 otherwise provided in subsections (a) through ~~(g)~~ (f) of this Code section, no person shall  
147 carry a weapon unless he or she is a lawful weapons carrier.

148 (2) A person commits the offense of unlawful carrying of a weapon ~~without a license~~  
149 when he or she violates the provisions of paragraph (1) of this subsection.

150 ~~(j)(h)~~ Upon conviction of the offense of unlawful carrying of a weapon ~~without a valid~~  
151 ~~weapons carry license~~, a person shall be punished as follows:

152 (1) For the first offense, he or she shall be guilty of a misdemeanor; and

153 (2) For the second offense within five years, as measured from the dates of previous  
154 arrests for which convictions were obtained to the date of the current arrest for which a  
155 conviction is obtained, and for any subsequent offense, he or she shall be guilty of a  
156 felony and, upon conviction thereof, shall be imprisoned for not less than two years and  
157 not more than five years.

158 ~~(j)(i)~~ Nothing in this Code section shall in any way operate or be construed to affect,  
159 repeal, or limit the exemptions provided for under Code Section 16-11-130."

160 **SECTION 6.**

161 Said part is further amended by revising Code Section 16-11-127, relating to carrying  
162 weapons in unauthorized locations, as follows:

163 "16-11-127.

164 (a) As used in this Code section, the term:

165 (1) 'Courthouse' means a building occupied by judicial courts and containing rooms in  
166 which judicial proceedings are held.

167 (2) 'Government building' means:

168 (A) The building in which a government entity is housed;

169 (B) The building where a government entity meets in its official capacity; provided,  
170 however, that if such building is not a publicly owned building, such building shall be

171 considered a government building for the purposes of this Code section only during the  
172 time such government entity is meeting at such building; or

173 (C) The portion of any building that is not a publicly owned building that is occupied  
174 by a government entity.

175 (3) 'Government entity' means an office, agency, authority, department, commission,  
176 board, body, division, instrumentality, or institution of the state or any county, municipal  
177 corporation, consolidated government, or local board of education within this state.

178 (4) 'Parking facility' means real property owned or leased by a government entity,  
179 courthouse, jail, prison, or place of worship that has been designated by such government  
180 entity, courthouse, jail, prison, or place of worship for the parking of motor vehicles at  
181 a government building or at such courthouse, jail, prison, or place of worship.

182 (b) Except as provided in Code Section 16-11-127.1 and subsection (d) or (e) of this Code  
183 section, a person shall be guilty of carrying a weapon or long gun in an unauthorized  
184 location and punished as for a misdemeanor when he or she carries a weapon or long gun  
185 while:

186 (1) In a government building ~~as a nonlicense holder~~ without being a lawful weapons  
187 carrier;

188 (2) In a courthouse;

189 (3) In a jail or prison;

190 (4) In a place of worship, unless the governing body or authority of the place of worship  
191 permits the carrying of weapons or long guns by ~~license holders~~ persons who are lawful  
192 weapons carriers;

193 (5) In a state mental health facility as defined in Code Section 37-1-1 which admits  
194 individuals on an involuntary basis for treatment of mental illness, developmental  
195 disability, or addictive disease; provided, however, that carrying a weapon or long gun  
196 in such location in a manner in compliance with paragraph (3) of subsection (d) of this  
197 Code section shall not constitute a violation of this subsection;



198 (6) On the premises of a nuclear power facility, except as provided in Code  
199 Section 16-11-127.2, and the punishment provisions of Code Section 16-11-127.2 shall  
200 supersede the punishment provisions of this Code section; or

201 (7) Within 150 feet of any polling place when elections are being conducted and such  
202 polling place is being used as a polling place as provided for in paragraph (27) of Code  
203 Section 21-2-2, except as provided in subsection (i) of Code Section 21-2-413.

204 (c) ~~A license holder or person recognized under subsection (e) of Code Section 16-11-126~~  
205 Any lawful weapons carrier shall be authorized to carry a weapon as provided in Code  
206 Section 16-11-135 and in every location in this state not listed in subsection (b) or  
207 prohibited by subsection (e) of this Code section; provided, however, that private property  
208 owners or persons in legal control of private property through a lease, rental agreement,  
209 licensing agreement, contract, or any other agreement to control access to such private  
210 property shall have the right to exclude or eject a person who is in possession of a weapon  
211 or long gun on ~~their~~ his or her private property in accordance with paragraph (3) of  
212 subsection (b) of Code Section 16-7-21, except as provided in Code Section 16-11-135.  
213 A violation of subsection (b) of this Code section shall not create or give rise to a civil  
214 action for damages.

215 (d) Subsection (b) of this Code section shall not apply:

216 (1) To the use of weapons or long guns as exhibits in a legal proceeding, provided that  
217 such weapons or long guns are secured and handled as directed by the personnel  
218 providing courtroom security or the judge hearing the case;

219 (2) To a ~~license holder~~ lawful weapons carrier who approaches security or management  
220 personnel upon arrival at a location described in subsection (b) of this Code section and  
221 notifies such security or management personnel of the presence of the weapon or long  
222 gun and explicitly follows the security or management personnel's direction for removing,  
223 securing, storing, or temporarily surrendering such weapon or long gun; and

224 (3) To a weapon or long gun possessed by a ~~license holder~~ lawful weapons carrier which  
225 is under the possessor's control in a motor vehicle or is in a locked compartment of a  
226 motor vehicle or one which is in a locked container in or a locked firearms rack which  
227 is on a motor vehicle and such vehicle is parked in a parking facility.

228 (e)(1) A ~~license holder~~ lawful weapons carrier shall be authorized to carry a weapon in  
229 a government building when the government building is open for business and where  
230 ingress into such building is not restricted or screened by security personnel. A ~~license~~  
231 ~~holder~~ lawful weapons carrier who enters or attempts to enter a government building  
232 carrying a weapon where ingress is restricted or screened by security personnel shall be  
233 guilty of a misdemeanor if at least one member of such security personnel is certified as  
234 a peace officer pursuant to Chapter 8 of Title 35; provided, however, that a ~~license holder~~  
235 lawful weapons carrier who immediately exits such building or immediately leaves such  
236 location upon notification of his or her failure to clear security due to the carrying of a  
237 weapon shall not be guilty of violating this subsection or paragraph (1) of subsection (b)  
238 of this Code section. A person who is not a ~~license holder~~ lawful weapons carrier and  
239 who attempts to enter a government building carrying a weapon shall be guilty of a  
240 misdemeanor.

241 (2) Any ~~license holder~~ lawful weapons carrier who violates subsection (b) of this Code  
242 section in a place of worship shall not be arrested but shall be fined not more  
243 than \$100.00. Any person who is not a ~~license holder~~ lawful weapons carrier who  
244 violates subsection (b) of this Code section in a place of worship shall be punished as for  
245 a misdemeanor.

246 (f) Nothing in this Code section shall in any way operate or be construed to affect, repeal,  
247 or limit the exemptions provided for under Code Section 16-11-130."

248

**SECTION 7.**

249 Said part is further amended in Code Section 16-11-127.1, relating to carrying weapons  
250 within school safety zones, at school functions, or on a bus or other transportation furnished  
251 by a school, by revising paragraph (2) of subsection (b) and paragraphs (7), (8), and (20) of  
252 subsection (c) as follows:

253 "(2) Except as provided for in paragraph (20) of subsection (c) of this Code section, any  
254 ~~license holder~~ lawful weapons carrier who violates this subsection shall be guilty of a  
255 misdemeanor. Any person who is not a ~~license holder~~ lawful weapons carrier who  
256 violates this subsection shall be guilty of a felony and, upon conviction thereof, be  
257 punished by a fine of not more than \$10,000.00, by imprisonment for not less than two  
258 nor more than ten years, or both."

259 "~~(7) A person who is licensed in accordance with Code Section 16-11-129 or issued a~~  
260 ~~permit pursuant to Code Section 43-38-10;~~ lawful weapons carrier when such person  
261 carries or picks up a student within a school safety zone, at a school function, or on a bus  
262 or other transportation furnished by a school or a ~~person who is licensed in accordance~~  
263 ~~with Code Section 16-11-129 or issued a permit pursuant to Code Section 43-38-10~~  
264 lawful weapons carrier when he or she has any weapon legally kept within a vehicle  
265 when such vehicle is parked within a school safety zone or is in transit through a  
266 designated school safety zone;

267 (8) A weapon possessed by a ~~license holder~~ lawful weapons carrier which is under the  
268 possessor's control in a motor vehicle or which is in a locked compartment of a motor  
269 vehicle or one which is in a locked container in or a locked firearms rack which is on a  
270 motor vehicle which is being used by an adult over 21 years of age to bring to or pick up  
271 a student within a school safety zone, at a school function, or on a bus or other  
272 transportation furnished by a school, or when such vehicle is used to transport someone  
273 to an activity being conducted within a school safety zone which has been authorized by  
274 a duly authorized official or local board of education as provided by paragraph (6) of this

275 subsection; provided, however, that this exception shall not apply to a student attending  
276 a public or private elementary or secondary school;"

277 "(20)(A) Any ~~weapons carry license holder~~ lawful weapons carrier when he or she is  
278 in any building or on real property owned by or leased to any public technical school,  
279 vocational school, college, or university, or other public institution of postsecondary  
280 education; provided, however, that such exception shall:

281 (i) Not apply to buildings or property used for athletic sporting events or student  
282 housing, including, but not limited to, fraternity and sorority houses;

283 (ii) Not apply to any preschool or childcare space located within such buildings or  
284 real property;

285 (iii) Not apply to any room or space being used for classes related to a college and  
286 career academy or other specialized school as provided for under Code  
287 Section 20-4-37;

288 (iv) Not apply to any room or space being used for classes in which high school  
289 students are enrolled through a dual enrollment program, including, but not limited  
290 to, classes related to the 'Dual Enrollment Act' as provided for under Code  
291 Section 20-2-161.3;

292 (v) Not apply to faculty, staff, or administrative offices or rooms where disciplinary  
293 proceedings are conducted; and

294 (vi) ~~Only apply to the carrying of handguns which a licensee is licensed to carry~~  
295 ~~pursuant to subsection (e) of Code Section 16-11-126 and pursuant to Code~~  
296 ~~Section 16-11-129; and~~

297 (vii) Only apply to the carrying of handguns which are concealed.

298 (B) Any ~~weapons carry license holder~~ lawful weapons carrier who carries a handgun  
299 in a manner or in a building, property, room, or space in violation of this paragraph  
300 shall be guilty of a misdemeanor; provided, however, that for a conviction of a first

301 offense, such ~~weapons carry license holder~~ lawful weapons carrier shall be punished  
302 by a fine of \$25.00 and not be sentenced to serve any term of confinement.

303 (C) As used in this paragraph, the term:

304 (i) 'Concealed' means carried in such a fashion that does not actively solicit the  
305 attention of others and is not prominently, openly, and intentionally displayed except  
306 for purposes of defense of self or others. Such term shall include, but not be limited  
307 to, carrying on one's person while such handgun is substantially, but not necessarily  
308 completely, covered by an article of clothing which is worn by such person, carrying  
309 within a bag of a nondescript nature which is being carried about by such person, or  
310 carrying in any other fashion as to not be clearly discernible by the passive  
311 observation of others.

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

318 **SECTION 8.**

319 Said part is further amended in Code Section 16-11-129, relating to weapons carry license,  
320 gun safety information, temporary renewal permit, mandamus, and verification of license,  
321 by revising paragraphs (2) and (3) of subsection (a) and subparagraph (b)(2)(H) as follows:

322 "(2)(A) As used in this paragraph, the term 'service member' means an active duty  
323 member of the regular or reserve component of the United States Army, United States  
324 Navy, United States Marine Corps, United States Coast Guard, United States Air Force,  
325 United States National Guard, Georgia Army National Guard, or Georgia Air National  
326 Guard.

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

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

341 ~~(B)(C)~~(i) An application shall be considered to be for a renewal license if the  
342 applicant has a weapons carry license or renewal license with 90 or fewer days  
343 remaining before the expiration of such weapons carry license or renewal license or  
344 30 or fewer days since the expiration of such weapons carry license or renewal license  
345 regardless of the county of issuance of the applicant's expired or expiring weapons  
346 carry license or renewal license.

347 (ii) An application of any service member whose weapons carry license or renewal  
348 license expired while such service member was serving on active duty outside this  
349 state shall be considered to be for a renewal license if such service member applies  
350 within six months from the date of his or her discharge from active duty or  
351 reassignment to a location within this state as provided for in a copy of such service  
352 member's official military orders or a written verification signed by such service  
353 member's commanding officer as provided by the service member.

354 (iii) An applicant who is not a United States citizen shall provide sufficient personal  
 355 identifying data, including without limitation his or her place of birth and United  
 356 States issued alien or admission number, as the Georgia Bureau of Investigation may  
 357 prescribe by rule or regulation. An applicant who is in nonimmigrant status shall  
 358 provide proof of his or her qualifications for an exception to the federal firearm  
 359 prohibition pursuant to 18 U.S.C. Section 922(y). Forms shall be designed to elicit  
 360 information from the applicant pertinent to his or her eligibility under this Code  
 361 section, including citizenship, but shall not require data which is nonpertinent or  
 362 irrelevant, such as serial numbers or other identification capable of being used as a de  
 363 facto registration of firearms owned by the applicant. The Department of Public  
 364 Safety shall furnish application forms and license forms required by this Code section.  
 365 The forms shall be furnished to each judge of each probate court within this state at  
 366 no cost."

367 "(H) Any person who has been convicted of ~~any of the following:~~

368 ~~(i) Carrying a weapon without a weapons carry license in violation of Code~~  
 369 ~~Section 16-11-126; or~~

370 ~~(ii) Carrying carrying a weapon or long gun in an unauthorized location in violation~~  
 371 ~~of Code Section 16-11-127~~

372 and has not been free of all restraint or supervision in connection therewith and free of  
 373 any other conviction for at least five years immediately preceding the date of the  
 374 application;"

375 **SECTION 9.**

376 Said part is further amended in Code Section 16-11-130, relating to exemptions from Code  
 377 Sections 16-11-126 through 16-11-127.2, by revising paragraph (11) of subsection (a) as  
 378 follows:

379 "(11) Explosive ordnance disposal technicians, as such term is defined by Code  
380 Section 16-7-80, and persons certified as provided in Code Section ~~35-8-13~~ 35-8-25 to  
381 handle animals trained to detect explosives, while in the performance of their duties;"

382 **SECTION 10.**

383 Said part is further amended in Code Section 16-11-135, relating to public or private  
384 employer's parking lots, right of privacy in vehicles in employer's parking lot or invited  
385 guests on lot, severability, and rights of action, by revising subsection (b) as follows:

386 "(b) Except as provided in this Code section, no private or public employer, including the  
387 state and its political subdivisions, shall condition employment upon any agreement by a  
388 prospective employee that prohibits an employee from entering the parking lot and access  
389 thereto when the employee's privately owned motor vehicle contains a firearm or  
390 ammunition, or both, that is locked out of sight within the trunk, glove box, or other  
391 enclosed compartment or area within such privately owned motor vehicle, provided that  
392 any ~~applicable employees possess a Georgia weapons carry license~~ such prospective  
393 employee is a lawful weapons carrier."

394 **SECTION 11.**

395 Said part is further amended by revising Code Section 16-11-137, relating to required  
396 possession of weapons carry license or proof of exemption when carrying a weapon and  
397 detention for investigation of carrying permit, as follows:

398 "16-11-137.

399 ~~(a) Every license holder shall have his or her valid weapons carry license in his or her~~  
400 ~~immediate possession at all times when carrying a weapon, or if such person is exempt~~  
401 ~~from having a weapons carry license pursuant to Code Section 16-11-130 or subsection (c)~~  
402 ~~of Code Section 16-11-127.1, he or she shall have proof of his or her exemption in his or~~  
403 ~~her immediate possession at all times when carrying a weapon, and his or her failure to do~~



404 ~~so shall be prima-facie evidence of a violation of the applicable provision of Code~~  
 405 ~~Sections 16-11-126 through 16-11-127.2.~~

406 (b) A person carrying a weapon shall not be subject to detention for the sole purpose of  
 407 investigating whether such person has a weapons carry license, whether such person is  
 408 exempt from having a weapons carry license pursuant to Code Section 16-11-130 or  
 409 subsection (c) of Code Section 16-11-127.1, or whether such person is a lawful weapons  
 410 carrier as defined in Code Section 16-11-125.1.

411 (c) ~~A person convicted of a violation of this Code section shall be fined not more than~~  
 412 ~~\$10.00 if he or she produces in court his or her weapons carry license, provided that it was~~  
 413 ~~valid at the time of his or her arrest, or produces proof of his or her exemption."~~

414

## SECTION 12.

415 Part 2 of Article 4 of Chapter 12 of Title 16 of the Official Code of Georgia Annotated,  
 416 relating to transportation passenger safety, is amended in Code Section 16-12-123, relating  
 417 to bus or rail vehicle hijacking, boarding with concealed weapon, and company use of  
 418 reasonable security measures, by revising subsection (b) as follows:

419 "(b) Any person who boards or attempts to board an aircraft, bus, or rail vehicle with any  
 420 explosive, destructive device, or hoax device as such ~~term is~~ terms are defined in Code  
 421 Section 16-7-80; ~~firearm for which~~ weapon or long gun as such terms are defined in Code  
 422 Section 16-11-125.1 if such person does not have on his or her person a valid weapons  
 423 carry license issued pursuant to Code Section 16-11-129 unless possessing such firearm is  
 424 prohibited by federal law is not a lawful weapons carrier as defined in Code  
 425 Section 16-11-125.1; hazardous substance as defined by Code Section 12-8-92; ~~or knife~~  
 426 or other device designed or modified for the purpose of offense and defense concealed on  
 427 or about his or her person or property which is or would be accessible to such person while  
 428 on the aircraft, bus, or rail vehicle shall be guilty of a felony and, upon conviction thereof,  
 429 shall be sentenced to imprisonment for not less than one nor more than ten years. The

430 prohibition of this subsection shall not apply to any law enforcement officer, peace officer  
 431 retired from a state or federal law enforcement agency, person in the military service of the  
 432 state or of the United States, or commercial security personnel employed by the  
 433 transportation company who is in possession of weapons used within the course and scope  
 434 of employment; nor shall the prohibition apply to persons transporting weapons contained  
 435 in baggage which is not accessible to passengers if the presence of such weapons has been  
 436 declared to the transportation company and such weapons have been secured in a manner  
 437 prescribed by state or federal law or regulation for the purpose of transportation or  
 438 shipment. The provisions of this subsection shall not apply to any privately owned aircraft,  
 439 bus, or rail vehicle if the owner of such aircraft or vehicle has given his or her express  
 440 permission to board the aircraft or vehicle with the item."

441

### SECTION 13.

442 Said part is further amended in Code Section 16-12-127, relating to prohibition on firearms,  
 443 hazardous substances, knives, or other devices, penalty, and affirmative defenses, by revising  
 444 subsection (a) as follows:

445 "(a) It shall be unlawful for any person, with the intention of avoiding or interfering with  
 446 a security measure or of introducing into a terminal any explosive, destructive device, or  
 447 hoax device as such terms are defined in Code Section 16-7-80; ~~firearm for which such~~  
 448 ~~person does not have on his or her person a valid weapons carry license issued pursuant to~~  
 449 ~~Code Section 16-11-129 unless possessing such firearm is prohibited by federal law~~  
 450 weapon or long gun if such person is not a lawful weapons carrier as such terms are defined  
 451 in Code Section 16-11-125.1; hazardous substance as defined by Code Section 12-8-92;  
 452 ~~or knife~~ or other device designed or modified for the purpose of offense and defense, to:  
 453 (1) Have any such item on or about his or her person; ~~or~~  
 454 (2) Place or cause to be placed or attempt to place or cause to be placed any such item:  
 455 (A) In a container or freight of a transportation company;

456 (B) In the baggage or possessions of any person or any transportation company without  
 457 the knowledge of the passenger or transportation company; or  
 458 (C) Aboard such aircraft, bus, or rail vehicle."

459 **SECTION 14.**

460 Title 27 of the Official Code of Georgia Annotated, relating to game and fish, is amended in  
 461 Code Section 27-3-1.1, relating to acts prohibited on wildlife management areas, by revising  
 462 paragraphs (1) and (2) as follows:

463 "(1) To possess a firearm other than a handgun, as such term is defined in Code  
 464 Section 16-11-125.1, during a closed hunting season for that area unless such firearm is  
 465 unloaded and stored in a motor vehicle so as not to be readily accessible or to possess a  
 466 handgun during a closed hunting season for that area unless such person ~~possesses a valid~~  
 467 ~~weapons carry license issued pursuant to Code Section 16-11-129~~ is a lawful weapons  
 468 carrier as defined in Code Section 16-11-125.1;

469 (2) To possess a loaded firearm other than a handgun, as such term is defined in Code  
 470 Section 16-11-125.1, in a motor vehicle during a legal open hunting season for that area  
 471 or to possess a loaded handgun in a motor vehicle during a legal open hunting season for  
 472 that area unless such person ~~possesses a valid weapons carry license issued pursuant to~~  
 473 ~~Code Section 16-11-129~~ is a lawful weapons carrier as defined in Code Section  
 474 16-11-125.1;"

475 **SECTION 15.**

476 Said title is further amended by revising Code Section 27-3-6, relating to possession of  
 477 firearm while hunting with bow and arrow, as follows:

478 "27-3-6.

479 It shall be unlawful for any person to possess any center-fire or rimfire firearm other than  
 480 a handgun, as such term is defined in Code Section 16-11-125.1, while hunting with a bow

481 and arrow during archery or primitive weapons season for deer or while hunting with a  
482 muzzleloading firearm during a primitive weapons season for deer or to possess a loaded  
483 handgun while hunting with a bow and arrow during archery or primitive weapons season  
484 for deer or while hunting with a muzzleloading firearm during primitive weapons season  
485 for deer unless such person ~~possesses a valid weapons carry license issued pursuant to~~  
486 ~~Code Section 16-11-129~~ is a lawful weapons carrier as defined in Code  
487 Section 16-11-125.1."

488 **SECTION 16.**

489 Said title is further amended in Code Section 27-4-11.1, relating to possession of firearms  
490 and intoxication on public fishing areas, fishing in closed fishing areas, and other restrictions  
491 in public fishing areas, by revising paragraphs (1) and (2) of subsection (a) as follows:

492 "(1) To possess a firearm other than a handgun, as such term is defined in Code  
493 Section 16-11-125.1, during a closed hunting season for that area unless such firearm is  
494 unloaded and stored in a motor vehicle so as not to be readily accessible or to possess a  
495 handgun during a closed hunting season for that area unless such person ~~possesses a valid~~  
496 ~~weapons carry license issued pursuant to Code Section 16-11-129~~ is a lawful weapons  
497 carrier as defined in Code Section 16-11-125.1;

498 (2) To possess a loaded firearm other than a handgun, as such term is defined in Code  
499 Section 16-11-125.1, in a motor vehicle during a legal open hunting season for that area  
500 or to possess a loaded handgun in a motor vehicle during a legal open hunting season for  
501 that area unless such person ~~possesses a valid weapons carry license issued pursuant to~~  
502 ~~Code Section 16-11-129~~ is a lawful weapons carrier as defined in Code Section  
503 16-11-125.1; or"

504

**SECTION 17.**

505 Part 2 of Article 10 of Chapter 6 of Title 40 of the Official Code of Georgia Annotated,  
506 relating to parking for persons with disabilities, is amended in Code Section 40-6-228,  
507 relating to enforcement of parking for persons with disabilities, by revising paragraph (4) of  
508 subsection (b) as follows:

509 "(4) Have the power to possess and carry firearms and other weapons for the purpose of  
510 enforcing the parking laws for persons with disabilities; provided, however, that a person  
511 who ~~possesses a valid weapons carry license issued under Code Section 16-11-129 and~~  
512 ~~who carries such weapon in a manner permitted under Code Section 16-11-126~~ is a  
513 lawful weapons carrier as defined in Code Section 16-11-125.1 shall not be in violation  
514 of this paragraph; or"

515

**SECTION 18.**

516 This Act shall become effective upon its approval by the Governor or upon its becoming law  
517 without such approval.

518

**SECTION 19.**

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