

House Bill 508

By: Representatives Jackson of the 68th, Schofield of the 63rd, Davis of the 87th, Bell of the 75th, and Myles of the 126th

A BILL TO BE ENTITLED
AN ACT

1 To amend Part 3 of Article 4 of Chapter 11 of Title 16 of the Official Code of Georgia
2 Annotated, relating to carrying and possession of firearms, so as to prohibit the sale, transfer,
3 use, possession, importation, or manufacture of certain firearms and magazines; to provide
4 for the continued possession of certain firearms and magazines; to provide for exceptions and
5 exemptions; to provide for definitions; to provide for findings; to provide for related matters;
6 to provide an effective date; to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 The General Assembly finds that:

- 10 (1) Semiautomatic rifles that accept high-capacity magazines pose a significant threat to
11 public safety in that they provide the user of the rifle the ability to fire many rounds of
12 ammunition rapidly and thereby harm many people in a short amount of time;
- 13 (2) Such semiautomatic rifles have been used in numerous mass shootings around the
14 nation in the recent past, resulting in the death of large numbers of people, many of whom
15 were children; and

16 (3) There is a need to limit the ownership, possession, use, manufacture, and importation
17 of such semiautomatic rifles into this state to reduce the danger to the public from further
18 mass shootings using such rifles.

19 **SECTION 2.**

20 Part 3 of Article 4 of Chapter 11 of Title 16 of the Official Code of Georgia Annotated,
21 relating to carrying and possession of firearms, is amended by adding a new Code section to
22 read as follows:

23 "16-11-139.

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

25 (1) 'Dealer' shall have the same meaning as set forth in Code Section 16-11-171.

26 (2) 'Large capacity ammunition feeding device' means any magazine, clip, drum, belt,
27 feed strip, or similar device which is designed to supply or is capable of supplying
28 ammunition to a semiautomatic assault weapon and has a capacity in excess of 20 rounds
29 of ammunition.

30 (3) 'Manufacture' means the construction of the individual components of a
31 semiautomatic assault weapon as well as the assembly of such individual components
32 into a semiautomatic assault weapon capable of firing ammunition.

33 (4) 'Securely stored' means placed in a locked storage container that cannot be readily
34 accessed by those without permission or authorization to do so and is equipped with a
35 functioning trigger lock which is operated with a key or combination lock that prevents
36 the firearm from being discharged while the trigger lock is attached to the firearm.

37 (5)(A) 'Semiautomatic assault weapon' means a rifle:

38 (i) That uses the energy of an explosive in a fixed, center fire, metal cartridge to
39 expel a single projectile through the bore of the rifle for each single pull of the trigger
40 and to extract the fired cartridge case and chamber the next round; and

41 (ii) Is capable of using a large capacity ammunition feeding device in its operation.

- 42 (B) Such term shall not include a weapon that uses rimfire ammunition.
- 43 (b) Except as otherwise provided in this Code section, it shall be unlawful to own, possess,
44 use, sell, import, or manufacture semiautomatic assault weapons in this state.
- 45 (c) Any semiautomatic assault weapon owned by a person in this state prior to July 1,
46 2025, may be retained by the owner if such semiautomatic assault weapon is securely
47 stored. Such semiautomatic assault weapon may be sold or transferred by the owner of
48 such weapon only if the owner has a criminal background check of the purchaser or
49 transferee conducted by a dealer pursuant to the National Instant Criminal Background
50 Check System created by the federal Brady Handgun Violence Prevention Act (P.L. No.
51 103-159) and such background check indicates that the person is eligible to purchase or
52 receive such semiautomatic assault weapon under federal law.
- 53 (d) Except as otherwise provided in this Code section, it shall be unlawful to own, possess,
54 use, sell, import, or manufacture a large capacity ammunition feeding device in this state.
- 55 (e) Any large capacity ammunition feeding devices owned by a person in this state prior
56 to July 1, 2025, may be retained by the owner; provided, however, that the sale or transfer
57 of any such devices shall be prohibited.
- 58 (f) This Code section shall not apply to semiautomatic assault weapons or large capacity
59 ammunition feeding devices possessed or owned by:
- 60 (1) A law enforcement agency;
- 61 (2) A peace officer, as such term is defined in paragraph (11) of Code Section 16-1-3,
62 so long as such peace officer remains certified, whether employed by the state or a
63 political subdivision of the state or by another state or a political subdivision of another
64 state;
- 65 (3) A security officer employed by a federally licensed nuclear power facility or a
66 licensee of such facility, including a contract security officer, who is trained and qualified
67 under a security plan approved by the United States Nuclear Regulatory Commission or
68 other federal agency authorized to regulate nuclear facility security; provided, however,

69 that this exemption shall apply only while such security officer is acting in connection
70 with his or her official duties on the premises of such nuclear power facility or on
71 properties outside the facility property pursuant to a written agreement entered into with
72 the local law enforcement agency having jurisdiction over the facility; and

73 (4) A peace officer, as such term is defined in paragraph (11) of Code Section 16-1-3,
74 who has retired, so long as such retired peace officer remains certified under Chapter 8
75 of Title 35.

76 (g) No person exempt from the provisions of this Code section shall be authorized to sell
77 or transfer a semiautomatic assault weapon or large capacity ammunition feeding device
78 to any person other than a person exempt from this Code section.

79 (h)(1) Any person convicted of a first or second violation of this Code section shall be
80 guilty of a misdemeanor and punished by a fine of not more than \$250.00 for the first
81 offense and not more than \$500.00 for the second offense.

82 (2) Any person convicted of a third or subsequent violation of this Code section shall be
83 guilty of a misdemeanor of a high and aggravated nature, and the sentencing court shall
84 be authorized to revoke such person's hunting rights in this state for a length of time
85 deemed appropriate by the court.

86 (3) Upon conviction of a violation of this Code section, any semiautomatic assault
87 weapon or large capacity ammunition feeding device which is the subject of the violation
88 shall be declared contraband. Such property shall be subject to civil forfeiture in
89 accordance with Chapter 16 of Title 9, the 'Georgia Uniform Civil Forfeiture Procedure
90 Act.'

91 **SECTION 3.**

92 This Act shall become effective on July 1, 2025.

93

SECTION 4.

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