

The Senate Committee on Judiciary Non-Civil offered the following substitute to SB 332:

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 16-11-130 of the Official Code of Georgia Annotated, relating to
2 exemptions from Code Sections 16-11-126 through 16-11-127.2, so as to clarify the judges
3 and Justices who are exempt from various weapons carry laws and prohibitions; to amend
4 Chapter 5 of Title 15 of the Official Code of Georgia Annotated, relating to administration
5 of courts of record generally, so as to expand the duties of the Administrative Office of the
6 Courts; to provide for the issuance of personal identification cards to certain judges and
7 Justices of the federal and state judiciary who are exempt from various weapons carry laws
8 and prohibitions; to provide for fees; to provide for related matters; to provide for an
9 effective date; to repeal conflicting laws; and for other purposes.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

11 Code Section 16-11-130 of the Official Code of Georgia Annotated, relating to exemptions
12 from Code Sections 16-11-126 through 16-11-127.2, is amended by revising paragraphs (12),
13 (12.1), and (12.2) of subsection (a) as follows:

14 "(12) State and federal judges, judges of Federal judges, Justices of the Supreme Court,
15 Judges of the Court of Appeals, judges of superior, state, probate, juvenile, and magistrate
16 courts, full-time judges of municipal and city courts, and permanent part-time judges of
17 municipal and city courts, and administrative law judges;

18 (12.1) Former ~~state and federal judges, judges of~~ federal judges, Justices of the Supreme
19 Court, Judges of the Court of Appeals, judges of superior, state, probate, juvenile, and
20 magistrate courts, full-time judges of municipal and city courts, and permanent part-time
21 judges of municipal courts, and administrative law judges who are retired from their
22 respective offices, provided that such judge or Justice would otherwise be qualified to be
23 issued a weapons carry license;

24 (12.2) Former ~~state and federal judges, judges of~~ federal judges, Justices of the Supreme
25 Court, Judges of the Court of Appeals, judges of superior, state, probate, juvenile, and
26

27 magistrate courts, full-time judges of municipal and city courts, ~~and~~ permanent part-time
 28 judges of municipal courts, and administrative law judges who are no longer serving in
 29 their respective office, provided that he or she served as such judge or Justice for more
 30 than 24 months; and provided, further, that such judge or Justice would otherwise be
 31 qualified to be issued a weapons carry license;"

32 **SECTION 2.**

33 Chapter 5 of Title 15 of the Official Code of Georgia Annotated, relating to administration
 34 of courts of record generally, is amended by revising paragraph (8) of Code Section 15-5-24,
 35 relating to duties of the Administrative Office of the Courts, as follows:

36 "(8) Perform such additional duties as may be assigned by the Judicial Council or by law;
 37 and"

38 **SECTION 3.**

39 Said chapter is further amended by adding a new article to read as follows:

40 "ARTICLE 2A

41 15-5-35.

42 Nothing in this article shall be construed to grant any additional privileges under the law,
 43 including, but not limited to, for the carrying of firearms. The issuance of a personal
 44 identification card under this article shall be construed as a representation of rights and
 45 privileges which exist elsewhere in the law.

46 15-5-36.

47 (a)(1) The Administrative Office of the Courts shall issue personal identification cards
 48 to each judge or Justice as provided for under paragraphs (12), (12.1), and (12.2) of
 49 subsection (a) of Code Section 16-11-130 who makes application to the Administrative
 50 Office of the Courts in accordance with rules and regulations prescribed by the
 51 Administrative Office of the Courts; provided, however, that it shall be permissible for
 52 a person elected or appointed as such judge or Justice to make application to the
 53 Administrative Office of the Courts upon his or her election or appointment but prior to
 54 his or her taking an oath. The Administrative Office of the Courts may work with
 55 judicial offices of the federal courts, the clerk of the Supreme Court, the clerk of the
 56 Court of Appeals, and the various councils of court judges as provided for under this title
 57 to facilitate the submission of applications or the surrender of personal identification
 58 cards under this article.

59 (2) When a judge or Justice is required to otherwise be qualified to be issued a weapons
60 carry license for the exemptions of Code Section 16-11-130 to apply to such judge or
61 Justice, the application of such judge or Justice to the Administrative Office of the Courts
62 under this article shall be accompanied by a verification of eligibility from the judge of
63 the probate court in the county of such judge's or Justice's domicile indicating that such
64 judge or Justice is otherwise qualified to be issued a weapons carry license. The judge
65 of the probate court shall base his or her verification of eligibility on a fingerprint based
66 criminal history records check from the Georgia Crime Information Center and the
67 Federal Bureau of Investigation and other information ordinarily required of applicants
68 for a weapons carry license.

69 (b)(1) Every personal identification card issued under this article shall incorporate overt
70 and covert security features which shall be blended with the personal data printed on such
71 identification card to form a significant barrier to imitation, replication, and duplication.
72 There shall be a minimum of three different ultraviolet colors used to enhance the
73 security of such identification card, incorporating variable data, color shifting
74 characteristics, and front edge only perimeter visibility. The personal identification card
75 shall have a color photograph viewable under ambient light on both the front and back
76 of such identification card. Such identification card shall incorporate custom optical
77 variable devices featuring the great seal of the State of Georgia as well as matching
78 demetalized optical variable devices viewable under ambient light from the front and
79 back of such identification card, incorporating microtext and unique alphanumeric
80 serialization specific to the cardholder. Such identification card shall be of similar
81 material, size, and thickness of a credit card and have a holographic laminate to secure
82 and protect such identification card for the duration of the personal identification card
83 period.

84 (2) Every personal identification card issued under this article shall include the following
85 information of the judge or Justice identified on the front of such identification card:

- 86 (A) A recent photograph;
87 (B) Full legal name;
88 (C) Address of residence;
89 (D) Birth date;
90 (E) Date such identification card was issued;
91 (F) Sex;
92 (G) Height;
93 (H) Weight;
94 (I) Eye color;
95 (J) His or her signature or facsimile thereof; and

96 (K) The term 'FEDERAL COURT JUDGE', 'FORMER FEDERAL COURT JUDGE',
 97 'SUPREME COURT JUSTICE', 'FORMER SUPREME COURT JUSTICE', 'COURT
 98 OF APPEALS JUDGE', 'FORMER COURT OF APPEALS JUDGE', 'SUPERIOR
 99 COURT JUDGE', 'FORMER SUPERIOR COURT JUDGE', 'STATE COURT
 100 JUDGE', 'FORMER STATE COURT JUDGE', 'PROBATE COURT JUDGE',
 101 'FORMER PROBATE COURT JUDGE', 'JUVENILE COURT JUDGE', 'FORMER
 102 JUVENILE COURT JUDGE', 'MAGISTRATE COURT JUDGE', 'FORMER
 103 MAGISTRATE COURT JUDGE', 'MUNICIPAL COURT JUDGE', 'FORMER
 104 MUNICIPAL COURT JUDGE', 'CITY COURT JUDGE', 'FORMER CITY COURT
 105 JUDGE', 'ADMINISTRATIVE LAW JUDGE', or 'FORMER ADMINISTRATIVE
 106 LAW JUDGE', or a coherent abbreviation of such terms, respectively, as the case may
 107 be, in distinctive, bold font.

108 The back of such identification card shall include the following: 'Pursuant to O.C.G.A.
 109 Section 16-11-130, the provisions of Code Sections 16-11-126 through 16-11-127.2
 110 pertaining to carrying a weapon and weapons offenses DO NOT apply to or affect the
 111 judge or Justice whose name, photograph, and signature appear upon the face of this
 112 card.'

113 (3) Every personal identification card issued under this article shall bear the signatures
 114 of the Chief Justice of the Supreme Court and the Governor and shall bear an
 115 identification card number.

116 (4) Using the physical characteristics of the license set forth in paragraphs (1)
 117 through (3) of this subsection, the Administrative Office of the Courts shall design, create
 118 specifications for, produce, and issue personal identification cards as provided for under
 119 this article.

120 (c) Every personal identification card issued under this article shall be valid for a period
 121 of four years and shall be renewable for as long as such person meets the qualifications of
 122 paragraph (12), (12.1), or (12.2) of subsection (a) of Code Section 16-11-130; provided,
 123 however, that upon such person becoming a former judge or Justice, he or she shall
 124 surrender the personal identification card that designates him or her as a judge or Justice
 125 and may submit an application for a personal identification card which shall reflect his or
 126 her status as a former judge or Justice.

127 (d) The Administrative Office of the Courts shall require appropriate documentation from
 128 judges or Justices, and provide for any further design of the personal identification card
 129 under this article, such that, to the extent practicable while meeting requirements under this
 130 article, such personal identification card may meet the requirements of acceptable
 131 identification by the Transportation Security Administration of the United States
 132 Department of Homeland Security.

133 15-5-37.

134 (a) The Administrative Office of the Courts shall collect a fee as determined by the
135 Judicial Council for any issuance of a personal identification card under this article;
136 provided, however, that such fee shall not be less than the cost to the Administrative Office
137 of the Courts of producing such personal identification cards.

138 (b)(1) Every personal identification card issued under this article shall be renewed on or
139 before its expiration upon application and payment of the required fee as provided for
140 under subsection (a) of this Code section.

141 (2) Any replacement of a personal identification card issued under this article for any
142 purpose, including, but not limited to, loss or change of the cardholder's name or address,
143 shall be subject to the payment of the required fee as provided for under subsection (a)
144 of this Code section; provided, however, that such replacement of a personal
145 identification card shall be valid only for the remaining period for which the personal
146 identification card being replaced was originally issued."

147 **SECTION 4.**

148 This Act shall become effective on November 1, 2016.

149 **SECTION 5.**

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