

The House Committee on Public Safety and Homeland Security offers 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 Title 15 of the Official Code of Georgia Annotated, relating to courts, so as to provide for  
5 the issuance of personal identification cards to certain judges and Justices of the federal and  
6 state judiciary who are exempt from various weapons carry laws and prohibitions; to provide  
7 for duties of the judges of the probate court and The Council of Probate Court Judges of  
8 Georgia with regard to such personal identification cards; to provide for rules and  
9 regulations; to provide for fees; 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 style="text-align:center">**SECTION 1.**

13 Code Section 16-11-130 of the Official Code of Georgia Annotated, relating to exemptions  
14 from Code Sections 16-11-126 through 16-11-127.2, is amended by revising paragraphs (12),  
15 (12.1), and (12.2) of subsection (a) as follows:

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

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

26 (12.2) Former ~~state and federal judges, judges of federal judges, Justices of the Supreme~~  
 27 Court, Judges of the Court of Appeals, judges of superior, state, probate, juvenile, and  
 28 magistrate courts, full-time judges of municipal and city courts, and permanent part-time  
 29 judges of municipal courts, and administrative law judges who are no longer serving in  
 30 their respective office, provided that he or she served as such judge or Justice for more  
 31 than 24 months; and provided, further, that such judge or Justice would otherwise be  
 32 qualified to be issued a weapons carry license;"

33 **SECTION 2.**

34 Title 15 of the Official Code of Georgia Annotated, relating to courts, is amended by adding  
 35 a new paragraph to subsection (k) of Code Section 15-9-60, relating to fees, to read as  
 36 follows:

37 "(13.1) For issuance of personal identification cards to judges or Justices  
 38 The fee shall be determined by The Council of Probate Court Judges of  
 39 Georgia pursuant to Code Section 15-25-3."

40 **SECTION 3.**

41 Said title is further amended by adding a new chapter to read as follows:

42 "CHAPTER 25

43 15-25-1.

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

48 15-25-2.

49 (a)(1) The judge of the probate court of each county shall issue personal identification  
 50 cards to each judge or Justice as provided for under paragraphs (12), (12.1), and (12.2)  
 51 of subsection (a) of Code Section 16-11-130 who makes application to the judge of the  
 52 probate court in the county of his or her domicile in accordance with rules and regulations  
 53 prescribed by The Council of Probate Court Judges of Georgia; provided, however, that  
 54 it shall be permissible for a person elected or appointed as such judge or Justice to make  
 55 application to the judge of the probate court upon his or her election or appointment but  
 56 prior to his or her taking an oath for the issuance of such personal identification card upon  
 57 taking oath; and provided, further, that a judge of the probate court shall make application

58 to the judge of the probate court of a neighboring county of his or her domicile for the  
59 issuance of a personal identification card to himself or herself. The Council of Probate  
60 Court Judges of Georgia may work with judicial offices of the federal courts, the clerk  
61 of the Supreme Court, the clerk of the Court of Appeals, and the various other councils  
62 of court judges as provided for under this title to facilitate the submission of applications  
63 or the surrender of personal identification cards under this chapter.

64 (2) When a judge or Justice is required to otherwise be qualified to be issued a weapons  
65 carry license for the exemptions of Code Section 16-11-130 to apply to such judge or  
66 Justice, the judge of the probate court shall verify such qualifications of such judge or  
67 Justice and shall base his or her verification of qualifications on a fingerprint based  
68 criminal history records check from the Georgia Crime Information Center and the  
69 Federal Bureau of Investigation and other information ordinarily required of applicants  
70 for a weapons carry license.

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

86 (2) Every personal identification card issued under this chapter shall include the  
87 following information of the judge or Justice identified on the front of such identification  
88 card:

- 89 (A) A recent photograph;  
90 (B) Full legal name;  
91 (C) Address of residence;  
92 (D) Birth date;  
93 (E) Date such identification card was issued;  
94 (F) Sex;

95 (G) Height;

96 (H) Weight;

97 (I) Eye color;

98 (J) His or her signature or facsimile thereof; and

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

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

116 (3) Every personal identification card issued under this chapter shall bear the signatures  
 117 of the Chief Justice of the Supreme Court and the Governor and shall bear an  
 118 identification card number.

119 (4) Using the physical characteristics of the license set forth in paragraphs (1)  
 120 through (3) of this subsection, The Council of Probate Court Judges of Georgia shall  
 121 design, create specifications for, produce, and issue personal identification cards as  
 122 provided for under this chapter.

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

130 (d) The Council of Probate Court Judges of Georgia shall require appropriate  
 131 documentation from judges or Justices, and provide for any further design of the personal

132 identification card under this chapter, such that, to the extent practicable while meeting  
133 requirements under this chapter, such personal identification card may meet the  
134 requirements of acceptable identification by the Transportation Security Administration of  
135 the United States Department of Homeland Security.

136 15-25-3.

137 (a) The judge of the probate court shall collect a fee as determined by The Council of  
138 Probate Court Judges of Georgia for any issuance of a personal identification card under  
139 this chapter; provided, however, that such fee shall not be less than the cost of producing  
140 such personal identification cards.

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

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

150 **SECTION 4.**

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