

COMMITTEES OF CONFERENCE SUBSTITUTE TO HB 280

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 authorize the carrying and
 3 possession of handguns in certain manners by weapons carry license holders in certain
 4 buildings or on real property owned by or leased to public institutions of postsecondary
 5 education; to provide for exceptions; to revise criminal penalties for violations; to provide
 6 for definitions; to provide for related matters; to repeal conflicting laws; and for other
 7 purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

9 Part 3 of Article 4 of Chapter 11 of Title 16 of the Official Code of Georgia Annotated,
 10 relating to carrying and possession of firearms, is amended in Code Section 16-11-127.1,
 11 relating to carrying weapons within school safety zones, at school functions, or on a bus or
 12 other transportation furnished by a school, by revising paragraph (2) of subsection (b) and
 13 by revising subsection (c) by deleting "or" at the end of paragraph (18), by replacing the
 14 period with "; or" at the end of paragraph (19), and by adding a new paragraph to read as
 15 follows:
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17 "(2) Except as provided for in paragraph (20) of subsection (c) of this Code section, any
 18 Any license holder who violates this subsection shall be guilty of a misdemeanor. Any
 19 person who is not a license holder who violates this subsection shall be guilty of a felony
 20 and, upon conviction thereof, be punished by a fine of not more than \$10,000.00, by
 21 imprisonment for not less than two nor more than ten years, or both."

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

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

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

30 (iii) Not apply to any room or space being used for classes related to a college and
31 career academy or other specialized school as provided for under Code Section
32 20-4-37;

33 (iv) Not apply to any room or space being used for classes in which high school
34 students are enrolled through a dual enrollment program, including, but not limited
35 to, classes related to the 'Move on When Ready Act' as provided for under Code
36 Section 20-2-161.3;

37 (v) Not apply to faculty, staff, or administrative offices or rooms where disciplinary
38 proceedings are conducted;

39 (vi) Only apply to the carrying of handguns which a licensee is licensed to carry
40 pursuant to subsection (e) of Code Section 16-11-126 and pursuant to Code Section
41 16-11-129; and

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

43 (B) Any weapons carry license holder who carries a handgun in a manner or in a
44 building, property, room, or space in violation of this paragraph shall be guilty of a
45 misdemeanor; provided, however, that for a conviction of a first offense, such weapons
46 carry license holder shall be punished by a fine of \$25.00 and not be sentenced to serve
47 any term of confinement.

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

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

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

