

House Bill 286

By: Representatives Clark of the 147th, Powell of the 32nd, Lumsden of the 12th, Jasperse of the 11th, Williamson of the 115th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Part 1 of Article 1 of Chapter 3 of Title 12, Title 16, and Title 27 of the Official
2 Code of Georgia Annotated, relating to general provisions regarding parks, historic areas,
3 memorials, and recreation, crimes and offenses, and game and fish, respectively, so as to
4 allow persons who are eligible for a weapons carry license to lawfully carry a weapon
5 without such license; to revise definitions; to provide for a class of persons who are eligible
6 for a weapons carry license; to revise the offense of carrying a weapon without a license and
7 provide for the offense of carrying a weapon without eligibility to carry a weapon; to revise
8 provisions related to carrying weapons to account for the class of persons who are eligible
9 for a weapons carry license; to provide that a weapons carry license shall serve as an
10 administrative confirmation of a person's right to carry a weapon; to provide for related
11 matters; to repeal conflicting laws; and for other purposes.

12 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

13 style="text-align:center">**SECTION 1.**

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

19 "(3) It shall be unlawful for any person to use or possess in any park, historic site, or
20 recreational area any handgun without a valid weapons carry license ~~or being eligible for~~
21 a weapons carry license issued pursuant to Code Section 16-11-129. As used in this
22 paragraph, the terms 'eligible for a weapons carry license' and 'weapons carry license'
23 shall have the same meanings as provided for in subsections (.1) and (6) of Code Section
24 16-11-125.1, respectively."

25 **SECTION 2.**

26 Title 16 of the Official Code of Georgia Annotated, relating to crimes and offenses, is
 27 amended in Code Section 16-11-125.1, relating to definitions, by adding a new paragraph to
 28 read as follows:

29 "(1) 'Eligible for a weapons carry license' means a person who meets the qualifications
 30 described in subparagraphs (b)(2)(A) through (b)(2)(F) and subparagraphs (b)(2)(H)
 31 through (b)(2)(L) of Code Section 16-11-129 to be eligible to have issued to himself or
 32 herself a weapons carry license and who has not had a weapons carry license revoked
 33 within the prior three years as measured from the date of the last revocation."

34 **SECTION 3.**

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

38 "16-11-126.

39 (a) Any person who is otherwise not prohibited by law from possessing a handgun or long
 40 gun may have or carry on his or her person a weapon or long gun on his or her property or
 41 inside his or her home, motor vehicle, or place of business without a valid weapons carry
 42 license or being eligible for a weapons carry license.

43 (b) Any person who is otherwise not prohibited by law from possessing a handgun or long
 44 gun may have or carry on his or her person a long gun without a valid weapons carry
 45 license or being eligible for a weapons carry license, provided that if the long gun is
 46 loaded, it shall only be carried in an open and fully exposed manner.

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

49 (d) Any person who is not prohibited by law from possessing a handgun or long gun who
 50 is eligible for a weapons carry license may transport a handgun or long gun in any private
 51 passenger motor vehicle; provided, however, that private property owners or persons in
 52 legal control of private property through a lease, rental agreement, licensing agreement,
 53 contract, or any other agreement to control access to such private property shall have the
 54 right to exclude or eject a person who is in possession of a weapon or long gun on their
 55 private property in accordance with paragraph (3) of subsection (b) of Code Section
 56 16-7-21, except as provided in Code Section 16-11-135.

57 (e) Any person licensed to carry a handgun or weapon in any other state whose laws
 58 recognize and give effect to a license issued pursuant to this part shall be authorized to
 59 carry a weapon in this state, but only while the licensee is not a resident of this state;

60 provided, however, that such licensee shall carry the weapon in compliance with the laws
61 of this state.

62 (f) Any person with a valid hunting or fishing license on his or her person, or any person
63 not required by law to have a hunting or fishing license, who is engaged in legal hunting,
64 fishing, or sport shooting when the person has the permission of the owner of the land on
65 which the activities are being conducted may have or carry on his or her person a handgun
66 or long gun without a valid weapons carry license while hunting, fishing, or engaging in
67 sport shooting.

68 (g) Notwithstanding Code Sections 12-3-10, 27-3-1.1, 27-3-6, and 16-12-122 through
69 16-12-127, any person with a valid weapons carry license or eligible for a weapons carry
70 license may carry a weapon in all parks, historic sites, or recreational areas, as such term
71 is defined in Code Section 12-3-10, including all publicly owned buildings located in such
72 parks, historic sites, and recreational areas, in wildlife management areas, and on public
73 transportation; provided, however, that a person shall not carry a handgun into a place
74 where it is prohibited by federal law.

75 (h)(1) No person shall carry a weapon without a valid weapons carry license unless he
76 or she meets one of the exceptions to having such license as provided in subsections (a)
77 through (g) of this Code section or is eligible for a weapons carry license.

78 (2) A person commits the offense of carrying a weapon without a license or eligibility
79 to carry a weapon when he or she violates the provisions of paragraph (1) of this
80 subsection.

81 (i) Except as provided for in Code Sections 16-11-127.1 and 16-11-127.2, upon ~~Upon~~
82 conviction of the offense of carrying a weapon without a valid weapons carry license or
83 eligibility to carry a weapon, a person shall be punished as follows:

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

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

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

92 **SECTION 4.**

93 Said title is further amended in Code Section 16-11-127, relating to carrying weapons in
94 unauthorized locations, by revising subsections (b) through (e) as follows:

95 "(b) Except as provided in Code Section 16-11-127.1 and subsection (d) or (e) of this Code
 96 section, a person shall be guilty of carrying a weapon or long gun in an unauthorized
 97 location and punished as ~~for a misdemeanor~~ provided for in subsection (i) of Code Section
 98 16-11-126 when he or she carries a weapon or long gun while:

99 (1) In a government building as a ~~nonlicense holder~~ nonweapons carry license holder or
 100 person not eligible for a weapons carry license;

101 (2) In a courthouse;

102 (3) In a jail or prison;

103 (4) In a place of worship, unless the governing body or authority of the place of worship
 104 permits the carrying of weapons or long guns by weapons carry license holders and
 105 persons eligible for a weapons carry license;

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

111 (6) On the premises of a nuclear power facility, except as provided in Code Section
 112 16-11-127.2, and the punishment provisions of Code Section 16-11-127.2 shall supersede
 113 the punishment provisions of this Code section; or

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

117 (c) A weapons carry license holder or person who is eligible for a weapons carry license
 118 or recognized under subsection (e) of Code Section 16-11-126 shall be authorized to carry
 119 a weapon as provided in Code Section 16-11-135 and in every location in this state not
 120 listed in subsection (b) or prohibited by subsection (e) of this Code section; provided,
 121 however, that private property owners or persons in legal control of private property
 122 through a lease, rental agreement, licensing agreement, contract, or any other agreement
 123 to control access to such private property shall have the right to exclude or eject a person
 124 who is in possession of a weapon or long gun on their private property in accordance with
 125 paragraph (3) of subsection (b) of Code Section 16-7-21, except as provided in Code
 126 Section 16-11-135. A violation of subsection (b) of this Code section shall not create or
 127 give rise to a civil action for damages.

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

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

132 (2) To a weapons carry license holder or person who is eligible for a weapons carry
 133 license who approaches security or management personnel upon arrival at a location
 134 described in subsection (b) of this Code section and notifies such security or management
 135 personnel of the presence of the weapon or long gun and explicitly follows the security
 136 or management personnel's direction for removing, securing, storing, or temporarily
 137 surrendering such weapon or long gun; and

138 (3) To a weapon or long gun possessed by a weapons carry license holder or person who
 139 is eligible for a weapons carry license which is under the possessor's control in a motor
 140 vehicle or is in a locked compartment of a motor vehicle or one which is in a locked
 141 container in or a locked firearms rack which is on a motor vehicle and such vehicle is
 142 parked in a parking facility.

143 (e)(1) A weapons carry license holder or person who is eligible for a weapons carry
 144 license shall be authorized to carry a weapon in a government building when the
 145 government building is open for business and where ingress into such building is not
 146 restricted or screened by security personnel. A weapons carry license holder or person
 147 who is eligible for a weapons carry license who enters or attempts to enter a government
 148 building carrying a weapon where ingress is restricted or screened by security personnel
 149 shall be guilty of a misdemeanor if at least one member of such security personnel is
 150 certified as a peace officer pursuant to Chapter 8 of Title 35; provided, however, that a
 151 weapons carry license holder or person who is eligible for a weapons carry license who
 152 immediately exits such building or immediately leaves such location upon notification
 153 of his or her failure to clear security due to the carrying of a weapon shall not be guilty
 154 of violating this subsection or paragraph (1) of subsection (b) of this Code section. A
 155 person who is not a weapons carry license holder or is not eligible for a weapons carry
 156 license and who attempts to enter a government building carrying a weapon shall be
 157 guilty of a ~~misdemeanor~~ violating subsection (h) of Code Section 16-11-126.

158 (2) Any weapons carry license holder or person who is eligible for a weapons carry
 159 license who violates subsection (b) of this Code section in a place of worship shall not
 160 be arrested but shall be fined not more than \$100.00. Any person who is not a weapons
 161 carry license holder or who is not eligible for a weapons carry license who violates
 162 subsection (b) of this Code section in a place of worship shall be punished as for a
 163 ~~misdemeanor~~ violating subsection (h) of Code Section 16-11-126."

164 **SECTION 5.**

165 Said title is further amended in Code Section 16-11-127.1, relating to carrying weapons
 166 within school safety zones, at school functions, or on a bus or other transportation furnished

167 by a school, by revising paragraph (2) of subsection (b) and paragraph (8) of subsection (c),
 168 as follows:

169 "(2) Any weapons carry license holder or person eligible for a weapons carry license who
 170 violates this subsection shall be guilty of a misdemeanor. Any person who is not a
 171 license holder or not eligible for a weapons carry license who violates this subsection
 172 shall be guilty of a felony and, upon conviction thereof, be punished by a fine of not more
 173 than \$10,000.00, by imprisonment for not less than two nor more than ten years, or both."

174 "(8) A weapon possessed by a weapons carry license holder or person eligible for a
 175 weapons carry license which is under the possessor's control in a motor vehicle or which
 176 is in a locked compartment of a motor vehicle or one which is in a locked container ~~in~~ or
 177 in a locked firearms rack which is on a motor vehicle which is being used by an adult
 178 over 21 years of age to bring to or pick up a student within a school safety zone, at a
 179 school function, or on a bus or other transportation furnished by a school, or when such
 180 vehicle is used to transport someone to an activity being conducted within a school safety
 181 zone which has been authorized by a duly authorized official or local board of education
 182 as provided by paragraph (6) of this subsection; provided, however, that this exception
 183 shall not apply to a student attending a public or private elementary or secondary school;"

184

SECTION 6.

185 Said title is further amended in Code Section 16-11-129, relating to weapons carry license,
 186 temporary renewal permit, mandamus, and verification of license, by revising subsections
 187 (a) and (b.1) as follows:

188 "(a) **Application for weapons carry license or renewal license; term.** The judge of the
 189 probate court of each county shall, on application under oath, on payment of a fee of
 190 \$30.00, and on investigation of applicant pursuant to subsections (b) and (d) of this Code
 191 section, issue a weapons carry license or renewal license valid for a period of five years
 192 to any person whose domicile is in that county or who is on active duty with the United
 193 States armed forces and who is not a domiciliary of this state but who either resides in
 194 that county or on a military reservation located in whole or in part in that county at the
 195 time of such application. Such license or renewal license shall ~~authorize that person~~
 196 serve as administrative confirmation of that person's right to carry any weapon in any
 197 county of this state ~~notwithstanding any change in that person's county of residence or~~
 198 ~~state of domicile~~. Applicants shall submit the application for a weapons carry license or
 199 renewal license to the judge of the probate court on forms prescribed and furnished free
 200 of charge to persons wishing to apply for the license or renewal license. An application
 201 shall be considered to be for a renewal license if the applicant has a weapons carry license
 202 or renewal license with 90 or fewer days remaining before the expiration of such weapons

203 carry license or renewal license or 30 or fewer days since the expiration of such weapons
 204 carry license or renewal license regardless of the county of issuance of the applicant's
 205 expired or expiring weapons carry license or renewal license. An applicant who is not
 206 a United States citizen shall provide sufficient personal identifying data, including
 207 without limitation his or her place of birth and United States issued alien or admission
 208 number, as the Georgia Bureau of Investigation may prescribe by rule or regulation. An
 209 applicant who is in nonimmigrant status shall provide proof of his or her qualifications
 210 for an exception to the federal firearm prohibition pursuant to 18 U.S.C. Section 922(y).
 211 Forms shall be designed to elicit information from the applicant pertinent to his or her
 212 eligibility under this Code section, including citizenship, but shall not require data which
 213 is nonpertinent or irrelevant, such as serial numbers or other identification capable of
 214 being used as a de facto registration of firearms owned by the applicant. The Department
 215 of Public Safety shall furnish application forms and license forms required by this Code
 216 section. The forms shall be furnished to each judge of each probate court within this state
 217 at no cost."

218 **"(b.1) Petitions for relief from certain licensing and eligibility exceptions.**

219 (1) Persons provided for under subparagraphs (b)(2)(J), (b)(2)(K), and (b)(2)(L) of this
 220 Code section may petition the court in which such adjudication, hospitalization, or
 221 treatment proceedings, if any, under Chapter 3 or 7 of Title 37 occurred for relief. A
 222 copy of such petition for relief shall be served as notice upon the opposing civil party or
 223 the prosecuting attorney for the state, as the case may be, or their successors, who
 224 appeared in the underlying case. Within 30 days of the receipt of such petition, such
 225 court shall hold a hearing on such petition for relief. Such prosecuting attorney for the
 226 state may represent the interests of the state at such hearing.

227 (2) At the hearing provided for under paragraph (1) of this subsection, the court shall
 228 receive and consider evidence in a closed proceeding concerning:

229 (A) The circumstances which caused the person to be subject to subparagraph (b)(2)(J),
 230 (b)(2)(K), or (b)(2)(L) of this Code section;

231 (B) The person's mental health and criminal history records, if any. The judge of such
 232 court may require any such person to sign a waiver authorizing the superintendent of
 233 any mental hospital or treatment center to make to the judge a recommendation
 234 regarding whether such person is a threat to the safety of others. When such a waiver
 235 is required by the judge, the applicant shall pay a fee of \$3.00 for reimbursement of the
 236 cost of making such a report by the mental health hospital, alcohol or drug treatment
 237 center, or the Department of Behavioral Health and Developmental Disabilities, which
 238 the judge shall remit to the hospital, center, or department;

239 (C) The person's reputation which shall be established through character witness
240 statements, testimony, or other character evidence; and

241 (D) Changes in the person's condition or circumstances since such adjudication,
242 hospitalization, or treatment proceedings under Chapter 3 or 7 of Title 37.

243 The judge shall issue an order of his or her decision no later than 30 days after the
244 hearing.

245 (3) The court shall grant the petition for relief if such court finds by a preponderance of
246 the evidence that the person will not likely act in a manner dangerous to public safety in
247 carrying a weapon and that granting the relief will not be contrary to the public interest.

248 A record shall be kept of the hearing; provided, however, that such records shall remain
249 confidential and be disclosed only to a court or to the parties in the event of an appeal.

250 Any appeal of the court's ruling on the petition for relief shall be de novo review.

251 (4) If the court grants such person's petition for relief, the applicable subparagraph
252 (b)(2)(J), (b)(2)(K), or (b)(2)(L) of this Code section shall not apply to such person in his
253 or her application for a weapons carry license or renewal or eligibility to carry a weapon;
254 provided, however, that such person shall comply with all other requirements for the
255 issuance of a weapons carry license or renewal license or eligibility to carry a weapon.

256 The clerk of such court shall report such order to the Georgia Crime Information Center
257 immediately, but in no case later than ten business days after the date of such order.

258 (5) A person may petition for relief under this subsection not more than once every two
259 years. In the case of a person who has been hospitalized as an inpatient, such person shall
260 not petition for relief prior to being discharged from such treatment."

261 **SECTION 7.**

262 Said title is further amended by revising Code Section 16-11-137, relating to required
263 possession of weapons carry license, proof of exemption when carrying a weapon, and
264 detention for investigating of carrying permit, as follows:

265 "16-11-137.

266 (a) ~~Every license holder shall have his or her valid weapons carry license in his or her~~
267 ~~immediate possession at all times when carrying a weapon, or if such person is exempt~~
268 ~~from having a weapons carry license pursuant to Code Section 16-11-130 or subsection (c)~~
269 ~~of Code Section 16-11-127.1, he or she~~ person provided for in Code Section 16-11-130
270 shall have proof of his or her exemption in his or her immediate possession at all times
271 when carrying a weapon; and his or her failure to do so shall be prima-facie evidence of a
272 violation of ~~the applicable provision of Code Sections 16-11-126 through 16-11-127.2~~ this
273 Code section.

274 (b) A person carrying a weapon shall not be subject to detention for the sole purpose of
 275 investigating whether such person has a weapons carry license or is eligible for a weapons
 276 carry license.

277 (c) A person convicted of a violation of this Code section shall be fined not more than
 278 \$10.00 if he or she produces in court his or her ~~weapons carry license, provided that it was~~
 279 ~~valid at the time of his or her arrest, or produces~~ proof of his or her exemption provided for
 280 under Code Section 16-11-130."

281 **SECTION 8.**

282 Said title is further amended in Code Section 16-12-123, relating to bus or rail vehicle
 283 hijacking, boarding with concealed weapon, and company use of reasonable security
 284 measures, by revising subsection (b) as follows:

285 "(b) Any person who boards or attempts to board an aircraft, bus, or rail vehicle with any
 286 explosive, destructive device, or hoax device as such term is defined in Code Section
 287 16-7-80; firearm for which such person is not eligible for a weapons carry license or does
 288 not have on his or her person a valid weapons carry license ~~issued pursuant to Code Section~~
 289 ~~16-11-129~~ unless possessing such firearm is prohibited by federal law; hazardous substance
 290 as defined by Code Section 12-8-92; or knife or other device designed or modified for the
 291 purpose of offense and defense concealed on or about his or her person or property which
 292 is or would be accessible to such person while on the aircraft, bus, or rail vehicle shall be
 293 guilty of a felony and, upon conviction thereof, shall be sentenced to imprisonment for not
 294 less than one nor more than ten years. The prohibition of this subsection shall not apply
 295 to any law enforcement officer, peace officer retired from a state or federal law
 296 enforcement agency, person in the military service of the state or of the United States, or
 297 commercial security personnel employed by the transportation company who is in
 298 possession of weapons used within the course and scope of employment; nor shall the
 299 prohibition apply to persons transporting weapons contained in baggage which is not
 300 accessible to passengers if the presence of such weapons has been declared to the
 301 transportation company and such weapons have been secured in a manner prescribed by
 302 state or federal law or regulation for the purpose of transportation or shipment. The
 303 provisions of this subsection shall not apply to any privately owned aircraft, bus, or rail
 304 vehicle if the owner of such aircraft or vehicle has given his or her express permission to
 305 board the aircraft or vehicle with the item. As used in this subsection, the terms 'eligible
 306 for a weapons carry license' and 'weapons carry license' shall have the same meanings as
 307 provided for in subsections (.1) and (6) of Code Section 16-11-125.1, respectively."

308

SECTION 9.

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

312 "(a) It shall be unlawful for any person, with the intention of avoiding or interfering with
 313 a security measure or of introducing into a terminal any explosive, destructive device, or
 314 hoax device as defined in Code Section 16-7-80; firearm ~~for which such person does not~~
 315 ~~have on his or her person a valid weapons carry license issued pursuant to Code Section~~
 316 ~~16-11-129~~ if such person is not a weapons carry license holder or eligible for a weapons
 317 carry license unless possessing such firearm is prohibited by federal law; hazardous
 318 substance as defined by Code Section 12-8-92; or knife or other device designed or
 319 modified for the purpose of offense and defense, to:

- 320 (1) Have any such item on or about his or her person, or
 321 (2) Place or cause to be placed or attempt to place or cause to be placed any such item:
 322 (A) In a container or freight of a transportation company;
 323 (B) In the baggage or possessions of any person or any transportation company without
 324 the knowledge of the passenger or transportation company; or
 325 (C) Aboard such aircraft, bus, or rail vehicle.

326 As used in this subsection, the term 'eligible for a weapons carry license' and 'weapons
 327 carry license' shall have the same meanings as provided for in subsections (.1) and (6) of
 328 Code Section 16-11-125.1, respectively."

329

SECTION 10.

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

333 "(1) To possess a firearm other than a handgun, as such term is defined in Code Section
 334 16-11-125.1, during a closed hunting season for that area unless such firearm is unloaded
 335 and stored in a motor vehicle so as not to be readily accessible or to possess a handgun
 336 during a closed hunting season for that area unless such person possesses a valid weapons
 337 carry license issued pursuant to Code Section 16-11-129 or is eligible for a weapons carry
 338 license, as such term is defined in Code Section 16-11-125.1;

339 (2) To possess a loaded firearm other than a handgun, as such term is defined in Code
 340 Section 16-11-125.1, in a motor vehicle during a legal open hunting season for that area
 341 or to possess a loaded handgun in a motor vehicle during a legal open hunting season for
 342 that area unless such person possesses a valid weapons carry license issued pursuant to

343 Code Section 16-11-129 or is eligible for a weapons carry license, as such term is defined
 344 in Code Section 16-11-125.1;"

345 **SECTION 11.**

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

348 "27-3-6.

349 It shall be unlawful for any person to possess any center-fire or rimfire firearm other than
 350 a handgun, as such term is defined in Code Section 16-11-125.1, while hunting with a bow
 351 and arrow during archery or primitive weapons season for deer or while hunting with a
 352 muzzleloading firearm during a primitive weapons season for deer or to possess a loaded
 353 handgun while hunting with a bow and arrow during archery or primitive weapons season
 354 for deer or while hunting with a muzzleloading firearm during primitive weapons season
 355 for deer unless such person possesses a valid weapons carry license issued pursuant to
 356 Code Section 16-11-129 or is eligible for a weapons carry license, as such term is defined
 357 in Code Section 16-11-125.1."

358 **SECTION 12.**

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

362 "(1) To possess a firearm other than a handgun, as such term is defined in Code Section
 363 16-11-125.1, during a closed hunting season for that area unless such firearm is unloaded
 364 and stored in a motor vehicle so as not to be readily accessible or to possess a handgun
 365 during a closed hunting season for that area unless such person possesses a valid weapons
 366 carry license issued pursuant to Code Section 16-11-129 or is eligible for a weapons carry
 367 license, as such term is defined in Code Section 16-11-125.1;

368 (2) To possess a loaded firearm other than a handgun, as such term is defined in Code
 369 Section 16-11-125.1, in a motor vehicle during a legal open hunting season for that area
 370 or to possess a loaded handgun in a motor vehicle during a legal open hunting season for
 371 that area unless such person possesses a valid weapons carry license issued pursuant to
 372 Code Section 16-11-129 or is eligible for a weapons carry license, as such term is defined
 373 in Code Section 16-11-125.1; or"

374 **SECTION 13.**

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