

House Bill 296

By: Representative Marin of the 96th

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 16-11-129 of the Official Code of Georgia Annotated, relating to
2 weapons carry license, gun safety information, temporary renewal permit, mandamus, and
3 verification of license, so as to provide for a firearms safety training course for certain
4 persons making application for a weapons carry license or renewal license; to provide for a
5 definition; to provide for related matters; to provide an effective date; to repeal conflicting
6 laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Code Section 16-11-129 of the Official Code of Georgia Annotated, relating to weapons
10 carry license, gun safety information, temporary renewal permit, mandamus, and verification
11 of license, is amended by revising subsection (a) as follows:

12 **"(a) Application for weapons carry license or renewal license; term.**

13 (1) Except in paragraph (4) of subsection (i) of this Code section, as used in this Code
14 section, the term 'person' means an individual.

15 (2) The judge of the probate court of each county shall, on application under oath, on
16 payment of a fee of \$30.00, on demonstration of completion of a firearms safety training

17 course as provided for under paragraph (3) of this subsection, and on investigation of the
18 applicant pursuant to subsections (b) and (d) of this Code section, issue a weapons carry
19 license or renewal license valid for a period of five years to any person whose domicile
20 is in that county or who is on active duty with the United States armed forces and who
21 is not a domiciliary of this state but who either resides in that county or on a military
22 reservation located in whole or in part in that county at the time of such application. Such
23 license or renewal license shall authorize that person to carry any weapon in any county
24 of this state notwithstanding any change in that person's county of residence or state of
25 domicile.

26 ~~(2)~~(3)(A) As used in this paragraph, the term 'service member' means an active duty
27 member of the regular or reserve component of the United States Army, United States
28 Navy, United States Marine Corps, United States Coast Guard, United States Air Force,
29 United States National Guard, Georgia Army National Guard, or Georgia Air National
30 Guard.

31 (B) Any service member whose weapons carry license or renewal license expired while
32 such service member was serving on active duty outside this state shall be authorized
33 to carry any weapon in accordance with such expired license for a period of six months
34 from the date of his or her discharge from active duty or reassignment to a location
35 within this state. When carrying a weapon pursuant to Code Section 16-11-137, the
36 service member shall also have in his or her immediate possession a copy of the official
37 military orders or a written verification signed by such service member's commanding
38 officer which shall evidence that such service member is authorized to carry any
39 weapon in accordance with such expired license for a period of six months from the
40 date of his or her discharge from active duty or reassignment to a location within this
41 state.

42 ~~(3)~~(4)(A) Applicants shall submit the application for a weapons carry license or
43 renewal license to the judge of the probate court on forms prescribed and furnished free
44 of charge to persons wishing to apply for the license or renewal license.

45 (B)(i) An application shall be considered to be for a renewal license if the applicant
46 has a weapons carry license or renewal license with 90 or fewer days remaining
47 before the expiration of such weapons carry license or renewal license or 30 or fewer
48 days since the expiration of such weapons carry license or renewal license regardless
49 of the county of issuance of the applicant's expired or expiring weapons carry license
50 or renewal license.

51 (ii) An application of any service member whose weapons carry license or renewal
52 license expired while such service member was serving on active duty outside this
53 state shall be considered to be for a renewal license if such service member applies
54 within six months from the date of his or her discharge from active duty or
55 reassignment to a location within this state as provided for in a copy of such service
56 member's official military orders or a written verification signed by such service
57 member's commanding officer as provided by the service member.

58 (iii) An applicant who is not a United States citizen shall provide sufficient personal
59 identifying data, including without limitation his or her place of birth and United
60 States issued alien or admission number, as the Georgia Bureau of Investigation may
61 prescribe by rule or regulation. An applicant who is in nonimmigrant status shall
62 provide proof of his or her qualifications for an exception to the federal firearm
63 prohibition pursuant to 18 U.S.C. Section 922(y). Forms shall be designed to elicit
64 information from the applicant pertinent to his or her eligibility under this Code
65 section, including citizenship, but shall not require data which is nonpertinent or
66 irrelevant, such as serial numbers or other identification capable of being used as a de
67 facto registration of firearms owned by the applicant. The Department of Public
68 Safety shall furnish application forms and license forms required by this Code section.

69 The forms shall be furnished to each judge of each probate court within this state at
70 no cost.

71 (5) An applicant shall demonstrate completion of a firearms safety training course within
72 three years prior to the date of the application for a license under this Code section. An
73 applicant may satisfy such training requirement by:

74 (A) Submitting proof that he or she is a peace officer, as such term is defined in Code
75 Section 35-8-2;

76 (B) Submitting proof that he or she is serving on active duty with the United States
77 armed forces;

78 (C) Submitting proof that he or she is serving in the reserve component of the United
79 States armed forces or Georgia National Guard;

80 (D) Submitting proof that he or she is a firearms safety instructor certified by the
81 National Rifle Association holding a rating as a personal protection instructor or pistol
82 marksmanship instructor; or

83 (E) Submitting proof of having received basic firearms instruction provided by a law
84 enforcement officer, a nationally recognized organization that promotes gun safety, or
85 a licensed firearms dealer. Such training shall include instruction on the features of a
86 handgun and a brief explanation of the loading, firing, and unloading of the weapon;
87 provided, however, that live firing shall not be required. Proof of such training shall
88 be a notarized affidavit signed by the person providing the instruction with his or her
89 address and position and an identifying number, such as a badge number, a firearms
90 dealer license number, or a certificate of training issued by a national organization that
91 promotes gun safety."

92 **SECTION 2.**

93 This Act shall become effective on January 1, 2022.

94

SECTION 3.

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