

Senate Bill 581

By: Senators Harrell of the 40th, Orrock of the 36th, Jackson of the 41st, Esteves of the 6th and Parent of the 42nd

A BILL TO BE ENTITLED  
AN ACT

1 To amend Code Section 16-11-127.1 of the Official Code of Georgia Annotated, relating to  
2 carrying weapons within school safety zones, at school functions, or on a bus or other  
3 transportation furnished by a school, so as to provide for the election by a postsecondary  
4 education institution to allow concealed handguns upon campus; to require firearms safety  
5 training in order to carry handguns upon such campuses; to require storage for handguns at  
6 areas upon campus where carrying of a handgun is prohibited by law; to provide for a  
7 definition; to provide for related matters; to repeal conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 Code Section 16-11-127.1 of the Official Code of Georgia Annotated, relating to carrying  
11 weapons within school safety zones, at school functions, or on a bus or other transportation  
12 furnished by a school, is amended by revising paragraph (2) of subsection (b) and paragraph  
13 (20) of subsection (c) as follows:

14 ~~"(2) Except as provided for in paragraph (20) of subsection (c) of this Code section, any~~  
15 Any lawful weapons carrier who violates this subsection shall be guilty of a  
16 misdemeanor. Any person who is not a lawful weapons carrier who violates this  
17 subsection shall be guilty of a felony and, upon conviction thereof, be punished by a fine

18 of not more than \$10,000.00, by imprisonment for not less than two nor more than ten  
19 years, or both."

20 "(20)(A) Any lawful weapons carrier when he or she is in any building or on real  
21 property owned by or leased to any public technical school, vocational school, college,  
22 ~~or~~ university, or other public institution of postsecondary education that has elected to  
23 allow the carrying of weapons on campus; provided, however, that such exception  
24 shall:

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

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

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

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

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

38 (vi) Only apply to the carrying of handguns which are concealed and when the lawful  
39 weapons carrier demonstrates he or she has successfully completed a firearms safety  
40 course; and

41 (vii) Only apply when such public technical school, vocational school, college,  
42 university, or other public institution of postsecondary education provides adequate  
43 storage for any handgun at the entrance of any building, property, room, or space

44 where carrying or possession is prohibited pursuant to divisions (i) through (v) of this  
45 subparagraph.

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

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

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

60 (ii) 'Firearms safety course' means any course that offers practical advice for firearms  
61 safety that is approved by the public technical school, vocational school, college,  
62 university, or other public institution of postsecondary education and is listed upon  
63 the public website of such institution.

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

70

**SECTION 2.**

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