

House Bill 499

By: Representatives Pinholster of the 15<sup>th</sup> and Stancil of the 16<sup>th</sup>

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 increase the criminal  
3 penalty with respect to possession of firearms by convicted felons and first offender  
4 probationers; to increase the criminal penalty for certain persons convicted of certain crimes  
5 who have prior convictions; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Part 3 of Article 4 of Chapter 11 of Title 16 of the Official Code of Georgia Annotated,  
9 relating to carrying and possession of firearms, is amended by striking subsection (b) of Code  
10 Section 16-11-131, relating to possession of firearms by convicted felons and first offender  
11 probationers, and inserting in its place a new subsection (b) to read as follows:

12 "(b) Any person who is on probation as a felony first offender pursuant to Article 3 of  
13 Chapter 8 of Title 42 or who has been convicted of a felony by a court of this state or any  
14 other state; by a court of the United States including its territories, possessions, and  
15 dominions; or by a court of any foreign nation and who receives, possesses, or transports  
16 any firearm commits a felony and, upon conviction thereof, shall be imprisoned for not less  
17 than ~~one~~ five nor more than ~~five~~ ten years; provided, however, that if the felony as to which  
18 the person is on probation or has been previously convicted is a forcible felony, then upon  
19 conviction of receiving, possessing, or transporting a firearm, such person shall be  
20 imprisoned for a period of ~~five~~ ten years."

21 **SECTION 2.**

22 Said part is further amended by striking subsection (b) of Code Section 16-11-133, relating  
23 to minimum periods of confinement for persons convicted who have prior convictions, and  
24 inserting in its place a new subsection (b) to read as follows:

