

House Bill 691

By: Representatives Stanley of the 49th, Stanley of the 50th, Powell of the 23rd, Massey of the 86th, McCall of the 90th and others

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 licenses to carry pistols or revolvers and temporary renewal permits, so as provide that a
3 person convicted of a felony offense arising out of the unlawful manufacture, distribution,
4 possession, or use of a controlled substance or other dangerous drug shall be ineligible to
5 obtain such license; to redefine the term "convicted" for such purposes; 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 licenses to
10 carry pistols or revolvers and temporary renewal permits, is amended by striking paragraph
11 (5) of subsection (b) and inserting in lieu thereof the following:

12 "(5) (A) Any person, the provisions of paragraph (3) of this subsection
13 notwithstanding, who has been convicted of ~~an~~ a felony offense arising out of the
14 unlawful manufacture, distribution, possession, or use of a controlled substance or other
15 dangerous drug.

16 (B) As used in this paragraph, the term:

17 (i) 'Controlled substance' means any drug, substance, or immediate precursor included
18 in the definition of controlled substances in paragraph (4) of Code Section 16-13-21.

19 (ii) 'Convicted' means a plea of guilty, a finding of guilt by a court of competent
20 jurisdiction, the acceptance of a plea of nolo contendere, or the affording of first
21 offender treatment by a court of competent jurisdiction, unless and until discharged
22 without adjudication of guilt and exonerated as otherwise provided by law,
23 irrespective of the pendency or availability of an appeal or an application for
24 collateral relief

25 (iii) 'Dangerous drug' means any drug defined as such in Code Section 16-13-71."

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SECTION 2.

2 All laws and parts of laws in conflict with this Act are repealed.