

House Bill 1225

By: Representatives White of the 3rd, Post 2, Rogers of the 15th, Ralston of the 6th, Forster of the 3rd, Post 1, Williams of the 4th, and others

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 of weapons in school safety zones, at school functions, or on school property, so as
3 to exclude from Code Section 16-11-127.1 law enforcement officers attending school as
4 students; school employees and administrators; firefighters and emergency medical and
5 rescue personnel; and standard motor vehicle equipment and tool kits; 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 16-11-127.1 of the Official Code of Georgia Annotated, relating to carrying
10 of weapons in school safety zones, at school functions, or on school property, is amended by
11 striking subsection (c) and inserting in its place the following:

12 "(c) The provisions of this Code section shall not apply to:

- 13 (1) Baseball bats, hockey sticks, or other sports equipment possessed by competitors for
14 legitimate athletic purposes;
- 15 (2) Participants in organized sport shooting events or firearm training courses;
- 16 (3) Persons participating in military training programs conducted by or on behalf of the
17 armed forces of the United States or the Georgia Department of Defense;
- 18 (4) Persons participating in law enforcement training conducted by a police academy
19 certified by the Georgia Peace Officer Standards and Training Council or by a law
20 enforcement agency of the state or the United States or any political subdivision thereof;
- 21 (5) The following persons, when acting in the performance of their official duties, ~~or~~
22 when en route to or from their official duties, or when participating as a student in a class
23 within a school safety zone:
- 24 (A) A peace officer as defined by Code Section 35-8-2;
- 25 (B) A law enforcement officer of the United States government;
- 26 (C) A prosecuting attorney of this state or of the United States;

- 1 (D) An employee of the Georgia Department of Corrections or a correctional facility
2 operated by a political subdivision of this state or the United States who is authorized
3 by the head of such correctional agency or facility to carry a firearm;
- 4 (E) A person employed as a campus police officer or school security officer who is
5 authorized to carry a weapon in accordance with Chapter 8 of Title 20; and
- 6 (F) Medical examiners, coroners, and their investigators who are employed by the state
7 or any political subdivision thereof;
- 8 (6) A person who has been authorized in writing by a duly authorized official of the
9 school to have in such person's possession or use as part of any activity being conducted
10 at a school building, school property, or school function a weapon which would otherwise
11 be prohibited by this Code section. Such authorization shall specify the weapon or
12 weapons which have been authorized and the time period during which the authorization
13 is valid;
- 14 (7) A person who is licensed in accordance with Code Section 16-11-129 or issued a
15 permit pursuant to Code Section 43-38-10, when such person carries or picks up a student
16 at a school building, school function, or school property or on a bus or other
17 transportation furnished by the school or any weapon legally kept within a vehicle in
18 transit through a designated school zone by any person other than a student;
- 19 (8) A weapon which is in a locked compartment of a motor vehicle or one which is in
20 a locked container in or a locked firearms rack which is on a motor vehicle which is being
21 used by an adult over 21 years of age to bring to or pick up a student at a school building,
22 school function, or school property or on a bus or other transportation furnished by the
23 school, or when such vehicle is used to transport someone to an activity being conducted
24 on school property which has been authorized by a duly authorized official of the school;
25 provided, however, that this exception shall not apply to a student attending such school;
- 26 (9) Persons employed in fulfilling defense contracts with the government of the United
27 States or agencies thereof when possession of the weapon is necessary for manufacture,
28 transport, installation, and testing under the requirements of such contract;
- 29 (10) Those employees of the State Board of Pardons and Paroles when specifically
30 designated and authorized in writing by the members of the State Board of Pardons and
31 Paroles to carry a weapon;
- 32 (11) The Attorney General and those members of his or her staff whom he or she
33 specifically authorizes in writing to carry a weapon;
- 34 (12) Probation supervisors employed by and under the authority of the Department of
35 Corrections pursuant to Article 2 of Chapter 8 of Title 42, known as the 'State-wide
36 Probation Act,' when specifically designated and authorized in writing by the director of
37 the Division of Probation;

1 (13) Public safety directors of municipal corporations;

2 (14) State and federal trial and appellate judges;

3 (15) United States attorneys and assistant United States attorneys;

4 (16) Clerks of the superior courts; ~~or~~

5 (17) Teachers and other school personnel who are otherwise authorized to possess or
6 carry weapons when acting in the performance of their official duties or when
7 participating as a student in a class within a school safety zone, provided that any such
8 weapon is in a locked compartment of a motor vehicle or one which is in a locked
9 container in or a locked firearms rack which is on a motor vehicle;

10 (18) The following persons when lawfully possessing any item, other than a firearm as
11 defined in Code Section 16-5-44.1, that may be construed as a weapon under this Code
12 section whenever possession of the item is necessary during the performance of their
13 official duties as employees or contractors of any private or public school or school
14 system:

15 (A) School maintenance and construction workers;

16 (B) School nurses and health workers;

17 (C) School custodians;

18 (D) School vehicle mechanics;

19 (E) Public utility workers and contractors;

20 (F) School chefs, cooks, and other kitchen workers; and

21 (G) School administrators and facility managers.

22 The exemption provided by this paragraph shall not prohibit school administrators or
23 employers from regulating the manner in which these items may be possessed or utilized
24 by employees or contractors of the school or system while performing their duties on
25 school property;

26 (19) The following persons when lawfully possessing any item, other than a firearm as
27 defined in Code Section 16-5-44.1, that may be construed as a weapon under this Code
28 section when acting in the performance of their official duties within a school safety zone
29 as an employee or member of an authorized state agency or organization or any political
30 subdivision thereof, including:

31 (A) Firefighters as defined by Code Section 45-9-81;

32 (B) Emergency medical technicians as defined by Code Section 45-9-81; and

33 (C) Emergency management rescue specialists as defined by Code Section 45-9-81;

34 or

35 (20) Items that come as standard equipment on motor vehicles and common tool items
36 kept within motor vehicles as a part of a vehicle tool kit, provided that such items are

1 secured or kept inside of a locked motor vehicle while the motor vehicle is located within
2 a school safety zone."

3 **SECTION 2.**

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