

House Bill 1393

By: Representatives Benfield of the 85<sup>th</sup>, Wilkinson of the 52<sup>nd</sup>, and Abrams of the 84<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 the carrying and possession of firearms, so as to provide for training  
3 for certain persons licensed to carry a pistol or revolver; to provide for exceptions; to provide  
4 for a short title; to provide for related matters; to repeal conflicting laws; and for other  
5 purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 This Act shall be known and may be cited as the "Law Abiding Citizens Self-defense Act of  
9 2008."

10 **SECTION 2.**

11 Part 3 of Article 4 of Chapter 11 of Title 16 of the Official Code of Georgia Annotated,  
12 relating to the carrying and possession of firearms, is amended by revising subsection (a) of  
13 Code Section 16-11-129, relating to the license to carry a pistol or revolver and temporary  
14 renewal permits, as follows:

15 (a)(1) *Application for license or renewal license; term.* The judge of the probate court  
16 of each county may, on application under oath and on payment of a fee of \$15.00, issue  
17 a license or renewal license valid for a period of five years to any person whose domicile  
18 is in that county or who is on active duty with the United States armed forces and who  
19 is not a domiciliary of this state but who either resides in that county or on a military  
20 reservation located in whole or in part in that county at the time of such application,  
21 which license or renewal license shall authorize that person to carry any pistol or revolver  
22 in any county of this state notwithstanding any change in that person's county of  
23 residence or state of domicile. Applicants shall submit the application for a license or  
24 renewal license to the judge of the probate court on forms prescribed and furnished free  
25 of charge to persons wishing to apply for the license or renewal license. An applicant

1 who is not a United States citizen shall provide sufficient personal identifying data,  
2 including without limitation his or her place of birth and United States issued alien or  
3 admission number, as the Georgia Bureau of Investigation may prescribe by rule or  
4 regulation. An applicant who is in nonimmigrant status shall provide proof of his or her  
5 qualifications for an exception to the federal firearm prohibition pursuant to 18 U.S.C.  
6 Section 922(y). Forms shall be designed to elicit information from the applicant pertinent  
7 to his or her eligibility under this Code section, including citizenship, but shall not require  
8 data which is nonpertinent or irrelevant such as serial numbers or other identification  
9 capable of being used as a de facto registration of firearms owned by the applicant. The  
10 Department of Public Safety shall furnish application forms and license forms required  
11 by this Code section. The forms shall be furnished to each judge of each probate court  
12 within the state at no cost.

13 (2) An applicant shall demonstrate completion of a firearms safety training course within  
14 three years of the date of the application for a license under this Code section. An  
15 applicant may satisfy such training requirement by:

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

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

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

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

25 (E) Submitting a certificate showing successful completion of a basic or advanced  
26 firearms safety course offered by a state, county, or municipal law enforcement agency  
27 or a nationally recognized organization that promotes gun safety. Such course shall  
28 include a minimum of four hours of instruction and shall include, but not be limited to:

29 (i) Providing information on handgun use and safety;

30 (ii) Providing information on the proper storage practice for handguns with an  
31 emphasis on storage practices that reduce the possibility of accidental injury to a  
32 child;

33 (iii) Providing information on the statutory and case law of this state relating to the  
34 carrying of concealed weapons and the use of deadly force; and

35 (iv) The actual firing of a handgun in the presence of an instructor for not less than  
36 30 minutes or until the instructor is satisfied that the applicant has demonstrated basic  
37 proficiency in firing a handgun.

1 (3) An applicant renewing his or her license shall submit a certificate showing successful  
2 completion of a two-hour firearm course which shall include the use of deadly weapons  
3 and actual firing of a handgun in the presence of an instructor for not less than 30 minutes  
4 or until the instructor is satisfied that the applicant has demonstrated basic proficiency in  
5 firing a handgun."

6 **SECTION 2.**

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