

House Bill 872

By: Representative Franklin of the 43rd

A BILL TO BE ENTITLED
AN ACT

1 To provide a short title; to amend Part 1 of Article 3 of Chapter 3 of Title 38 of the Official
2 Code of Georgia Annotated, relating to emergency powers of the Governor, so as to repeal
3 the power of the Governor to suspend or limit the sale or transportation of firearms during
4 times of emergency; to provide for related matters; to provide an effective date; to repeal
5 conflicting laws; and for other 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 "Emergency Defense of the Home Act."

9 **SECTION 2.**

10 Part 1 of Article 3 of Chapter 3 of Title 38 of the Official Code of Georgia Annotated,
11 relating to emergency powers of the Governor, is amended by revising paragraph (8) of
12 subsection (d) of Code Section 38-3-51, relating to the emergency powers of the Governor,
13 as follows:

14 "(8) Suspend or limit the sale, dispensing, or transportation of alcoholic beverages,
15 ~~firearms, explosives, and combustibles; provided, however, that any limitation on~~
16 ~~firearms under this Code section shall not include an individual firearm owned by a~~
17 ~~private citizen which was legal and owned by that citizen prior to the declaration of state~~
18 ~~of emergency or disaster or thereafter acquired in compliance with all applicable laws of~~
19 ~~this state and the United States; and".~~

20 **SECTION 3.**

21 This Act shall become effective upon its approval by the Governor or upon its becoming law
22 without such approval.

23

SECTION 4.

24 All laws and parts of laws in conflict with this Act are repealed.