

House Bill 1152

By: Representative Marin of the 96th

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 license to carry a pistol or revolver and temporary renewal permit, so as to provide that
3 persons applying for such a license shall complete a handgun safety course; to provide that
4 the Department of Public Safety shall promulgate regulations establishing criteria for such
5 courses; to provide that the department shall approve persons to conduct such training; to
6 provide that licenses shall include a photograph of the holder; to provide an effective date;
7 to repeal conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 Code Section 16-11-129 of the Official Code of Georgia Annotated, relating to license to
11 carry a pistol or revolver and temporary renewal permit, is amended by revising subsection
12 (a) as follows:

13 *"(a) Application for license or renewal license; term.* The judge of the probate court of
14 each county may, on application under oath and on payment of a fee of \$15.00, issue a
15 license or renewal license valid for a period of five years to any person whose domicile is
16 in that county or who is on active duty with the United States armed forces and who is not
17 a domiciliary of this state but who either resides in that county or on a military reservation
18 located in whole or in part in that county at the time of such application, which license or
19 renewal license shall authorize that person to carry any pistol or revolver in any county of
20 this state notwithstanding any change in that person's county of residence or state of
21 domicile. Applicants shall submit the application for a license or renewal license to the
22 judge of the probate court on forms prescribed and furnished free of charge to persons
23 wishing to apply for the license or renewal license. Applicants shall provide a recent
24 passport sized photograph and proof of successful completion of a handgun safety course
25 approved by the Department of Public Safety within three years of the application. An
26 applicant who is not a United States citizen shall provide sufficient personal identifying

27 data, including without limitation his or her place of birth and United States issued alien
 28 or admission number, as the Georgia Bureau of Investigation may prescribe by rule or
 29 regulation. An applicant who is in nonimmigrant status shall provide proof of his or her
 30 qualifications for an exception to the federal firearm prohibition pursuant to 18 U.S.C.
 31 Section 922(y). Forms shall be designed to elicit information from the applicant pertinent
 32 to his or her eligibility under this Code section, including citizenship, but shall not require
 33 data which is nonpertinent or irrelevant such as serial numbers or other identification
 34 capable of being used as a de facto registration of firearms owned by the applicant. The
 35 Department of Public Safety shall furnish application forms and license forms required by
 36 this Code section. The forms shall be furnished to each judge of each probate court within
 37 the state at no cost."

38 SECTION 2.

39 Said Code section is further amended by adding a new subsection to read as follows:

40 "(d.1)(1) Handgun safety course. The Department of Public Safety shall promulgate
 41 regulations containing general guidelines for a basic handgun safety course, which shall
 42 entail at least eight hours of instruction and shall include, at a minimum, the following:

43 (A) Information on the statutory and case law of this state relating to handguns and to
 44 the use of deadly force;

45 (B) Information on handgun use and safety;

46 (C) Information on the proper storage practice for handguns with an emphasis on
 47 storage practices that reduces the possibility of accidental injury to a child; and

48 (D) The actual firing of the handgun in the presence of the instructor.

49 (2) The department shall promulgate regulations establishing criteria for approval as a
 50 handgun safety instructor. Any state, county, or municipal law enforcement agency,
 51 nationally recognized organization that promotes gun safety, or operator of a private
 52 shooting range may apply to the department for authorization to conduct an approved
 53 handgun safety course. The department shall approve such organizations if it is satisfied
 54 that the instructors and facilities meet or exceed the guidelines and qualifications
 55 contained in the regulations promulgated by the department. Any person or organization
 56 which is approved to provide a basic handgun safety course shall be authorized to charge
 57 a reasonable fee for such instruction."

58 SECTION 3.

59 Said Code section is further amended by revising subsection (f) as follows:

60 "(f) License specifications. Licenses issued as prescribed in this Code section shall be
 61 printed on durable but lightweight card stock, and the completed card shall be laminated

62 in plastic to improve its wearing qualities and to inhibit alterations. Measurements shall
63 be 3 1/4 inches long, and 2 1/4 inches wide. Each shall be serially numbered within the
64 county of issuance and shall bear the full name, residential address, birth date, weight,
65 height, color of eyes, sex, a recent photograph, and a clear print of the right index finger
66 of the licensee. If the right index fingerprint cannot be secured for any reason, the print of
67 another finger may be used but such print shall be marked to identify the finger from which
68 the print is taken. If the licensee changes his or her address, he or she must apply for a new
69 license in the same manner as provided for a lost license. The license shall show the date
70 of issuance, the expiration date, and the probate court in which issued and shall be signed
71 by the licensee and bear the signature or facsimile thereof of the judge. The seal of the
72 court shall be placed on the face before the license is laminated. The reverse side of the
73 license shall have imprinted thereon in its entirety Code Section 16-11-127."

74 **SECTION 4.**

75 This Act shall become effective on January 1, 2010.

76 **SECTION 5.**

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