

House Bill 5

By: Representative Franklin of the 43<sup>rd</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Chapter 11 of Title 16 of the Official Code of Georgia Annotated, relating to  
2 offenses against public order and safety, so as to provide a short title; to provide for  
3 legislative intent; to repeal Article 4, relating to dangerous instrumentalities and practices,  
4 in its entirety; 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 "Freedom of Choice and Security Act."

9 **SECTION 2.**

10 The General Assembly makes the following findings of fact:

- 11 (1) Our founding fathers, in the *unanimous Declaration of the thirteen united States of*  
12 *America*, acknowledged that the purpose of civil government is to secure God-given rights;  
13 (2) As such, civil governments are to punish the criminal acts that deprive their citizens  
14 of their God-given rights to life, liberty, and property;  
15 (3) The mere potential to deprive someone of life, liberty, or property should never be  
16 considered a crime in a free and just society;  
17 (4) Evil resides in the heart of the individual, not in material objects; and  
18 (5) Since objects or "instrumentalities" in and of themselves are not dangerous or evil, in  
19 a free and just society, the civil government should not ban or restrict their possession or  
20 use.

21 **SECTION 3.**

22 Chapter 11 of Title 16 of the Official Code of Georgia Annotated, relating to offenses against  
23 public order and safety, is amended by repealing Article 4, relating to dangerous  
24 instrumentalities and practices, in its entirety.

25 **SECTION 4.**

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

28 **SECTION 5.**

29 All laws and parts of laws in conflict with this Act are repealed.