

House Bill 773 (COMMITTEE SUBSTITUTE)

By: Representatives Dickey of the 140th, Epps of the 144th, Roberts of the 155th, Talton of the 147th, and Shaw of the 176th

A BILL TO BE ENTITLED
AN ACT

1 To amend Part 1 of Article 4 of Chapter 11 of Title 16 of the Official Code of Georgia
2 Annotated, relating to general provisions relative to dangerous instrumentalities and
3 practices, so as to change provisions relating to discharging a gun or pistol near a public
4 highway or street; to provide for definitions; to provide for exceptions; to provide for related
5 matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Part 1 of Article 4 of Chapter 11 of Title 16 of the Official Code of Georgia Annotated,
9 relating to general provisions relative to dangerous instrumentalities and practices, is
10 amended by revising Code Section 16-11-103, relating to discharging a gun or pistol near a
11 public highway or street, as follows:

12 "16-11-103.

13 (a) As used in this Code section, the term:

14 (1) 'Firearm' means any handgun, rifle, or shotgun.

15 (2) 'Public highway' means every public street, road, and highway in this state.

16 (3) 'Sport shooting range' means an area designated and operated by a person or entity
17 for the sport shooting of firearms, target practice, trapshooting, skeet shooting, or
18 shooting sporting clays and not available for such use by the general public without
19 payment of a fee, membership contribution, or dues or without the invitation of an
20 authorized person, or any area so designated and operated by a unit of government,
21 regardless of the terms of admission thereto.

22 (4) 'Unit of government' means any of the departments, agencies, authorities, or political
23 subdivisions of the state, cities, municipal corporations, townships, or villages and any
24 of their respective departments, agencies, or authorities.

25 (b) Except as provided in subsection (c) or (d) of this Code section, it shall be unlawful for
26 any person. A person is guilty of a misdemeanor when, without legal justification, he

27 ~~discharges a gun or pistol~~ to discharge a firearm on or within 50 yards of a public highway
28 ~~or street.~~

29 (c) This Code section shall not apply to a discharge of a firearm which occurs within 50
30 yards of a public highway if such discharge occurs at:

31 (1) An indoor or outdoor sport shooting range;

32 (2) Facilities used for firearm or hunting safety courses sponsored by a unit of
33 government, nonprofit corporation, or commercial enterprise; or

34 (3) The business location of any person, firm, retail dealer, wholesale dealer,
35 pawnbroker, or corporation licensed as a firearm dealer pursuant to Chapter 16 of Title
36 43.

37 (d) This Code section shall not apply to any person engaged in legal hunting which occurs
38 within 50 yards of a public highway; provided, however, that such exception shall not
39 apply to legal hunting within an incorporated municipality of this state.

40 (e) Any person who violates subsection (b) of the Code section shall be guilty of a
41 misdemeanor."

42 **SECTION 2.**

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

45 **SECTION 3.**

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