

House Bill 544

By: Representatives Clark of the 147th, Setzler of the 35th, Gravley of the 67th, Turner of the 21st, Cantrell of the 22nd, and others

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 carrying and possession of firearms, so as to allow for weapons carry
3 license holders to carry in or on real property or buildings owned by or leased to institutions
4 of postsecondary education; to revise definitions; to clarify the rights of private institutions
5 of postsecondary education to exclude or eject a person from its property who is in
6 possession of a weapon or long gun; to provide a short title; to provide for related matters;
7 to provide an effective date; to repeal conflicting laws; and for other purposes.

8 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

9 **SECTION 1.**

10 This Act shall be known and may be cited as the "Georgia Campus Carry Act of 2015."

11 **SECTION 2.**

12 Part 3 of Article 4 of Chapter 11 of Title 16 of the Official Code of Georgia Annotated,
13 relating to carrying and possession of firearms, is amended in Code Section 16-11-127,
14 relating to carrying weapons in unauthorized locations, by revising paragraph (2) of
15 subsection (a) and subsection (c) as follows:

16 "(2) 'Government building' means:

17 (A) The building in which a government entity is housed;

18 (B) The building where a government entity meets in its official capacity; provided,
19 however, that if such building is not a publicly owned building, such building shall be
20 considered a government building for the purposes of this Code section only during the
21 time such government entity is meeting at such building; or

22 (C) The portion of any building that is not a publicly owned building that is occupied
23 by a government entity;

24 provided, however, that 'government building' shall not mean any building or real
 25 property owned by, leased to, or used as a campus for any public or private technical
 26 school, vocational school, college, university, or institution of postsecondary education."
 27 "(c) A license holder or person recognized under subsection (e) of Code Section 16-11-126
 28 shall be authorized to carry a weapon as provided in subsection (b.1) of Code Section
 29 16-11-127.1, Code Section 16-11-135, and in every location in this state not listed in
 30 subsection (b) or prohibited by subsection (e) of this Code section or otherwise prohibited
 31 by law; provided, however, that private property owners or persons in legal control of
 32 private property through a lease, rental agreement, licensing agreement, contract, or any
 33 other agreement to control access to such private property shall have the right to exclude
 34 or eject a person who is in possession of a weapon or long gun on their private property in
 35 accordance with paragraph (3) of subsection (b) of Code Section 16-7-21, except as
 36 provided in Code Section 16-11-135. A violation of subsection (b) of this Code section
 37 shall not create or give rise to a civil action for damages."

38 SECTION 3.

39 Said part is further amended in Code Section 16-11-127.1, relating to carrying weapons
 40 within school safety zones, at school functions, or on a bus or other transportation furnished
 41 by a school, by revising paragraph (1) of subsection (b) and adding a new subsection as
 42 follows:

43 "(1) Except as otherwise provided in ~~subsection~~ subsections (b.1) and (c) of this Code
 44 section, it shall be unlawful for any person to carry to or to possess or have under such
 45 person's control while within a school safety zone, ~~or~~ at a school function, or on a bus or
 46 other transportation furnished by a school any weapon or explosive compound, other than
 47 fireworks the possession of which is regulated by Chapter 10 of Title 25."

48 "(b.1)(1) As used in this subsection, the term 'weapon' shall have the same meaning as
 49 provided for in Code Section 16-11-125.1.

50 (2) Notwithstanding any other law to the contrary, a license holder may carry, possess,
 51 or have under his or her control his or her weapon in or on any real property or building
 52 owned by or leased to any public or private technical school, vocational school, college,
 53 university, or other institution of postsecondary education. A license holder who carries
 54 his or her weapon in accordance with this paragraph shall not be in violation of
 55 subsection (b) of this Code section.

56 (3) Nothing in this subsection shall be construed to limit the rights of a private institution
 57 of postsecondary education to exclude or eject a person who is in possession of a weapon
 58 or long gun on its private property as provided for in subsection (c) of Code Section
 59 16-11-127."

60 **SECTION 4.**

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

63 **SECTION 5.**

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