

Senate Bill 92

By: Senators Henson of the 41st, Fort of the 39th, Tate of the 38th, Seay of the 34th, Rhett of the 33rd 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 a person to be
3 detained by law enforcement for the purpose of investigating whether such person has a
4 weapons carry license; to provide for related matters; to repeal conflicting laws; and for other
5 purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Part 3 of Article 4 of Chapter 11 of Title 16 of the Official Code of Georgia Annotated,
9 relating to carrying and possession of firearms, is amended by revising Code Section
10 16-11-137, relating to the required possession of a weapons carry license or proof of
11 exemption when carrying a weapon and detention for investigation of carrying a weapons
12 carry license, as follows:

13 "16-11-137.

14 (a) Every license holder shall have his or her valid weapons carry license in his or her
15 immediate possession at all times when carrying a weapon, or if such person is exempt
16 from having a weapons carry license pursuant to Code Section 16-11-130 or subsection (c)
17 of Code Section 16-11-127.1, he or she shall have proof of his or her exemption in his or
18 her immediate possession at all times when carrying a weapon, and his or her failure to do
19 so shall be prima-facie evidence of a violation of the applicable provision of Code Sections
20 16-11-126 through 16-11-127.2.

21 ~~(b) A person carrying a weapon shall not be subject to detention for the sole purpose of~~
22 ~~investigating whether such person has a weapons carry license.~~

23 ~~(c)~~(b) A person convicted of a violation of this Code section shall be fined not more than
24 \$10.00 if he or she produces in court his or her weapons carry license, provided that it was
25 valid at the time of his or her arrest, or produces proof of his or her exemption."

26

SECTION 2.

27 All laws and parts of laws in conflict with this Act are repealed.