

House Bill 334

By: Representatives Waites of the 60th, Scott of the 76th, and Jones of the 53rd

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 prohibit the issuance to
3 and maintenance of a weapons carry license for any person against whom certain restraining
4 orders or protective orders have been issued for the duration of such orders; to provide for
5 it to be unlawful for any person convicted of an offense involving family violence to receive,
6 possess, or transport any firearm; to provide for exceptions; to provide for definitions; to
7 provide for criminal penalties; to provide for a short title; to provide for related matters; to
8 repeal conflicting laws; and for other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

10 style="text-align:center">**SECTION 1.**

11 This Act shall be known and may be cited as "April's Law."

12 style="text-align:center">**SECTION 2.**

13 Part 3 of Article 4 of Chapter 11 of Title 16 of the Official Code of Georgia Annotated,
14 relating to carrying and possession of firearms, is amended in paragraph (2) of subsection (b)
15 of Code Section 16-11-129, relating to weapons carry license, temporary renewal permit,
16 mandamus, and verification of license, by adding a new subparagraph to read as follows:

17 "(I.1) Any person against whom a restraining order or protective order has been issued
18 pursuant to Article 7 of Chapter 5 of this title or Article 1 of Chapter 13 of Title 19 for
19 the duration of such restraining order or protective order;"

20 style="text-align:center">**SECTION 3.**

21 Said part is further amended by adding a new Code section to read as follows:

22 "16-11-131.1.

23 (a) As used in this Code section, the term 'family violence' means the occurrence of one
24 or more of the following acts between past or present spouses, persons who are parents of

25 the same child, parents and children, stepparents and stepchildren, foster parents and foster
26 children, or other persons living or formerly living in the same household: the commission
27 of offenses of battery, simple battery, assault, simple assault, stalking, criminal damage to
28 property, unlawful restraint, or criminal trespass.

29 (b) Any person who is convicted of an offense involving family violence and who
30 receives, possesses, or transports any firearm shall be guilty of a felony and, upon
31 conviction thereof, shall be imprisoned for not less than one nor more than five years.

32 (c) This Code section shall not apply to any person who has been pardoned for the felony
33 by the President of the United States, the State Board of Pardons and Paroles, or the person
34 or agency empowered to grant pardons under the constitutions or laws of the several states
35 or of a foreign nation and, by the terms of the pardon, has expressly been authorized to
36 receive, possess, or transport a firearm."

37 **SECTION 4.**

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