

House Bill 55

By: Representatives Bruce of the 61<sup>st</sup>, Beverly of the 143<sup>rd</sup>, Allen of the 40<sup>th</sup>, Jackson of the 64<sup>th</sup>, Evans of the 83<sup>rd</sup>, and others

A BILL TO BE ENTITLED  
AN ACT

1 To amend Article 4 of Chapter 11 of Title 16 and Code Section 16-11-151 of the Official  
2 Code of Georgia Annotated, relating to dangerous instrumentalities and practices and  
3 prohibited training, respectively, so as to prohibit the printing or production of certain  
4 firearms produced by means of three-dimensional printing; to provide for a penalty; to  
5 prohibit the possession of certain firearms produced by means of three-dimensional printing;  
6 to provide for legislative intent; to provide for and to revise definitions; to provide for  
7 criminal penalties; to provide for related matters; to repeal conflicting laws; and for other  
8 purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

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

11 It is the intent of the General Assembly through this Act to prohibit the printing, production,  
12 or possession of certain firearms which are created by means of three-dimensional printing,  
13 in order to combat the public health issue of unintended injuries and harms that ill-made  
14 firearms can cause to individuals who seek to make use of them and in order to combat the  
15 public safety issue of firearms that can be used surreptitiously to commit crimes and can be  
16 destroyed without trace.

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

18 Article 4 of Chapter 11 of Title 16 of the Official Code of Georgia Annotated, relating to  
19 dangerous instrumentalities and practices, is amended in Part 1, relating to general  
20 provisions, by adding a new Code section to read as follows:

21 "16-11-114.

22 (a) As used in this Code section, the term '3-D printed firearm' means any weapon  
23 produced by means of three-dimensional printing from computer-aided design files which  
24 is designed or intended to propel a missile of any kind and which is not produced subject

25 to a license from the Bureau of Alcohol, Tobacco, Firearms and Explosives of the United  
 26 States Department of Justice for the manufacture of firearms.

27 (b) It shall be unlawful to print or to produce a 3-D printed firearm within this state.

28 (c) Any person who violates this Code section shall, upon conviction thereof, be punished  
 29 by imprisonment for a period of five years."

30 **SECTION 3.**

31 Said article is further amended by revising Part 2, relating to possession of dangerous  
 32 weapons, as follows:

33 "Part 2

34 16-11-120.

35 This part shall be known and may be cited as the 'Georgia Firearms and Weapons Act.'

36 16-11-121.

37 As used in this part, the term:

38 (1) '3-D printed firearm' means any weapon produced by means of three-dimensional  
 39 printing from computer-aided design files which is designed or intended to propel a  
 40 missile of any kind and which is not produced subject to a license from the Bureau of  
 41 Alcohol, Tobacco, Firearms and Explosives of the United States Department of Justice  
 42 for the manufacture of firearms.

43 (2) 'Dangerous weapon' means any weapon commonly known as a 'rocket launcher,'  
 44 'bazooka,' or 'recoilless rifle' which fires explosive or nonexplosive rockets designed to  
 45 injure or kill personnel or destroy heavy armor, or similar weapon used for such purpose.  
 46 The term shall also mean a weapon commonly known as a 'mortar' which fires high  
 47 explosive from a metallic cylinder and which is commonly used by the armed forces as  
 48 an antipersonnel weapon, or similar weapon used for such purpose. The term shall also  
 49 mean a weapon commonly known as a 'hand grenade' or other similar weapon which is  
 50 designed to explode and injure personnel, or similar weapon used for such purpose.

51 ~~(2)~~(3) 'Machine gun' means any weapon which shoots or is designed to shoot,  
 52 automatically, more than six shots, without manual reloading, by a single function of the  
 53 trigger.

54 ~~(3)~~(4) 'Person' means any individual, partnership, company, association, or corporation.

55 ~~(4)~~(5) 'Sawed-off rifle' means a weapon designed or redesigned, made or remade, and  
 56 intended to be fired from the shoulder; and designed or redesigned, made or remade, to  
 57 use the energy of the explosive in a fixed metallic cartridge to fire only a single projectile

58 through a rifle bore for each single pull of the trigger; and which has a barrel or barrels  
59 of less than 16 inches in length or has an overall length of less than 26 inches.

60 ~~(5)~~(6) 'Sawed-off shotgun' means a shotgun or any weapon made from a shotgun whether  
61 by alteration, modification, or otherwise having one or more barrels less than 18 inches  
62 in length or if such weapon as modified has an overall length of less than 26 inches.

63 ~~(6)~~(7) 'Shotgun' means a weapon designed or redesigned, made or remade, and intended  
64 to be fired from the shoulder; and designed or redesigned, and made or remade, to use the  
65 energy of the explosive in a fixed shotgun shell to fire through a smooth bore either a  
66 number of ball shot or a single projectile for each single pull of the trigger.

67 ~~(7)~~(8) 'Silencer' means any device for silencing or diminishing the report of any portable  
68 weapon such as a rifle, carbine, pistol, revolver, machine gun, shotgun, fowling piece, or  
69 other device from which a shot, bullet, or projectile may be discharged by an explosive.

70 16-11-122.

71 No person shall have in his or her possession any 3-D printed firearm, sawed-off shotgun,  
72 sawed-off rifle, machine gun, dangerous weapon, or silencer except as provided in Code  
73 Section 16-11-124.

74 16-11-123.

75 A person commits the offense of unlawful possession of firearms or weapons when he or  
76 she knowingly has in his or her possession any 3-D printed firearm, sawed-off shotgun,  
77 sawed-off rifle, machine gun, dangerous weapon, or silencer, and, upon conviction thereof,  
78 he or she shall be punished by imprisonment for a period of five years.

79 16-11-124.

80 This part shall not apply to:

81 (1) A peace officer of any duly authorized police agency of this state or of any political  
82 subdivision thereof, or a law enforcement officer of any department or agency of the  
83 United States who is regularly employed and paid by the United States, this state, or any  
84 such political subdivision, or an employee of the Department of Corrections of this state  
85 who is authorized in writing by the commissioner of corrections to transfer or possess  
86 such firearms while in the official performance of his or her duties;

87 (2) A member of the National Guard or of the armed forces of the United States to wit:  
88 the army, navy, marine corps, air force, or coast guard who, while serving therein,  
89 possesses such firearm in the line of duty;

90 (3) Any 3-D printed firearm, sawed-off shotgun, sawed-off rifle, machine gun, dangerous  
91 weapon, or silencer which has been modified or changed to the extent that it is

92 inoperative. Examples of the requisite modification include weapons with their barrel or  
 93 barrels filled with lead, hand grenades filled with sand, or other nonexplosive materials;  
 94 (4) Possession of a sawed-off shotgun, sawed-off rifle, machine gun, dangerous weapon,  
 95 or silencer by a person who is authorized to possess the same because he or she has  
 96 registered the sawed-off shotgun, sawed-off rifle, machine gun, dangerous weapon, or  
 97 silencer in accordance with the dictates of the National Firearms Act, 68A Stat. 725 (26  
 98 U.S.C. Sections 5841-5862); and  
 99 (5) A security officer employed by a federally licensed nuclear power facility or a  
 100 licensee of such facility, including a contract security officer, who is trained and qualified  
 101 under a security plan approved by the United States Nuclear Regulatory Commission or  
 102 other federal agency authorized to regulate nuclear facility security; provided, however,  
 103 that this exemption shall apply only while such security officer is acting in connection  
 104 with his or her official duties on the premises of such nuclear power facility or on  
 105 properties outside the facility property pursuant to a written agreement entered into with  
 106 the local law enforcement agency having jurisdiction over the facility. The exemption  
 107 under this paragraph does not include the possession of silencers.

108 16-11-125.

109 In any complaint, accusation, or indictment and in any action or proceeding brought for the  
 110 enforcement of this part, it shall not be necessary to negative any exception, excuse,  
 111 proviso, or exemption contained in this part, and the burden of proof of any such exception,  
 112 excuse, proviso, or exemption shall be upon the defendant."

113 **SECTION 4.**

114 Code Section 16-11-151 of the Official Code of Georgia Annotated, relating to prohibited  
 115 training, is amended by revising subsection (a) as follows:

116 "(a) As used in this Code section, the term 'dangerous weapon' has the same meaning as  
 117 found in ~~paragraph (1)~~ of Code Section 16-11-121."

118 **SECTION 5.**

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