

Senate Bill 84

By: Senators Kirk of the 13th and Heath of the 31st

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 16-11-129 of the Official Code of Georgia Annotated, relating to
2 weapons carry license, gun safety information, temporary renewal permit, mandamus, and
3 verification of license, so as to provide for payment of a fee only for the issuance of a
4 weapons carry license and to remove the requirement of payment of a fee for the issuance
5 of a renewal license and temporary renewal license; to provide for related matters; to repeal
6 conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Code Section 16-11-129 of the Official Code of Georgia Annotated, relating to weapons
10 carry license, gun safety information, temporary renewal permit, mandamus, and verification
11 of license, is amended by revising subsections (a) and (i) as follows:

12 **"(a) Application for weapons carry license or renewal license; term.**

13 (1) The judge of the probate court of each county shall, on application under oath, on
14 payment of a fee of \$30.00, and on investigation of applicant pursuant to subsections (b)
15 and (d) of this Code section, issue a weapons carry license ~~or renewal license~~ valid for
16 a period of five years to any person whose domicile is in that county or who is on active
17 duty with the United States armed forces and who is not a domiciliary of this state but
18 who either resides in that county or on a military reservation located in whole or in part
19 in that county at the time of such application.

20 (2) Pursuant to paragraph (3) of this subsection, the judge of the probate court of each
21 county shall, on application under oath and on investigation of applicant pursuant to
22 subsections (b) and (d) of this Code section, issue a renewal license valid for a period of
23 five years to any person whose domicile is in that county or who is on active duty with
24 the United States armed forces and who is not a domiciliary of this state but who either
25 resides in that county or on a military reservation located in whole or in part in that
26 county at the time of such application. The issuance of such renewal license shall be

27 without the payment of a fee; provided, however, that if an applicant fails to submit an
 28 application which shall be considered to be for a renewal license as provided for under
 29 paragraph (3) of this subsection, then such applicant shall only be eligible to submit an
 30 application for a weapons carry license pursuant to paragraph (1) of this subsection.

31 (3)(A) An application shall be considered to be for a renewal license if the applicant
 32 has a weapons carry license or renewal license with 90 or fewer days remaining before
 33 the expiration of such weapons carry license or renewal license or 30 or fewer days
 34 since the expiration of such weapons carry license or renewal license regardless of the
 35 county of issuance of the applicant's expired or expiring weapons carry license or
 36 renewal license.

37 (B) A weapons carry ~~Such~~ license or renewal license shall authorize that person to
 38 carry any weapon in any county of this state notwithstanding any change in that
 39 person's county of residence or state of domicile.

40 (4) Applicants shall submit the application for a weapons carry license or renewal license
 41 to the judge of the probate court on forms prescribed and furnished free of charge to
 42 persons wishing to apply for the license or renewal license. Such forms shall be designed
 43 to elicit information from the applicant pertinent to his or her eligibility under this Code
 44 section, including citizenship, but shall not require data which is nonpertinent or
 45 irrelevant, such as serial numbers or other identification capable of being used as a de
 46 facto registration of firearms owned by the applicant. The Department of Public Safety
 47 shall furnish application forms and license forms required by this Code section and such
 48 forms shall be furnished to each judge of each probate court within this state at no cost.
 49 ~~An application shall be considered to be for a renewal license if the applicant has a~~
 50 ~~weapons carry license or renewal license with 90 or fewer days remaining before the~~
 51 ~~expiration of such weapons carry license or renewal license or 30 or fewer days since the~~
 52 ~~expiration of such weapons carry license or renewal license regardless of the county of~~
 53 ~~issuance of the applicant's expired or expiring weapons carry license or renewal license.~~

54 (5) An applicant who is not a United States citizen shall provide sufficient personal
 55 identifying data, including without limitation his or her place of birth and United States
 56 issued alien or admission number, as the Georgia Bureau of Investigation may prescribe
 57 by rule or regulation. An applicant who is in nonimmigrant status shall provide proof of
 58 his or her qualifications for an exception to the federal firearm prohibition pursuant to 18
 59 U.S.C. Section 922(y). Forms shall be designed to elicit information from the applicant
 60 pertinent to his or her eligibility under this Code section, including citizenship, but shall
 61 not require data which is nonpertinent or irrelevant, such as serial numbers or other
 62 identification capable of being used as a de facto registration of firearms owned by the
 63 applicant. The Department of Public Safety shall furnish application forms and license

64 ~~forms required by this Code section. The forms shall be furnished to each judge of each~~
65 ~~probate court within this state at no cost."~~

66 "(i) **Temporary renewal licenses.**

67 (1) Any person who holds a weapons carry license under this Code section may, at the
68 time he or she applies for a renewal of the license, also apply for a temporary renewal
69 license if less than 90 days remain before expiration of the license he or she then holds
70 or if the previous license has expired within the last 30 days.

71 (2) Unless the judge of the probate court knows or is made aware of any fact which
72 would make the applicant ineligible for a five-year renewal license, the judge shall at the
73 time of application issue a temporary renewal license to the applicant.

74 (3) Such a temporary renewal license shall be in the form of a paper receipt indicating
75 the date on which the court received the renewal application and shall show the name,
76 address, sex, age, and race of the applicant and that the temporary renewal license expires
77 90 days from the date of issue.

78 (4) During its period of validity the temporary renewal license, if carried on or about the
79 holder's person together with the holder's previous license, shall be valid in the same
80 manner and for the same purposes as a five-year license.

81 ~~(5) A \$1.00 fee shall be charged by the probate court for issuance of a temporary renewal~~
82 ~~license.~~

83 ~~(6) A temporary renewal license may be revoked in the same manner as a five-year~~
84 ~~license."~~

85 **SECTION 2.**

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