

House Bill 33 (AS PASSED HOUSE AND SENATE)

By: Representatives Lumsden of the 12th, Hitchens of the 161st, Powell of the 32nd, Prince of the 127th, Glanton of the 75th, and others

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 an extension of time for the renewal of a weapons
4 carry license or renewal license for certain service members serving on active duty outside
5 the state; to provide for a definition; to provide for related matters; to repeal conflicting laws;
6 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 subsection (a) 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 the applicant pursuant to subsections
15 (b) and (d) of this Code section, issue a weapons carry license or renewal license valid
16 for a period of five years to any person whose domicile is in that county or who is on
17 active duty with the United States armed forces and who is not a domiciliary of this state
18 but who either resides in that county or on a military reservation located in whole or in
19 part in that county at the time of such application. Such license or renewal license shall
20 authorize that person to carry any weapon in any county of this state notwithstanding any
21 change in that person's county of residence or state of domicile.

22 (2)(A) As used in this paragraph, the term 'service member' means an active duty
member of the regular or reserve component of the United States Army, United States
Navy, United States Marine Corps, United States Coast Guard, United States Air Force,
United States National Guard, Georgia Army National Guard, or Georgia Air National
Guard.

27 (B) Any service member whose weapons carry license or renewal license expired while
28 such service member was serving on active duty outside this state shall be authorized
29 to carry any weapon in accordance with such expired license for a period of six months
30 from the date of his or her discharge from active duty or reassignment to a location
31 within this state. When carrying a weapon pursuant to Code Section 16-11-137, the
32 service member shall also have in his or her immediate possession a copy of the official
33 military orders or a written verification signed by such service member's commanding
34 officer which shall evidence that such service member is authorized to carry any
35 weapon in accordance with such expired license for a period of six months from the
36 date of his or her discharge from active duty or reassignment to a location within this
37 state.

38 (3)(A) Applicants shall submit the application for a weapons carry license or renewal
39 license to the judge of the probate court on forms prescribed and furnished free of
40 charge to persons wishing to apply for the license or renewal license.

41 (B)(i) An application shall be considered to be for a renewal license if the applicant
42 has a weapons carry license or renewal license with 90 or fewer days remaining
43 before the expiration of such weapons carry license or renewal license or 30 or fewer
44 days since the expiration of such weapons carry license or renewal license regardless
45 of the county of issuance of the applicant's expired or expiring weapons carry license
46 or renewal license.

47 (ii) An application of any service member whose weapons carry license or renewal
48 license expired while such service member was serving on active duty outside this
49 state shall be considered to be for a renewal license if such service member applies
50 within six months from the date of his or her discharge from active duty or
51 reassignment to a location within this state as provided for in a copy of such service
52 member's official military orders or a written verification signed by such service
53 member's commanding officer as provided by the service member.

54 (iii) 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
56 States issued alien or admission number, as the Georgia Bureau of Investigation may
57 prescribe by rule or regulation. An applicant who is in nonimmigrant status shall
58 provide proof of his or her qualifications for an exception to the federal firearm
59 prohibition pursuant to 18 U.S.C. Section 922(y). Forms shall be designed to elicit
60 information from the applicant pertinent to his or her eligibility under this Code
61 section, including citizenship, but shall not require data which is nonpertinent or
62 irrelevant, such as serial numbers or other identification capable of being used as a de
63 facto registration of firearms owned by the applicant. The Department of Public

64 Safety shall furnish application forms and license forms required by this Code section.
65 The forms shall be furnished to each judge of each probate court within this state at
66 no cost."

SECTION 2.

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