Senate Bill 479

By: Senators Hatchett of the 50th, Miller of the 49th, Dugan of the 30th, Gooch of the 51st, Mullis of the 53rd and others

AS PASSED SENATE

A BILL TO BE ENTITLED

AN ACT

To amend Code Section 16-11-131 of the Official Code of Georgia Annotated, relating to possession of firearms by convicted felons and first offender probationers, so as to specify that each firearm in the possession or attempted possession of certain offenders shall be charged as a separate offense; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Code Section 16-11-131 of the Official Code of Georgia Annotated, relating to possession of firearms by convicted felons and first offender probationers, is amended by revising subsection (b) and adding a new subsection to read as follows:

"(b) Any person who is on probation as a felony first offender pursuant to Article 3 of Chapter 8 of Title 42, who is on probation and was sentenced for a felony under subsection (a) or (c) of Code Section 16-13-2, or who has been convicted of a felony by a court of this state or any other state; by a court of the United States including its territories, possessions, and dominions; or by a court of any foreign nation and who receives, possesses, or transports ~~any~~ a firearm commits a felony and, upon conviction thereof, shall be

imprisoned for not less than one year nor more than ten years; provided, however, that upon a second or subsequent conviction, such person shall be imprisoned for not less than five nor more than ten years; provided, further, that if the felony for which the person is on probation or has been previously convicted is a forcible felony, then upon conviction of receiving, possessing, or transporting a firearm, such person shall be imprisoned for a period of five years."

"(g) For any violation of subsection (b) or (b.1) of this Code section involving multiple firearms, each firearm connected to such violation shall constitute a separate offense."

SECTION 2.

All laws and parts of laws in conflict with this Act are repealed.