

The Senate Committee on Public Safety offered the following substitute to HB 167:

A BILL TO BE ENTITLED  
AN ACT

1 To amend Article 4 of Chapter 11 of Title 16 of the Official Code of Georgia Annotated,  
2 relating to dangerous instrumentalities and practices, so as to provide for an exception to the  
3 definition of firearm in relation to possession of firearm or knife during commission of or  
4 attempt to commit certain crimes and Brady Law regulations; to amend Chapter 5 of Title  
5 35 of the Official Code of Georgia Annotated, relating to Georgia Public Safety Training  
6 Center, so as to authorize the establishment of a law enforcement unit within the center; to  
7 provide for training standards; to provide for state-wide jurisdiction and arrest powers to  
8 peace officers employed by the center; to provide for related matters; to repeal conflicting  
9 laws; and for other purposes.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

11 **SECTION 1.**

12 Article 4 of Chapter 11 of Title 16 of the Official Code of Georgia Annotated, relating to  
13 dangerous instrumentalities and practices, is amended in Code Section 16-11-106, relating  
14 to possession of firearm or knife during commission of or attempt to commit certain crimes,  
15 by adding a new subsection to read as follows:

16 "(f) A stun gun or taser lawfully possessed by a peace officer shall not be considered a  
17 firearm under this Code section."

18 **SECTION 2.**

19 Said article is further amended in Code Section 16-11-171, relating to definitions relative to  
20 Brady Law regulations, by revising paragraph (3) as follows:

21 "(3) 'Firearm' means any weapon that is designed to or may readily be converted to expel  
22 a projectile by the action of an explosive or the frame or receiver of any such weapon,  
23 any firearm muffler or firearm silencer, or any destructive device as defined in 18 U.S.C.  
24 Section 921(a)(3). Such term shall not include any stun gun or taser as such term is  
25 defined in Code Section 16-11-106."

26 **SECTION 3.**

27 Chapter 5 of Title 35 of the Official Code of Georgia Annotated, relating to Georgia Public  
28 Safety Training Center, is amended in Code Section 35-5-5, relating to center available for  
29 use by certain personnel, fees, enrollment, authorization for expenditure of funds, and powers  
30 and duties, by adding a new subsection to read as follows:

31 "(e) Subject to funds appropriated for such purpose and rules and regulations prescribed  
32 by the board, the administrator of the center shall be authorized to expend funds for costs  
33 associated with necessary equipment and personnel for the purposes of establishing and  
34 maintaining a law enforcement unit pursuant to Code Section 35-5-7."

35 **SECTION 4.**

36 Said chapter is further amended by revising Code Section 35-5-7, relating to security police  
37 force, as follows:

38 "35-5-7.

39 (a) The administrator of the center, with the approval of the board, ~~is~~ shall be authorized  
40 to establish a ~~security police force~~ law enforcement unit within the Georgia Public Safety  
41 Training Center: ~~and to appoint and employ peace officers for the preservation of public~~  
42 order, the protection of life and property, and the enforcement of laws. Personnel in such  
43 positions shall comply with the requirements of Chapter 8 of this title, the 'Georgia Peace  
44 Officer Standards and Training Act.'

45 (b) Officers employed pursuant to this Code section shall have jurisdiction throughout this  
46 state and shall have the power of arrest in the performance of their duties. While in the  
47 performance of their duties on property of the Georgia Public Safety Training Center, such  
48 security police shall have the same law enforcement powers, including the power of arrest,  
49 as a law enforcement officer of the local government with police jurisdiction over such  
50 Georgia Public Safety Training Center.

51 (c) This Code section shall not repeal, supersede, alter, or affect the power of any other  
52 law enforcement officer of this state or of any county, municipality, or other political  
53 subdivision of this state."

54

#### SECTION 5.

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