

House Bill 110

By: Representatives Clark of the 147th, Tarvin of the 2nd, Dunahoo of the 30th, Glanton of the 75th, Gullett of the 19th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Part 1 of Article 1 of Chapter 3 of Title 12, Title 16, and Title 27 of the Official
2 Code of Georgia Annotated, relating to general provisions regarding parks, historic areas,
3 memorials, and recreation, crimes and offenses, and game and fish, respectively, so as to
4 allow persons who are eligible for a weapons carry license to lawfully carry a weapon
5 without such license; to revise definitions; to provide for a class of persons who are eligible
6 for a weapons carry license; to revise the offense of carrying a weapon without a license and
7 provide for the offense of carrying a weapon without eligibility to carry a weapon; to revise
8 provisions related to carrying weapons to account for the class of persons who are eligible
9 for a weapons carry license; to provide that a weapons carry license shall serve as an
10 administrative confirmation of a person's right to carry a weapon; to provide for related
11 matters; to repeal conflicting laws; and for other purposes.

12 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

13 **SECTION 1.**

14 Part 1 of Article 1 of Chapter 3 of Title 12 of the Official Code of Georgia Annotated,
15 relating to general provisions regarding parks, historic areas, memorials, and recreation, is
16 amended in Code Section 12-3-10, relating to directing persons to leave parks, historic sites,

17 or recreational areas upon their refusal to observe rules and regulations and prohibited acts
18 generally, by revising paragraph (3) of subsection (o) as follows:

19 "(3) It shall be unlawful for any person to use or possess in any park, historic site, or
20 recreational area any handgun without a valid weapons carry license ~~or being eligible for~~
21 a weapons carry license issued pursuant to Code Section 16-11-129. As used in this
22 paragraph, the terms 'eligible for a weapons carry license' and 'weapons carry license'
23 shall have the same meanings as provided for in subsections (.1) and (6) of Code
24 Section 16-11-125.1, respectively."

25 **SECTION 2.**

26 Title 16 of the Official Code of Georgia Annotated, relating to crimes and offenses, is
27 amended in Code Section 16-11-125.1, relating to definitions, by adding a new paragraph to
28 read as follows:

29 "(.1) 'Eligible for a weapons carry license' means a person who meets the qualifications
30 described in subparagraphs (b)(2)(A) through (b)(2)(F) and subparagraphs (b)(2)(H)
31 through (b)(2)(L) of Code Section 16-11-129 to be eligible to have issued to himself or
32 herself a weapons carry license and who has not had a weapons carry license revoked
33 within the prior three years as measured from the date of the last revocation."

34 **SECTION 3.**

35 Said title is further amended by revising Code Section 16-11-126, relating to having or
36 carrying handguns, long guns, or other weapons, license requirement, and exceptions for
37 homes, motor homes, private property, and other locations and conditions, as follows:

38 "16-11-126.

39 (a) Any person who is not otherwise prohibited by law from possessing a handgun or long
40 gun may have or carry on his or her person a weapon or long gun on his or her property or

41 inside his or her home, motor vehicle, or place of business without a valid weapons carry
42 license or being eligible for a weapons carry license.

43 (b) Any person who is not otherwise prohibited by law from possessing a handgun or long
44 gun may have or carry on his or her person a long gun without a valid weapons carry
45 license or being eligible for a weapons carry license, provided that if the long gun is
46 loaded, it shall only be carried in an open and fully exposed manner.

47 (c) Any person who is not prohibited by law from possessing a handgun or long gun may
48 have or carry any handgun provided that it is enclosed in a case and unloaded.

49 (d) Any person who is not prohibited by law from possessing a handgun or long gun who
50 is eligible for a weapons carry license may transport a handgun or long gun in any private
51 passenger motor vehicle; provided, however, that private property owners or persons in
52 legal control of private property through a lease, rental agreement, licensing agreement,
53 contract, or any other agreement to control access to such private property shall have the
54 right to exclude or eject a person who is in possession of a weapon or long gun on their
55 private property in accordance with paragraph (3) of subsection (b) of Code Section
56 16-7-21, except as provided in Code Section 16-11-135.

57 (e)(1)(A) Any person licensed to carry a weapon in any other state whose laws
58 recognize and give effect to a license issued pursuant to this part shall be authorized to
59 carry a weapon in this state, but only while the licensee is not a resident of this state;
60 provided, however, that:

61 (i) Such licensee licensed to carry a weapon in any other state shall carry the weapon
62 in compliance with the laws of this state; and

63 (ii) No other state shall be required to recognize and give effect to a license issued
64 pursuant to this part that is held by a person who is younger than 21 years of age.

65 (B) The Attorney General shall create and maintain on the Department of Law's
66 website a list of states whose laws recognize and give effect to a license issued pursuant
67 to this part.

68 (2) Any person who is not a weapons carry license holder in this state and who is
69 licensed to carry a weapon in any other state whose laws recognize and give effect to a
70 license issued pursuant to this part shall be authorized to carry a weapon in this state for
71 90 days after he or she becomes a resident of this state; provided, however, that such
72 person shall carry the weapon in compliance with the laws of this state, shall as soon as
73 practicable submit a weapons carry license application as provided for under Code
74 Section 16-11-129, and shall remain licensed in such other state for the duration of time
75 that he or she is a resident of this state but not a weapons carry license holder in this state.

76 (f)(1) Any person with a valid hunting or fishing license on his or her person, or any
77 person not required by law to have a hunting or fishing license, who is engaged in legal
78 hunting, fishing, or sport shooting when the person has the permission of the owner of
79 the land on which the activities are being conducted may have or carry on his or her
80 person a weapon or long gun without a valid weapons carry license while hunting,
81 fishing, or engaging in sport shooting.

82 (2) Any person with a valid hunting or fishing license on his or her person, or any person
83 not required by law to have a hunting or fishing license, who is ~~otherwise~~ engaged in
84 legal hunting, fishing, or sport shooting on recreational or wildlife management areas
85 owned by this state may have or carry on his or her person a knife without a valid
86 weapons carry license while engaging in such hunting, fishing, or sport shooting.

87 (g) Notwithstanding Code Sections 12-3-10, 27-3-1.1, 27-3-6, and 16-12-122 through
88 16-12-127, any person with a valid weapons carry license or eligible for a weapons carry
89 license may carry a weapon in all parks, historic sites, or recreational areas, as such term
90 is defined in Code Section 12-3-10, including all publicly owned buildings located in such
91 parks, historic sites, and recreational areas, in wildlife management areas, and on public
92 transportation; provided, however, that a person shall not carry a handgun into a place
93 where it is prohibited by federal law.

94 (h)(1) No person shall carry a weapon without a valid weapons carry license unless he
 95 or she meets one of the exceptions to having such license as provided in subsections (a)
 96 through (g) of this Code section or is eligible for a weapons carry license.

97 (2) A person commits the offense of carrying a weapon without a license or eligibility
 98 to carry a weapon when he or she violates the provisions of paragraph (1) of this
 99 subsection.

100 (i) Except as provided for in Code Sections 16-11-127.1 and 16-11-127.2, upon ~~Upon~~
 101 conviction of the offense of carrying a weapon without a valid weapons carry license or
 102 eligibility to carry a weapon, a person shall be punished as follows:

103 (1) For the first offense, he or she shall be guilty of a misdemeanor; and

104 (2) For the second offense within five years, as measured from the dates of previous
 105 arrests for which convictions were obtained to the date of the current arrest for which a
 106 conviction is obtained, and for any subsequent offense, he or she shall be guilty of a
 107 felony and, upon conviction thereof, shall be imprisoned for not less than two years and
 108 not more than five years.

109 (j) Nothing in this Code section shall in any way operate or be construed to affect, repeal,
 110 or limit the exemptions provided for under Code Section 16-11-130."

111 **SECTION 4.**

112 Said title is further amended in Code Section 16-11-127, relating to carrying weapons in
 113 unauthorized locations, by revising subsections (b) through (e) as follows:

114 "(b) Except as provided in Code Section 16-11-127.1 and subsection (d) or (e) of this Code
 115 section, a person shall be guilty of carrying a weapon or long gun in an unauthorized
 116 location and punished as ~~for a misdemeanor~~ provided for in subsection (i) of Code
 117 Section 16-11-126 when he or she carries a weapon or long gun while:

118 (1) In a government building as a ~~nonlicense holder~~ nonweapons carry license holder or
 119 person not eligible for a weapons carry license;

- 120 (2) In a courthouse;
- 121 (3) In a jail or prison;
- 122 (4) In a place of worship, unless the governing body or authority of the place of worship
123 permits the carrying of weapons or long guns by weapons carry license holders and
124 persons eligible for a weapons carry license;
- 125 (5) In a state mental health facility as defined in Code Section 37-1-1 which admits
126 individuals on an involuntary basis for treatment of mental illness, developmental
127 disability, or addictive disease; provided, however, that carrying a weapon or long gun
128 in such location in a manner in compliance with paragraph (3) of subsection (d) of this
129 Code section shall not constitute a violation of this subsection;
- 130 (6) On the premises of a nuclear power facility, except as provided in Code Section
131 16-11-127.2, and the punishment provisions of Code Section 16-11-127.2 shall supersede
132 the punishment provisions of this Code section; or
- 133 (7) Within 150 feet of any polling place when elections are being conducted and such
134 polling place is being used as a polling place as provided for in paragraph (27) of Code
135 Section 21-2-2, except as provided in subsection (i) of Code Section 21-2-413.
- 136 (c) A weapons carry license holder or person who is eligible for a weapons carry license
137 or recognized under subsection (e) of Code Section 16-11-126 shall be authorized to carry
138 a weapon as provided in Code Section 16-11-135 and in every location in this state not
139 listed in subsection (b) or prohibited by subsection (e) of this Code section; provided,
140 however, that private property owners or persons in legal control of private property
141 through a lease, rental agreement, licensing agreement, contract, or any other agreement
142 to control access to such private property shall have the right to exclude or eject a person
143 who is in possession of a weapon or long gun on their private property in accordance with
144 paragraph (3) of subsection (b) of Code Section 16-7-21, except as provided in Code
145 Section 16-11-135. A violation of subsection (b) of this Code section shall not create or
146 give rise to a civil action for damages.

147 (d) Subsection (b) of this Code section shall not apply:

148 (1) To the use of weapons or long guns as exhibits in a legal proceeding, provided that
149 such weapons or long guns are secured and handled as directed by the personnel
150 providing courtroom security or the judge hearing the case;

151 (2) To a weapons carry license holder or person who is eligible for a weapons carry
152 license who approaches security or management personnel upon arrival at a location
153 described in subsection (b) of this Code section and notifies such security or management
154 personnel of the presence of the weapon or long gun and explicitly follows the security
155 or management personnel's direction for removing, securing, storing, or temporarily
156 surrendering such weapon or long gun; and

157 (3) To a weapon or long gun possessed by a weapons carry license holder or person who
158 is eligible for a weapons carry license which is under the possessor's control in a motor
159 vehicle or is in a locked compartment of a motor vehicle or one which is in a locked
160 container in or a locked firearms rack which is on a motor vehicle and such vehicle is
161 parked in a parking facility.

162 (e)(1) A weapons carry license holder or person who is eligible for a weapons carry
163 license shall be authorized to carry a weapon in a government building when the
164 government building is open for business and where ingress into such building is not
165 restricted or screened by security personnel. A weapons carry license holder or person
166 who is eligible for a weapons carry license who enters or attempts to enter a government
167 building carrying a weapon where ingress is restricted or screened by security personnel
168 shall be guilty of a misdemeanor if at least one member of such security personnel is
169 certified as a peace officer pursuant to Chapter 8 of Title 35; provided, however, that a
170 weapons carry license holder or person who is eligible for a weapons carry license who
171 immediately exits such building or immediately leaves such location upon notification
172 of his or her failure to clear security due to the carrying of a weapon shall not be guilty
173 of violating this subsection or paragraph (1) of subsection (b) of this Code section. A

174 person who is not a weapons carry license holder or is not eligible for a weapons carry
175 license and who attempts to enter a government building carrying a weapon shall be
176 guilty of a ~~misdemeanor~~ violating subsection (h) of Code Section 16-11-126.

177 (2) Any weapons carry license holder or person who is eligible for a weapons carry
178 license who violates subsection (b) of this Code section in a place of worship shall not
179 be arrested but shall be fined not more than \$100.00. Any person who is not a weapons
180 carry license holder or who is not eligible for a weapons carry license who violates
181 subsection (b) of this Code section in a place of worship shall be punished as for a
182 ~~misdemeanor~~ violating subsection (h) of Code Section 16-11-126."

183 **SECTION 5.**

184 Said title is further amended in Code Section 16-11-127.1, relating to carrying weapons
185 within school safety zones, at school functions, or on a bus or other transportation furnished
186 by a school, by revising paragraph (2) of subsection (b) and paragraph (8) of subsection (c),
187 as follows:

188 "(2) Except as provided for in paragraph (20) of subsection (c) of this Code section, any
189 weapons carry license holder or person eligible for a weapons carry license who violates
190 this subsection shall be guilty of a misdemeanor. Any person who is not a weapons carry
191 license holder or not eligible for a weapons carry license who violates this subsection
192 shall be guilty of a felony and, upon conviction thereof, be punished by a fine of not more
193 than \$10,000.00, by imprisonment for not less than two nor more than ten years, or both."

194 "(8) A weapon possessed by a weapons carry license holder or person eligible for a
195 weapons carry license which is under the possessor's control in a motor vehicle or which
196 is in a locked compartment of a motor vehicle or one which is in a locked container in or
197 a locked firearms rack which is on a motor vehicle which is being used by an adult over
198 21 years of age to bring to or pick up a student within a school safety zone, at a school
199 function, or on a bus or other transportation furnished by a school, or when such vehicle

200 is used to transport someone to an activity being conducted within a school safety zone
 201 which has been authorized by a duly authorized official or local board of education as
 202 provided by paragraph (6) of this subsection; provided, however, that this exception shall
 203 not apply to a student attending a public or private elementary or secondary school;"

204 **SECTION 6.**

205 Said title is further amended in Code Section 16-11-129, relating to weapons carry license,
 206 temporary renewal permit, mandamus, and verification of license, by revising subsections (a)
 207 and (b.1) as follows:

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

209 (1) The judge of the probate court of each county shall, on application under oath, on
 210 payment of a fee of \$30.00, and on investigation of the applicant pursuant to
 211 subsections (b) and (d) of this Code section, issue a weapons carry license or renewal
 212 license valid for a period of five years to any person whose domicile is in that county or
 213 who is on active duty with the United States armed forces and who is not a domiciliary
 214 of this state but who either resides in that county or on a military reservation located in
 215 whole or in part in that county at the time of such application. Such license or renewal
 216 license shall ~~authorize that person~~ serve as administrative confirmation of that person's
 217 right to carry any weapon in any county of this state ~~notwithstanding any change in that~~
 218 ~~person's county of residence or state of domicile.~~

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

224 (B) Any service member whose weapons carry license or renewal license expired while
 225 such service member was serving on active duty outside this state shall be authorized

226 to carry any weapon in accordance with such expired license for a period of six months
227 from the date of his or her discharge from active duty or reassignment to a location
228 within this state. When carrying a weapon pursuant to Code Section 16-11-137, the
229 service member shall also have in his or her immediate possession a copy of the official
230 military orders or a written verification signed by such service member's commanding
231 officer which shall evidence that such service member is authorized to carry any
232 weapon in accordance with such expired license for a period of six months from the
233 date of his or her discharge from active duty or reassignment to a location within this
234 state.

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

238 (B)(i) An application shall be considered to be for a renewal license if the applicant
239 has a weapons carry license or renewal license with 90 or fewer days remaining
240 before the expiration of such weapons carry license or renewal license or 30 or fewer
241 days since the expiration of such weapons carry license or renewal license regardless
242 of the county of issuance of the applicant's expired or expiring weapons carry license
243 or renewal license.

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

251 (iii) An applicant who is not a United States citizen shall provide sufficient personal
252 identifying data, including without limitation his or her place of birth and United

253 States issued alien or admission number, as the Georgia Bureau of Investigation may
254 prescribe by rule or regulation. An applicant who is in nonimmigrant status shall
255 provide proof of his or her qualifications for an exception to the federal firearm
256 prohibition pursuant to 18 U.S.C. Section 922(y). Forms shall be designed to elicit
257 information from the applicant pertinent to his or her eligibility under this Code
258 section, including citizenship, but shall not require data which is nonpertinent or
259 irrelevant, such as serial numbers or other identification capable of being used as a de
260 facto registration of firearms owned by the applicant. The Department of Public
261 Safety shall furnish application forms and license forms required by this Code section.
262 The forms shall be furnished to each judge of each probate court within this state at
263 no cost."

264 **"(b.1) Petitions for relief from certain licensing exceptions.**

265 (1) Persons provided for under subparagraphs (b)(2)(J), (b)(2)(K), and (b)(2)(L) of this
266 Code section may petition the court in which such adjudication, hospitalization, or
267 treatment proceedings, if any, under Chapter 3 or 7 of Title 37 occurred for relief. A
268 copy of such petition for relief shall be served as notice upon the opposing civil party or
269 the prosecuting attorney for the state, as the case may be, or their successors, who
270 appeared in the underlying case. Within 30 days of the receipt of such petition, such
271 court shall hold a hearing on such petition for relief. Such prosecuting attorney for the
272 state may represent the interests of the state at such hearing.

273 (2) At the hearing provided for under paragraph (1) of this subsection, the court shall
274 receive and consider evidence in a closed proceeding concerning:

275 (A) The circumstances which caused the person to be subject to subparagraph (b)(2)(J),
276 (b)(2)(K), or (b)(2)(L) of this Code section;

277 (B) The person's mental health and criminal history records, if any. The judge of such
278 court may require any such person to sign a waiver authorizing the superintendent of
279 any mental hospital or treatment center to make to the judge a recommendation

280 regarding whether such person is a threat to the safety of others. When such a waiver
281 is required by the judge, the applicant shall pay a fee of \$3.00 for reimbursement of the
282 cost of making such a report by the mental health hospital, alcohol or drug treatment
283 center, or the Department of Behavioral Health and Developmental Disabilities, which
284 the judge shall remit to the hospital, center, or department;

285 (C) The person's reputation which shall be established through character witness
286 statements, testimony, or other character evidence; and

287 (D) Changes in the person's condition or circumstances since such adjudication,
288 hospitalization, or treatment proceedings under Chapter 3 or 7 of Title 37.

289 The judge shall issue an order of his or her decision no later than 30 days after the
290 hearing.

291 (3) The court shall grant the petition for relief if such court finds by a preponderance of
292 the evidence that the person will not likely act in a manner dangerous to public safety in
293 carrying a weapon and that granting the relief will not be contrary to the public interest.
294 A record shall be kept of the hearing; provided, however, that such records shall remain
295 confidential and be disclosed only to a court or to the parties in the event of an appeal.
296 Any appeal of the court's ruling on the petition for relief shall be de novo review.

297 (4) If the court grants such person's petition for relief, the applicable subparagraph
298 (b)(2)(J), (b)(2)(K), or (b)(2)(L) of this Code section shall not apply to such person in his
299 or her application for a weapons carry license or renewal or eligibility to carry a weapon;
300 provided, however, that such person shall comply with all other requirements for the
301 issuance of a weapons carry license or renewal license or eligibility to carry a weapon.
302 The clerk of such court shall report such order to the Georgia Crime Information Center
303 immediately, but in no case later than ten business days after the date of such order.

304 (5) A person may petition for relief under this subsection not more than once every two
305 years. In the case of a person who has been hospitalized as an inpatient, such person shall
306 not petition for relief prior to being discharged from such treatment."

307 **SECTION 7.**

308 Said title is further amended by revising Code Section 16-11-137, relating to required
309 possession of weapons carry license, proof of exemption when carrying a weapon, and
310 detention for investigating of carrying permit, as follows:

311 "16-11-137.

312 (a) ~~Every license holder shall have his or her valid weapons carry license in his or her~~
313 ~~immediate possession at all times when carrying a weapon, or if such person is exempt~~
314 ~~from having a weapons carry license pursuant to Code Section 16-11-130 or subsection (c)~~
315 ~~of Code Section 16-11-127.1, he or she~~ person provided for in Code Section 16-11-130
316 shall have proof of his or her exemption in his or her immediate possession at all times
317 when carrying a weapon; and his or her failure to do so shall be prima-facie evidence of a
318 violation of ~~the applicable provision of Code Sections 16-11-126 through 16-11-127.2~~ this
319 Code section.

320 (b) A person carrying a weapon shall not be subject to detention for the sole purpose of
321 investigating whether such person has a weapons carry license or is eligible for a weapons
322 carry license.

323 (c) A person convicted of a violation of this Code section shall be fined not more than
324 \$10.00 if he or she produces in court his or her ~~weapons carry license, provided that it was~~
325 ~~valid at the time of his or her arrest, or produces~~ proof of his or her exemption provided for
326 under Code Section 16-11-130."

327 **SECTION 8.**

328 Said title is further amended in Code Section 16-12-123, relating to bus or rail vehicle
329 hijacking, boarding with concealed weapon, and company use of reasonable security
330 measures, by revising subsection (b) as follows:

331 "(b) Any person who boards or attempts to board an aircraft, bus, or rail vehicle with any
332 explosive, destructive device, or hoax device as such term is defined in Code Section

333 16-7-80; firearm for which such person is not eligible for a weapons carry license or does
334 not have on his or her person a valid weapons carry license ~~issued pursuant to Code Section~~
335 ~~16-11-129~~ unless possessing such firearm is prohibited by federal law; hazardous substance
336 as defined by Code Section 12-8-92; or knife or other device designed or modified for the
337 purpose of offense and defense concealed on or about his or her person or property which
338 is or would be accessible to such person while on the aircraft, bus, or rail vehicle shall be
339 guilty of a felony and, upon conviction thereof, shall be sentenced to imprisonment for not
340 less than one nor more than ten years. The prohibition of this subsection shall not apply
341 to any law enforcement officer, peace officer retired from a state or federal law
342 enforcement agency, person in the military service of the state or of the United States, or
343 commercial security personnel employed by the transportation company who is in
344 possession of weapons used within the course and scope of employment; nor shall the
345 prohibition apply to persons transporting weapons contained in baggage which is not
346 accessible to passengers if the presence of such weapons has been declared to the
347 transportation company and such weapons have been secured in a manner prescribed by
348 state or federal law or regulation for the purpose of transportation or shipment. The
349 provisions of this subsection shall not apply to any privately owned aircraft, bus, or rail
350 vehicle if the owner of such aircraft or vehicle has given his or her express permission to
351 board the aircraft or vehicle with the item. As used in this subsection, the terms 'eligible
352 for a weapons carry license' and 'weapons carry license' shall have the same meanings as
353 provided for in subsections (.1) and (6) of Code Section 16-11-125.1, respectively."

354

SECTION 9.

355 Said title is further amended in Code Section 16-12-127, relating to prohibition on firearms,
356 hazardous substances, knives, or other devices, penalty, and affirmative defenses, by revising
357 subsection (a) as follows:

358 "(a) It shall be unlawful for any person, with the intention of avoiding or interfering with
 359 a security measure or of introducing into a terminal any explosive, destructive device, or
 360 hoax device as defined in Code Section 16-7-80; firearm ~~for which such person does not~~
 361 ~~have on his or her person a valid weapons carry license issued pursuant to Code Section~~
 362 ~~16-11-129~~ if such person is not a weapons carry license holder or eligible for a weapons
 363 carry license unless possessing such firearm is prohibited by federal law; hazardous
 364 substance as defined by Code Section 12-8-92; or knife or other device designed or
 365 modified for the purpose of offense and defense, to:

- 366 (1) Have any such item on or about his or her person, or
 367 (2) Place or cause to be placed or attempt to place or cause to be placed any such item:
 368 (A) In a container or freight of a transportation company;
 369 (B) In the baggage or possessions of any person or any transportation company without
 370 the knowledge of the passenger or transportation company; or
 371 (C) Aboard such aircraft, bus, or rail vehicle.

372 As used in this subsection, the term 'eligible for a weapons carry license' and 'weapons
 373 carry license' shall have the same meanings as provided for in subsections (.1) and (6) of
 374 Code Section 16-11-125.1, respectively."

375 **SECTION 10.**

376 Title 27 of the Official Code of Georgia Annotated, relating to game and fish, is amended in
 377 Code Section 27-3-1.1, relating to acts prohibited on wildlife management areas, by revising
 378 paragraphs (1) and (2) as follows:

- 379 "(1) To possess a firearm other than a handgun, as such term is defined in Code Section
 380 16-11-125.1, during a closed hunting season for that area unless such firearm is unloaded
 381 and stored in a motor vehicle so as not to be readily accessible or to possess a handgun
 382 during a closed hunting season for that area unless such person possesses a valid weapons

383 carry license issued pursuant to Code Section 16-11-129 or is eligible for a weapons carry
384 license, as such term is defined in Code Section 16-11-125.1;

385 (2) To possess a loaded firearm other than a handgun, as such term is defined in Code
386 Section 16-11-125.1, in a motor vehicle during a legal open hunting season for that area
387 or to possess a loaded handgun in a motor vehicle during a legal open hunting season for
388 that area unless such person possesses a valid weapons carry license issued pursuant to
389 Code Section 16-11-129 or is eligible for a weapons carry license, as such term is defined
390 in Code Section 16-11-125.1;”

391 **SECTION 11.**

392 Said title is further amended by revising Code Section 27-3-6, relating to possession of
393 firearm while hunting with bow and arrow, as follows:

394 "27-3-6.

395 It shall be unlawful for any person to possess any center-fire or rimfire firearm other than
396 a handgun, as such term is defined in Code Section 16-11-125.1, while hunting with a bow
397 and arrow during archery or primitive weapons season for deer or while hunting with a
398 muzzleloading firearm during a primitive weapons season for deer or to possess a loaded
399 handgun while hunting with a bow and arrow during archery or primitive weapons season
400 for deer or while hunting with a muzzleloading firearm during primitive weapons season
401 for deer unless such person possesses a valid weapons carry license issued pursuant to
402 Code Section 16-11-129 or is eligible for a weapons carry license, as such term is defined
403 in Code Section 16-11-125.1.”

404 **SECTION 12.**

405 Said title is further amended in Code Section 27-4-11.1, relating to possession of firearms
406 and intoxication on public fishing areas, fishing in closed fishing areas, and other restrictions
407 in public fishing areas, by revising paragraphs (1) and (2) of subsection (a) as follows:

408 "(1) To possess a firearm other than a handgun, as such term is defined in Code Section
409 16-11-125.1, during a closed hunting season for that area unless such firearm is unloaded
410 and stored in a motor vehicle so as not to be readily accessible or to possess a handgun
411 during a closed hunting season for that area unless such person possesses a valid weapons
412 carry license issued pursuant to Code Section 16-11-129 or is eligible for a weapons carry
413 license, as such term is defined in Code Section 16-11-125.1;
414 (2) To possess a loaded firearm other than a handgun, as such term is defined in Code
415 Section 16-11-125.1, in a motor vehicle during a legal open hunting season for that area
416 or to possess a loaded handgun in a motor vehicle during a legal open hunting season for
417 that area unless such person possesses a valid weapons carry license issued pursuant to
418 Code Section 16-11-129 or is eligible for a weapons carry license, as such term is defined
419 in Code Section 16-11-125.1; or"

420

SECTION 13.

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