

House Bill 63

By: Representatives Oliver of the 84th, Au of the 50th, Park of the 107th, Tran of the 80th, Westbrook of the 163rd, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Part 3 of Article 4 of Chapter 11 of Title 16 of the Official Code of Georgia
2 Annotated, relating to carrying and possession of firearms, so as to establish the offense of
3 failure to adequately secure a loaded or unloaded firearm; to provide for a penalty; to provide
4 for related matters; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **SECTION 1.**

7 Part 3 of Article 4 of Chapter 11 of Title 16 of the Official Code of Georgia Annotated,
8 relating to carrying and possession of firearms, is amended by adding a new Code section to
9 read as follows:

10 "16-11-132.1.

11 (a) As used in this Code section, the term 'firearm' means any handgun, rifle, shotgun, or
12 similar device or weapon which will or can be converted to expel a projectile by the action
13 of an explosive or electrical charge.

14 (b) Any owner of a firearm who possesses, stores, or leaves the loaded or unloaded firearm
15 in a manner in which he or she knew or should have known that another individual could

16 obtain the firearm shall be guilty of the offense of failure to adequately secure a firearm
17 when the firearm is obtained by:

18 (1) A minor and exhibited in a public place or while making a threat of violence; or

19 (2) Any individual, regardless of age, and used during the commission of a crime or
20 during an act which results in the injury or death of such individual or another when such
21 act was not the lawful defense of people or property.

22 (c) A violation of this Code section shall be a misdemeanor punishable by a fine of not less
23 than \$500.00."

24 **SECTION 2.**

25 All laws and parts of laws in conflict with this Act are repealed.