

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

A BILL TO BE ENTITLED
AN ACT

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

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

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

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

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

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

25 **SECTION 2.**

26 All laws and parts of laws in conflict with this Act are repealed.