House Bill 33 (AS PASSED HOUSE AND SENATE)
By: Representatives Lumsden of the 12th, Hitchens of the 161st, Powell of the 32nd, Prince of the 127th, Glanton of the 75th, and others

A BILL TO BE ENTITLED
AN ACT

To amend Code Section 16-11-129 of the Official Code of Georgia Annotated, relating to weapons carry license, gun safety information, temporary renewal permit, mandamus, and verification of license, so as to provide for an extension of time for the renewal of a weapons carry license or renewal license for certain service members serving on active duty outside the state; to provide for a definition; 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 16-11-129 of the Official Code of Georgia Annotated, relating to weapons carry license, gun safety information, temporary renewal permit, mandamus, and verification of license, is amended by revising subsection (a) as follows:

(a) Application for weapons carry license or renewal license; term.
(1) The judge of the probate court of each county shall, on application under oath, on payment of a fee of $30.00, and on investigation of the applicant pursuant to subsections (b) and (d) of this Code section, issue a weapons carry license or renewal license valid for a period of five years to any person whose domicile is in that county or who is on active duty with the United States armed forces and who is not a domiciliary of this state but who either resides in that county or on a military reservation located in whole or in part in that county at the time of such application. Such license or renewal license shall authorize that person to carry any weapon in any county of this state notwithstanding any change in that person's county of residence or state of domicile.
(2) (A) As used in this paragraph, the term 'service member' means an active duty member of the regular or reserve component of the United States Army, United States Navy, United States Marine Corps, United States Coast Guard, United States Air Force, United States National Guard, Georgia Army National Guard, or Georgia Air National Guard.
(B) Any service member whose weapons carry license or renewal license expired while
such service member was serving on active duty outside this state shall be authorized
to carry any weapon in accordance with such expired license for a period of six months
from the date of his or her discharge from active duty or reassignment to a location
within this state. When carrying a weapon pursuant to Code Section 16-11-137, the
service member shall also have in his or her immediate possession a copy of the official
military orders or a written verification signed by such service member's commanding
officer which shall evidence that such service member is authorized to carry any
weapon in accordance with such expired license for a period of six months from the
date of his or her discharge from active duty or reassignment to a location within this
state.

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

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

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

(iii) An applicant who is not a United States citizen shall provide sufficient personal
identifying data, including without limitation his or her place of birth and United
States issued alien or admission number, as the Georgia Bureau of Investigation may
prescribe by rule or regulation. An applicant who is in nonimmigrant status shall
provide proof of his or her qualifications for an exception to the federal firearm
prohibition pursuant to 18 U.S.C. Section 922(y). Forms shall be designed to elicit
information from the applicant pertinent to his or her eligibility under this Code
section, including citizenship, but shall not require data which is nonpertinent or
irrelevant, such as serial numbers or other identification capable of being used as a de
facto registration of firearms owned by the applicant. The Department of Public
Safety shall furnish application forms and license forms required by this Code section. The forms shall be furnished to each judge of each probate court within this state at no cost."

SECTION 2.

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