



Shield the 2nd

GA2A 2023 Legislative Agenda

Lower the Minimum Age for a Georgia Weapons License (GWL)

We trust eighteen-year-old Georgians to vote and defend freedom in the United States military, yet they do not qualify to obtain a Georgia Weapons License (GWL). GA2A backs legislation to lower the minimum age from 21 to 18.

Code section 16-11-129(b)(2)(A) is modified to read:

No weapons carry license shall be issued to:

A. Any person younger than 18 years of age.

Update State Militia Requirements

The requirements to join Georgia's State Militia are antiquated and should be updated so more law-abiding Georgians – no matter their age or gender – are allowed to join with the appropriate training and credentials.

Code section 38-2-3(d) is modified to read:

(d) Subject to such exemptions from military duty as are created by the laws of the United States, the unorganized militia shall consist of all ~~able-bodied male~~ residents of the state ~~between the ages of 17 and 45~~ who are not serving in any force of the organized militia or who are not on the state reserve list or the state retired list and who are, or who have declared their intention to become, citizens

of the United States and who possess a valid license issued pursuant to Code section 16-11-129, and who have (1) undergone a course in firearms training or (2) are certified to teach a course in firearms training. Any person meeting the qualifications described in this Code section shall, upon payment of a fee not to exceed 10 dollars, receive a photo identification card from the secretary of state identifying the person as a member of the unorganized militia. All members of the unorganized militia are declared to be in the military service of this State.

1. As used in this Code section, "course in firearms training" means a course that is at least 8 hours in duration, taught by a state or nationally recognized organization, and that teaches firearms safety, fundamentals of firearms operation, and includes live firing of firearms.

Protecting Places of Worship

Houses of worship are targets of criminals and a disarmed congregation is a recipe for disaster. Georgia Code should be updated to allow churches to "opt-out" as a place that allows concealed carry rather than forcing faith leaders to "opt-in."

Code section 16-11-127(b)(4) is repealed in its entirety and replaced with:

(4) Reserved

Courthouse Definition Updated to Only Include Superior Court

The definition of "Courthouse" within Code Section 16-11-127 should only include the portion of a building occupied by judicial Superior Courts and containing rooms in which judicial Superior Court proceedings are held.

Code section 16-11-127(a)(1) is modified to read:

(1) "Courthouse" means that portion of a building occupied by ~~judicial~~ superior courts and containing rooms in which ~~judicial~~ superior court proceedings are held.

Auction of Seized Weapons

GA2A will pursue legislation that allows for seized firearms to be auctioned for profit by local law enforcement to qualified gun owners in a timely manner.

Code section 17-5-54(g)(2)(A) is modified to read:

(A) Possessed by a municipal corporation shall be disposed of as provided for in Code Section 36-37-6; provided, however, that municipal corporations shall not have the right to reject any bids or to cancel any proposed sale of such firearms, and all sales may shall be to any person, but the transfer of such firearms shall only be to persons, specified by the winning bidders, who are licensed as firearms collectors, dealers, importers, or manufacturers under the provisions of 18 U.S.C. Section 921, et seq., and who are authorized to receive such firearms under the terms of such license. The municipal corporation must dispose of all such firearms at least once every 12 months during any time in which the municipal corporation has an inventory of five or more saleable firearms. If a municipal corporation does not dispose of such firearms as required by this Code section, a person interested in acquiring any such firearms may bring an action in mandamus or other legal proceeding to compel the disposition. A person who has been unable to acquire a firearm because of the municipal corporation's failure to dispose of the firearm pursuant to this Code section shall, in addition to any other relief to which he or she is entitled, be entitled to actual damages or \$100, whichever is greater. A prevailing plaintiff in such an action shall be entitled to his or her costs, including reasonable attorney's fees.; or

Code section 17-5-54(g)(2)(B) is modified to read:

(B) Possessed by the state or a political subdivision other than a municipal corporation, shall be disposed of by sale at public auction. While any person may bid at auction, the transfer of such firearms shall only be to persons, specified by the winning bidders, who are licensed as firearms collectors, dealers, importers, or manufacturers under the provisions of [18 U.S.C. Section 921](#), et seq., and who are authorized to receive such firearms under the terms of such license. Auctions required by this subparagraph may occur online on a rolling basis or at live events, but in no event shall such auctions occur less frequently than once every 12 months during any time in which the political subdivision or state custodial agency has an inventory of five or more saleable firearms. If the state or a political subdivision other than a municipal corporation does not dispose of such firearms as required by this Code section, a person interested in acquiring any such firearms may bring an action in mandamus or other legal proceeding to compel the disposition. A person who has been unable to acquire a firearm because of the state or a political subdivision's

failure to dispose of the firearm pursuant to this Code section shall, in addition to any other relief to which he or she is entitled, be entitled to actual damages or \$100, whichever is greater. A prevailing plaintiff in such an action shall be entitled to his or her costs, including reasonable attorney's fees.

Clarify and Simplify "Campus Carry"

By clarifying the legal description of firearms and weapons that can be carried on campuses, we can remove unnecessary and duplicative restrictions on where and what type of weapons or teaching aides can be possessed by law abiding citizens.

Code section 16-11-127.1(a)(4) is modified to read:

(4) "Weapon" means a weapon or long gun as those terms are defined in Code section 16-11-125.1 and includes any pistol, revolver, or any weapon designed or intended to propel a missile of any kind, or any dirk, bowie knife, switchblade knife, ballistic knife, any other knife having a blade of two or more inches, straight edge razor, razor blade, spring stick, knuckles, whether made from metal, thermoplastic, wood, or other similar material, blackjack, any bat, club, or other bludgeon type weapon, or any flailing instrument consisting of two or more rigid parts connected in such a manner as to allow them to swing freely, which may be known as a nun chahka, nun chuck, nunchaku, shuriken, or fighting chain, or any disc, of whatever configuration, having at least two points or pointed blades which is designed to be thrown or propelled and which may be known as a throwing star or oriental dart, or any weapon of like kind, and any stun gun or taser as defined in subsection (a) of [Code Section 16-11-106](#). This paragraph excludes any of these instruments used for classroom work authorized by the teacher.

Code Section 16-11-127.1 is amended to read:

- (a) As used in this Code section, the term:
 - (1) "Bus or other transportation furnished by a school" means a bus or other transportation furnished by a public or private elementary or secondary school.
 - (2) "School function" means a school function or related activity that occurs outside of a school safety zone and is for a public or private elementary or secondary school.
 - (3) "School safety zone" means in or on any real property or building owned by or leased to:

- (A) Any public or private elementary school, secondary school, or local board of education and used for elementary or secondary education; and
 - (B) Any public or private technical school, vocational school, college, university, or other institution of postsecondary education.
 - o (4) "Weapon" means a weapon or long gun as those terms are defined in Code section 16-11-125.1~~and includes any pistol, revolver, or any weapon designed or intended to propel a missile of any kind, or any dirk, bowie knife, switchblade knife, ballistic knife, any other knife having a blade of two or more inches, straight-edge razor, razor blade, spring stick, knuckles, whether made from metal, thermoplastic, wood, or other similar material, blackjack, any bat, club, or other bludgeon-type weapon, or any flailing instrument consisting of two or more rigid parts connected in such a manner as to allow them to swing freely, which may be known as a nun chahka, nun chuck, nunchaku, shuriken, or fighting chain, or any disc, of whatever configuration, having at least two points or pointed blades which is designed to be thrown or propelled and which may be known as a throwing star or oriental dart, or any weapon of like kind, and any stun gun or taser as defined in subsection (a) of Code Section 16-11-106. This paragraph excludes any of these instruments used for classroom work authorized by the teacher.~~
- (b)
 - o (1) Except as otherwise provided in subsection (c) of this Code section, it shall be unlawful for any person to carry to or to possess or have under such person's control while within a school safety zone, at a school function, or on a bus or other transportation furnished by a school any weapon or explosive compound, other than fireworks or consumer fireworks the possession of which is regulated by Chapter 10 of Title 25.
 - o (2) ~~Except as provided for in paragraph (20) of subsection (c) of this Code section, any license holder who violates this subsection shall be guilty of a misdemeanor. Any person who is not a license holder~~ lawful weapons carrier who violates this subsection shall be guilty of a felony and, upon conviction thereof, be punished by a fine of not more than \$10,000.00, by imprisonment for not less than two nor more than ten years, or both.
 - o (3) Any person convicted of a violation of this subsection involving a dangerous weapon or machine gun, as such terms are defined in Code Section 16-11-121, shall be punished by a fine of not more than \$10,000.00 or by imprisonment for a period of not less than five nor more than ten years, or both.

- o (4) A child who violates this subsection may be subject to the provisions of Code Section 15-11-601.
- (c) The provisions of this Code section shall not apply to:
 - o (1) Baseball bats, hockey sticks, or other sports equipment possessed by competitors for legitimate athletic purposes;
 - o (2) Participants in organized sport shooting events or firearm training courses;
 - o (3) Persons participating in military training programs conducted by or on behalf of the armed forces of the United States or the Georgia Department of Defense;
 - o (4) Persons participating in law enforcement training conducted by a police academy certified by the Georgia Peace Officer Standards and Training Council or by a law enforcement agency of the state or the United States or any political subdivision thereof;
 - o (5) The following persons, when acting in the performance of their official duties or when en route to or from their official duties:
 - (A) A peace officer as defined by Code Section 35-8-2;
 - (B) A law enforcement officer of the United States government;
 - (C) A prosecuting attorney of this state or of the United States;
 - (D) An employee of the Department of Corrections or a correctional facility operated by a political subdivision of this state or the United States who is authorized by the head of such department or correctional agency or facility to carry a firearm;
 - (E) An employee of the Department of Community Supervision who is authorized by the commissioner of community supervision to carry a firearm;
 - (F) A person employed as a campus police officer or school security officer who is authorized to carry a weapon in accordance with Chapter 8 of Title 20; and
 - (G) Medical examiners, coroners, and their investigators who are employed by the state or any political subdivision thereof;

provided, however, that this Code section shall not apply to any extent to persons who are provided for under Code Section 16-11-130;

- o (6) A person who has been authorized in writing by a duly authorized official of a public or private elementary or secondary school or a public or private technical school, vocational school, college, university, or other institution of postsecondary education or a local board of education as provided in Code Section

16-11-130.1 to have in such person's possession or use within a school safety zone, at a school function, or on a bus or other transportation furnished by a school a weapon which would otherwise be prohibited by this Code section. Such authorization shall specify the weapon or weapons which have been authorized and the time period during which the authorization is valid;

- o (7) A person who is licensed in accordance with Code Section 16-11-129 or issued a permit pursuant to Code Section 43-38-10, when such person carries or picks up a student within a school safety zone, at a school function, or on a bus or other transportation furnished by a school or a person who is licensed in accordance with Code Section 16-11-129 or issued a permit pursuant to Code Section 43-38-10 when he or she has any weapon legally kept within a vehicle when such vehicle is parked within a school safety zone or is in transit through a designated school safety zone;*
- o (8) A weapon possessed by a license holder which is under the possessor's control in a motor vehicle or which is in a locked compartment of a motor vehicle or one which is in a locked container in or a locked firearms rack which is on a motor vehicle which is being used by an adult over 21 years of age to bring to or pick up a student within a school safety zone, at a school function, or on a bus or other transportation furnished by a school, or when such vehicle is used to transport someone to an activity being conducted within a school safety zone which has been authorized by a duly authorized official or local board of education as provided by paragraph (6) of this subsection; provided, however, that this exception shall not apply to a student attending a public or private elementary or secondary school;*
- o (9) Persons employed in fulfilling defense contracts with the government of the United States or agencies thereof when possession of the weapon is necessary for manufacture, transport, installation, and testing under the requirements of such contract;*
- o (10) Those employees of the State Board of Pardons and Paroles when specifically designated and authorized in writing by the members of the State Board of Pardons and Paroles to carry a weapon;*
- o (11) The Attorney General and those members of his or her staff whom he or she specifically authorizes in writing to carry a weapon;*
- o (12) Community supervision officers employed by and under the authority of the Department of Community Supervision when specifically designated and authorized in writing by the commissioner of community supervision;*
- o (13) Public safety directors of municipal corporations;*
- o (14) State and federal trial and appellate judges;*
- o (15) United States attorneys and assistant United States attorneys;*
- o (16) Clerks of the superior courts;*

- o (17) Teachers and other personnel who are otherwise authorized to possess or carry weapons, provided that any such weapon is in a locked compartment of a motor vehicle or one which is in a locked container in or a locked firearms rack which is on a motor vehicle;
- o (18) Constables of any county of this state;
- o (19) Any person who is 18 years of age or older or currently enrolled in classes on the campus in question and carrying, possessing, or having under such person's control an electroshock weapon while in or on any building or real property owned by or leased to such public technical school, vocational school, college or university or other public institution of postsecondary education; provided, however, that, if such person makes use of such electroshock weapon, such use shall be in defense of self or others. The exemption under this paragraph shall apply only to such person in regard to such electroshock weapon. As used in this paragraph, the term "electroshock weapon" means any commercially available device that is powered by electrical charging units and designed exclusively to be capable of incapacitating a person by electrical charge, including, but not limited to, a stun gun or taser as defined in subsection (a) of Code Section 16-11-106; or
- ~~o (20) (A) Any weapons carry license holder, when he or she is in any building or on real property owned by or leased to any public technical school, vocational school, college, or university, or other public institution of postsecondary education; provided, however, that such exception shall:

 - ~~▪ (i) Not apply to buildings or property used for athletic sporting events or student housing, including, but not limited to, fraternity and sorority houses;~~
 - ~~▪ (ii) Not apply to any preschool or childcare space located within such buildings or real property;~~
 - ~~▪ (iii) Not apply to any room or space being used for classes related to a college and career academy or other specialized school as provided for under Code Section 20-4-37;~~
 - ~~▪ (iv) Not apply to any room or space being used for classes in which high school students are enrolled through a dual enrollment program, including, but not limited to, classes related to the "Move on When Ready Act" as provided for under Code Section 20-2-161.3;~~
 - ~~▪ (v) Not apply to faculty, staff, or administrative offices or rooms where disciplinary proceedings are conducted;~~
 - ~~▪ (vi) Only apply to the carrying of handguns which a licensee is licensed to carry pursuant to subsection (c) of Code Section 16-11-126 and pursuant to Code Section 16-11-129; and~~
 - ~~▪ (vii) Only apply to the carrying of handguns which are concealed.~~~~

- ~~▪ (B) Any weapons carry license holder who carries a handgun in a manner or in a building, property, room, or space in violation of this paragraph shall be guilty of a misdemeanor; provided, however, that for a conviction of a first offense, such weapons carry license holder shall be punished by a fine of \$25.00 and not be sentenced to serve any term of confinement.~~
- ~~▪ (C) As used in this paragraph, the term:
 - ~~▪ (i) "Concealed" means carried in such a fashion that does not actively solicit the attention of others and is not prominently, openly, and intentionally displayed except for purposes of defense of self or others. Such term shall include, but not be limited to, carrying on one's person while such handgun is substantially, but not necessarily completely, covered by an article of clothing which is worn by such person, carrying within a bag of a nondescript nature which is being carried about by such person, or carrying in any other fashion as to not be clearly discernible by the passive observation of others.~~
 - ~~▪ (ii) "Preschool or childcare space" means any room or continuous collection of rooms or any enclosed outdoor facilities which are separated from other spaces by an electronic mechanism or human-staffed point of controlled access and designated for the provision of preschool or childcare services, including, but not limited to, preschool or childcare services licensed or regulated under Article 1 of Chapter 1A of Title 20.~~~~

- (d)
 - o (1) This Code section shall not prohibit any person who resides or works in a business or is in the ordinary course transacting lawful business or any person who is a visitor of such resident located within a school safety zone from carrying, possessing, or having under such person's control a weapon within a school safety zone; provided, however, that it shall be unlawful for any such person to carry, possess, or have under such person's control while at a school building or school function or on school property or a bus or other transportation furnished by a school any weapon or explosive compound, other than fireworks the possession of which is regulated by Chapter 10 of Title 25.

(2) "Firearm" includes any handgun, rifle, shotgun, or other weapon which will or can be converted to expel a projectile by the action of an explosive ~~or electrical charge~~. Firearm shall not include an "antique firearm," as that term is defined in 44 C.F.R. § 478.11.

Add Statutory Damages for Failure to Issue GWL to Eligible Applicant

To cover the cost of attorney's fees, travel, and/or loss of income, GA2A seeks to update Code section 16-11.129(j) by adding statutory damages for failure to issue a GWL to an eligible applicant. an applicant that proves his eligibility shall be entitled to actual damages or \$100, whichever is greater.

Code section 16-11.129(j) is modified to read:

(j) Applicant may seek relief. When an eligible applicant fails to receive a license, temporary renewal license, or renewal license within the time period required by this Code section and the application or request has been properly filed, the applicant may bring an action in mandamus or other legal proceeding in order to obtain a license, temporary renewal license, or renewal license. When an applicant is otherwise denied a license, temporary renewal license, or renewal license and contends that he or she is qualified to be issued a license, temporary renewal license, or renewal license, the applicant may bring an action in mandamus or other legal proceeding in order to obtain such license. In addition to any other relief, an applicant that proves his eligibility shall be entitled to actual damages or \$100, whichever is greater. Additionally, the applicant may request a hearing before the judge of the probate court relative to the applicant's fitness to be issued such license. Upon the issuance of a denial, the judge of the probate court shall inform the applicant of his or her rights pursuant to this subsection. If such applicant is the prevailing party, he or she shall be entitled to recover his or her costs in such action, including reasonable attorney's fees.

Protect the 2nd Amendment in Emergencies

Legally purchasing and lawfully collecting firearms should never be restricted. GA2A will seek legislative protections to prevent the Georgia state and local governments from closing gun stores in the event of an emergency.

Code section 38-2-301 is repealed and replaced with:

Reserved.

Immunity for Private Property Owners

A private property owner that does not restrict the lawful possession of weapons on their property should be immune from civil liability for claims arising out of a theory that the owner should have or could have restricted the lawful possession of weapons.

A private property owner that does not restrict the lawful possession of weapons or long guns on his or her property shall be immune from civil liability for claims arising out of a theory that the property owner should have or could have restricted the lawful possession of weapons or long guns on his or her property.

Strict Liability for Stolen Guns

A governmental entity operating a courthouse or government building in which weapons are restricted should provide on-site storage of weapons for lawful weapons carriers. If a governmental entity declines to provide such storage, such a governmental entity should be strictly liable to lawful weapons carriers whose weapons are stolen from their cars while such lawful weapons carriers are in the courthouse or government building.

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Discharge On Private Property

To protect private property owners and safeguard the 2nd Amendment from government overreach, GA2A is championing legislation that prohibits local

entities from banning the discharge of a weapon on private property that's ten acres or more.

Code section 16-11-173(d) is modified to read:

(d) Nothing contained in this Code section shall prohibit municipalities, or counties, by ordinance or resolution, from reasonably limiting or prohibiting the discharge of firearms within the boundaries of the municipal corporation or county. Provided, however, that it is declared by the General Assembly to be unreasonable for a municipality, consolidated government, or county to prohibit the discharge of firearms on a non-commercial basis on a parcel of land that is five acres or more in size with the consent of the owner or lawful occupant of such land. Any such prohibition, by zoning, ordinance, resolution, or any other manner is preempted; and provided further that it is declared by the General Assembly to be unreasonable for a municipality, consolidated government, or county to prohibit commercial shooting ranges on parcels of land that are 10 acres or more and that that are zoned for agricultural, commercial, or industrial use. Commercial shooting ranges must be permitted uses in such zoning areas and must not require conditional use, special land use, or similar permits, nor shall commercial shooting ranges be required to have screening, fencing, setbacks or other requirements not generally applicable in such zoning district.

Update Qualifications, Streamline Process for Georgia Weapons License

To make GWLs more accessible, GA2A will push for legislation that will establish a state standard for obtaining a GWL, guarantee that anyone who meets these standards receives a GWL without delay, remove redundancy and confusion on GWL qualifications, streamline the state's GWL revocation process for probate judges, and prevent multijurisdictional GWL databases used to track firearm owners.

Create Private Right of Action for GWL Database:

Code section 16-11-129(k) is modified to read:

*(k) **Data base prohibition.** A person or entity shall not create or maintain a multijurisdictional data base of information regarding persons issued or who have applied for weapons carry licenses. Any person aggrieved by a violation of this paragraph may bring an action for relief. A person who proves by a preponderance of the evidence that he or she is or was contained in such a multijurisdictional data base shall be entitled to obtain, in addition to appropriate declaratory and injunctive relief.*

1. \$100 or actual damages, whichever is greater.

2. Expenses of litigation, including costs and reasonable attorney's fees.

In this paragraph, "multijurisdictional" means between or among more than one department, agency, or office.

Clarify standard for obtaining GWL via mandamus:

Code Section 16-11-129(j) is modified to read:

(j) Applicant may seek relief. When an eligible applicant fails to receive a license, temporary renewal license, or renewal license within the time period required by this Code section and the application or request has been properly filed, the applicant may bring an action in mandamus or other legal proceeding in order to obtain a license, temporary renewal license, or renewal license. When an applicant is otherwise denied a license, temporary renewal license, or renewal license and contends that he or she is qualified to be issued a license, temporary renewal license, or renewal license, the applicant may bring an action in mandamus or other legal proceeding in order to obtain such license. Additionally, the applicant may request a hearing before the judge of the probate court relative to the applicant's fitness to be issued such license. Upon the issuance of a denial, the judge of the probate court shall inform the applicant of his or her rights pursuant to this subsection. If such applicant is the prevailing party, he or she shall be entitled to recover his or her costs in such action, including reasonable attorney's fees. In any action brought under this paragraph, if an applicant proves by a preponderance of the evidence that he or she is eligible for a license, temporary renewal license, or renewal license, he or she shall be entitled to mandamus or other relief in order to obtain a license.

Establish GWL Revocation procedures:

Code section 16-11-129(e) is modified to read:

(e) Revocation, loss, or damage to license.

- *(1) If, at any time during the period for which the weapons carry license was issued, the judge of the probate court of the county in which the license was issued shall learn or have brought to his or her attention in any manner any reasonable ground to believe the licensee is not eligible to retain the license, the judge may bring an action in the superior court of the county for revocation of the license. In such an action, the judge of the probate court shall have the burden of proof, upon notice and an opportunity by the license holder to be heard, by clear and convincing evidence, ~~after notice and hearing, revoke the license of the person upon a finding~~ that such person is not eligible for a weapons carry license*

pursuant to subsection (b) of this Code section or an adjudication of falsification of application, mental incompetency, or chronic alcohol or narcotic usage. The judge of the probate court shall provide the license holder, at least 20 days before the revocation hearing, of the evidence the probate judge intends to use at the revocation hearing. The superior judge of the probate court shall report such revocation to the Georgia Crime Information Center immediately but in no case later than ten days after such revocation. It shall be unlawful for any person to possess a license which has been revoked pursuant to this paragraph, and any person found in possession of any such revoked license, except in the performance of his or her official duties, shall be guilty of a misdemeanor.

- *(2) If a person is convicted of any crime or otherwise adjudicated in a matter which would make the maintenance of a weapons carry license by such person unlawful pursuant to subsection (b) of this Code section, the judge of the superior court or state court hearing such case or presiding over such matter shall inquire whether such person is the holder of a weapons carry license. If such person is the holder of a weapons carry license, then the judge of the superior court or state court shall inquire of such person the county of the probate court which issued such weapons carry license, or if such person has ever had his or her weapons carry license renewed, then of the county of the probate judge ~~court~~ which most recently issued such person a renewal license. The judge of the superior court or state court shall notify the judge of the probate court of such county of the matter which makes the maintenance of a weapons carry license by such person to be unlawful pursuant to subsection (b) of this Code section. The Council of Superior Court Judges of Georgia and The Council of State Court Judges of Georgia shall provide by rule for the procedures which judges of the superior court and the judges of the state courts, respectively, are to follow for the purposes of this paragraph.*
- *(3) Loss of any license issued in accordance with this Code section or damage to the license in any manner which shall render it illegible shall be reported to the judge of the probate court of the county in which it was issued within 48 hours of the time the loss or damage becomes known to the license holder. The judge of the probate court shall thereupon issue a replacement for and shall take custody of and destroy a damaged license; and in any case in which a license has been lost, he or she shall issue a cancellation order. The judge shall charge the fee specified in subsection (k) of Code Section 15-9-60 for such services.*
- *(4) Any person, upon petition to the judge of the probate court, who has a weapons carry license or renewal license with more than 90 days remaining before the expiration of such weapons carry license or renewal license and who has had a legal name change, including, but not limited to, on account of marriage or divorce, or an address change shall be issued a replacement weapons carry license for the same time period of the weapons carry license or renewal license being replaced. Upon issuance and receipt of such replacement weapons carry license, the*

license holder shall surrender the weapons carry license being replaced to the judge of the probate court and such judge shall take custody of and destroy the weapons carry license being replaced. The judge of the probate court shall provide for the updating of any records as necessary to account for the license holder's change of name or address. The judge of the probate court shall charge the fee specified in paragraph (13) of subsection (k) of Code Section 15-9-60 for services provided under this paragraph.

Eliminate confusing “second conviction in five years” part of licensing statute

Code section 16-11-129(b)(2)(I) is repealed in its entirety and replaced with”

“Reserved.”

Restore Common Law Definition of Assault

Georgia’s definition of assault includes a subjective litmus test where the victim determines if the accused committed an “act that puts another in reasonable apprehension of immediately receiving a violent injury.” This language unfairly targets those who exercise their 2nd Amendment Rights by carrying a firearm.

GA2A is advocating for the Common Law definition of assault to be restored so intention – rather than perception – will determine the accused’s charges, verdict, and sentencing.

At common law, an assault was an attempt to commit a battery. It was a volitional, intentional act. We have added an optional definition, for committing an act that puts another in reasonable apprehension of immediately receiving a violent injury. This makes the test for an assault be in the eyes of the “victim,” regardless of the intention of the defendant.

Code section 16-5-20(a)(2) is repealed.
