

House Bill 859 (AS PASSED HOUSE AND SENATE)

By: Representatives Jasperse of the 11th, Ballinger of the 23rd, Meadows of the 5th, Powell of the 32nd, Hightower of the 68th, 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 authorize the carrying and
3 possession of handguns in certain manners by weapons carry license holders in certain
4 buildings or on real property owned by or leased to public institutions of postsecondary
5 education; to provide for definitions; to provide for related matters; to repeal conflicting
6 laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 style="text-align:center">**SECTION 1.**

9 Part 3 of Article 4 of Chapter 11 of Title 16 of the Official Code of Georgia Annotated,
10 relating to carrying and possession of firearms, is amended in subsection (c) of Code Section
11 16-11-127.1, relating to carrying weapons within school safety zones, at school functions,
12 or on a bus or other transportation furnished by a school, by deleting "or" at the end of
13 paragraph (17), by replacing the period with "; or" at the end of paragraph (18), and by
14 adding a new paragraph to read as follows:

15 "(19)(A) Any license holder when he or she is in any building or on real property
16 owned by or leased to any public technical school, vocational school, college, or
17 university, or other public institution of postsecondary education; provided, however,
18 that such exception shall:

19 (i) Not apply to buildings or property used for athletic sporting events or student
20 housing, including, but not limited to, fraternity and sorority houses;

21 (ii) Only apply to the carrying of handguns which a licensee is licensed to carry
22 pursuant to subsection (h) of Code Section 16-11-126 and pursuant to Code Section
23 16-11-129; and

24 (iii) Only apply to the carrying of handguns which are concealed.

25 (B) As used in this paragraph, the term:

26 (i) 'Handgun' shall have the same meaning as provided for in Code Section
27 16-11-125.1.
28 (ii) 'Concealed' means carried in such a fashion that does not actively solicit the
29 attention of others and prominently, openly, and intentionally displayed only for
30 purposes of defense of self or others. Such term shall include, but not be limited to,
31 carrying on one's person while such handgun is substantially, but not necessarily
32 completely, covered by an article of clothing which is worn by such person, carrying
33 within a bag of a nondescript nature which is being carried about by such person, or
34 carrying in any other fashion as to not be clearly discernible by the passive
35 observation of others."

36 **SECTION 2.**

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