

Georgia Gun Laws

In Plain English

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(GA Purchasing section added)

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This is a "layman's" version of the firearm laws of Georgia. The information contained herein this document **SHOULD NOT and CANNOT** be construed as legal advice or as an alternate version of the current law. **It is your own personal responsibility to know the law!** The author of this document **Cannot and Will not** be responsible for its use in place of the actual law as legal advice. In short, **Use at your own risk!**

This document contains understandable versions of the Georgia Firearm Laws which covers the most referred to laws in the GA criminal code 16-11-120 - 16-11-134. **THERE MAYBE OTHER FIREARM LAWS IN THE GEORGIA CODE THAT THIS DOCUMENT MAY NOT COVER! You have been warned!***NOTE: It is more understandable if this document is read in its entirety rather than reading and jumping to different topics, as one law may have an effect on another.

[O.C.G.A. 16-11-120 The Georgia firearms and weapons act.](#)

Definitions

Forcible Felony - Any felony which involves the use or threat of physical force or violence against any person. ([16-1-3](#) as used anywhere in Chapter 16, except [16-11-131](#))

Forcible Misdemeanor - Any misdemeanor which involves the use or threat of physical force or violence against any person. ([16-1-3](#) as used anywhere in Chapter 16)

Public Place - Any place where the conduct involved may reasonably be expected to be viewed by people other than members of the actor's family or household. ([16-1-3](#) as used anywhere in Chapter 16)

Possession

The following persons are not allowed by Georgia Law to keep, own, bear, wear, and/or carry firearms; any person convicted of a felony offense, Any person who has previously been convicted of or who has previously entered a guilty plea to the offense of murder, armed robbery, kidnapping, rape, aggravated child molestation, aggravated sodomy, aggravated sexual battery, or any felony involving the use or possession of a firearm and who shall have on or within arm's reach of his or her person a firearm during the commission of, or the attempt to commit:

1. Any crime against or involving the person of another;
2. The unlawful entry into a building or vehicle;
3. A theft from a building or theft of a vehicle;
4. Any crime involving the possession, manufacture, delivery, distribution, dispensing, administering, selling, or possession with intent to distribute any controlled substance
5. Any crime involving the trafficking of cocaine, marijuana, or illegal drugs

[\(16-11-133\)](#)

(Be sure the check the Federal laws that pertain to possession of firearms. A Felony conviction from a federal crime will also disqualify you and you will be in violation of both state and federal law if you are caught in possession of a firearm. Federal law (which is beyond the scope of this document) may also address the possession of firearms by non-residents and illegal aliens whereas state law does not. IT IS YOUR RESPONSIBILITY TO KNOW THE LAW)

Possession of handguns by minors; Minors (persons under the age of 18) are NOT allowed by Georgia law to possess handguns unless the following exceptions apply:

- a. Attending a hunter education course or a firearms safety course.
- b. Engaging in practice in the use of a firearm or target shooting
- c. Engaging in an organized competition involving the use of a firearm or participating in or practicing for a performance by an organized group
- d. Hunting or fishing pursuant to a valid license if such person has in his or her possession such a valid hunting or fishing license if required; is engaged in legal hunting or fishing; has permission of the owner of the land on which the activities are being conducted; and the pistol or revolver, whenever loaded, is carried only in an open and fully exposed manner (no concealing of the firearm)
- e. Traveling to or from any activity described above, provided that firearm is carried in a unconcealed and unloaded fashion.

- f. Any minor who is on real property under the control of such person's parent, legal guardian, or grandparent and who has the permission of such person's parent or legal guardian to possess a firearm.
- g. Any minor who is at such person's residence and who, with the permission of such person's parent or legal guardian, possesses a pistol or revolver for the purpose of exercising the rights authorized in Code Section [16-3-21](#) or [16-3-23](#). (self defense laws, listed further down the page)
- h. The exceptions DO NOT apply to any minor who has been convicted of a forcible felony or forcible misdemeanor, as defined in Code Section [16-1-3](#), or who has been adjudicated delinquent under the provisions of Article 1 of Chapter 11 of Title 15 for an offense which would constitute a forcible felony or forcible misdemeanor, as defined in Code Section [16-1-3](#), if such person were an adult.

(It appears as if GA law, even though prohibits minors from possessing handguns except as provided above, does not prohibit minors from possessing rifles and shotguns, unless they have been convicted of a felony or forcible misdemeanor. Under GA law, children under the age of 13 cannot be considered or found guilty of any crime.) ([16-11-132](#), [16-3-1](#))

Possession of dangerous weapons

It is against the law in the state of Georgia to possess dangerous weapons as defined below. However, persons who possess dangerous weapons in compliance of the GCA of 1968 may possess and use them in a lawful manner in Georgia. Be advise Georgia law only addresses the ownership of dangerous weapons, not the bearing (to wear or carry) of such weapons in public. It is safe to assume that it is legal to carry dangerous weapons unconcealed in public places in Georgia. However, there may be federal laws that limit the possession and carrying of dangerous weapons to only a person's home and/or place of business. You may not be violating Georgia law by carrying a dangerous weapon in public, but you very well could be violating federal law. *Remember it is your responsibility to know the law!*

This law does not apply to dangerous weapons that have been rendered permanently inoperable. ([16-11-124](#))

Dangerous Weapons are defined in Georgia as:

- a. A sawed off shotgun means a shotgun or any weapon made from a shotgun whether by alteration, modification, or otherwise having one or more barrels (including the chamber) less than 18 inches in length or if such weapon as modified has an overall length of less than 26 inches.
- b. A sawed off rifle means a weapon designed or redesigned, made or

remade, and intended to be fired from the shoulder; and designed or redesigned, made or remade, to use the energy of the explosive in a fixed metallic cartridge to fire only a single projectile through a rifle bore for each single pull of the trigger; and which has a barrel or barrels (including the chamber) of less than 16 inches in length or has an overall length of less than 26 inches.

- c. A machine gun means any weapon which shoots or is designed to shoot, automatically, more than six shots, without manual reloading, by a single function of the trigger.
- d. A dangerous weapon means any weapon commonly known as a 'rocket launcher,' 'bazooka,' or 'recoilless rifle' which fires explosive or nonexplosive rockets designed to injure or kill personnel or destroy heavy armor, or similar weapon used for such purpose. The term shall also mean a weapon commonly known as a 'mortar' which fires high explosive from a metallic cylinder and which is commonly used by the armed forces as an antipersonnel weapon or similar weapon used for such purpose. The term shall also mean a weapon commonly known as a 'hand grenade' or other similar weapon which is designed to explode and injure personnel or similar weapon used for such purpose.
- e. A silencer means any device for silencing or diminishing the report of any portable weapon such as a rifle, carbine, pistol, revolver, machine gun, shotgun, fowling piece, or other device from which a shot, bullet, or projectile may be discharged by an explosive.

([16-11-121](#), [16-11-122](#), [16-11-123](#), [16-11-124](#))

Possession and/or discharge of a firearm while under the influence

It is against the law to be in possession of firearm while engaged in hunting and fishing activities or discharge a firearm while under the influence of alcohol or any drug or any combination of alcohol and any drug to the extent that it is unsafe for the person to discharge such firearm except in the defense of life, health, and property;

It is also against the law to discharge a firearm while engaged in any shooting activity while under the influence of alcohol or any drug or any combination of alcohol and any drug.

It is NO defense to violation of this law even if you are legally entitled to use

such a drug (*prescription*). ([16-11-134](#), [27-3-7](#))

You may carry a firearm into a restaurant that serves alcohol (*gross annual sales are made up of more than 50% from food, check their business license if you are not sure if they are a bar or restaurant*) as long as you do not drink alcohol. ([16-11-127](#))

Registration of firearms

Georgia does not require the registration of firearms owned by citizens. Georgia law actually prohibits local city/county governments from registering firearms when applying for a firearms license. However dangerous weapons (*as described above*) must be registered in compliance with the National Firearm Act (NFA) of 1934 and Federal Gun Control Act (GCA) of 1968.

Purchasing of firearms

Georgia has only 2 laws that regulate the purchasing of firearms. All other purchasing laws come from Federal law. The BATFE has a [reference page](#) that explains those laws (at that site, when the BATFE says "licensed" they mean firearm dealers and "unlicensed" means private individuals).

Straw Purchase / Anti-Bloomberg Law - Any person who attempts to solicit, persuade, encourage, or entice any dealer to transfer or otherwise convey a firearm other than to the actual buyer, as well as any other person who willfully and intentionally aids or abets such person, shall be guilty of a felony. ([16-11-113](#))

Furnishing a Pistol to a Minor - It is illegal to sell or give a pistol or revolver to a person under 18 years old. Possession of handguns by minors is only allowed as explained in the Possession section above. ([16-11-101.1](#))

Carrying firearms

Short Version

Basically to carry a handgun openly or concealed in the state of Georgia (*outside of your home, your car, or your business*), you must have a Georgia Firearm License issued under code [16-11-129](#) and the concealed handgun must be carried in any type of holster or any other securing device. There are exceptions, read below to find out what those are.

Long Version

There are 2 separate laws of Georgia that address the carrying of firearms in public. You can be violating one or both depending on your actions.

Concealed Weapons: are defined as any bludgeon (*asp baton, nun chucks, ect*), metal knuckles, firearm (*this means ANY firearm capable of being concealed, not just handguns*), knife designed for the purpose of offense and defense (*swords, ballistic knives*), or any other dangerous or deadly weapon or instrument that is not carried in an open manner and fully exposed to view. For weapons to be considered not to be concealed, the weapon grip or the handle must NOT be hidden or covered up by the person's clothing or in the person's pockets (unless the grip is completely exposed). Weapons MUST be able to be visible through ordinary observation. This law does not apply to carrying a concealed weapon in a person's own home, and place of business (*including the property of the business is located on IF it is owned by the business owner*). You do not have to have permission from the owner in order to be exempt from carrying a concealed weapon without a license at your place of business (however that does NOT mean you cannot be fired for carrying without permission). This law does not permit, outside of a person's home, motor vehicle, or place of business, the concealed carrying of a pistol, revolver, or concealable firearm by any person unless that person has on his or her person a valid license issued under Code Section [16-11-129](#) and even then the person may only carry the pistol, revolver, or concealable firearm only in a shoulder holster, waist belt holster, or any other holster (*ankle holster, crotch holster, fanny pack holster, pocket holster, ect*) and also a hipgrip or any other similar securing device (a hipgrip is a type of grip that has a clip sticking out to hook on to your belt or pants, a similar device to the hipgrip is a clip) at which point the weapon MAY BE concealed by the person's clothing, or handbag, purse, briefcase, or any other close container. (*Concealed carry is an option but is NOT required to carry a firearm. Firearms can be openly carried. However if you are concealing, the firearm MUST be carried in a holster, clip or similar type of securing device*)

This code section does not forbid the carrying of a loaded handgun in any private motor vehicle by a person who is not licensed, but also who is not prohibited from possessing a firearm, in an open manner and totally exposed to view. For those who are not listed as ineligible for a license (*found below in the "Firearm License Carrying" section*) may also place the gun anywhere inside the vehicle. A person who has a license issued under code [16-11-129](#) may carry a loaded handgun in any location, openly or concealed, in the vehicle. (*This section does not address the legality of concealing a loaded rifle or shotgun in one's motor vehicle. I would assume that if you have a license then you would be fine, but use common sense and caution*) Violation of this code section is a misdemeanor for a first offense and a felony for a 2nd or subsequent offense. ([16-11-126](#))

Carrying a pistol without a license: You must have a license to carry a handgun, openly or concealed, outside of your own home, place of business, and motor vehicle. If you are carrying a handgun to or from your home or place of business and cross over any property not owned by you, then you would be in violation of carry a pistol without a license if you did not have a license. This law only applies to carrying handguns and does NOT apply to rifles or shotguns, so a person could carry a rifle or shotgun openly, not concealed, in public and not be in violation of the law. The only exception to this law is no permit shall be required for persons with a valid hunting or fishing license on their person or for persons not required by law to have hunting licenses who are engaged in legal hunting, fishing, or sport shooting when the persons have the permission of the owner of the land on which the activities are being conducted; provided, further, that the pistol or revolver, whenever loaded, shall be carried only in an open and fully exposed manner. Violation of this code section is a misdemeanor for a first offense and a felony for a 2nd or subsequent offense. ([16-11-128](#))

Employment exception: Persons employed in certain jobs (whether at work or off-duty) are exempt from the 2 laws above. Jobs such as peace officer, Wardens, superintendents, and keepers of correctional institutions, jails, or other institutions for the detention of persons accused or convicted of an offense, persons in the military service of the state or of the United States, and others. Please see [16-11-130](#) for the full list.

Places off limits to carry

There are 7 laws that address where firearms may be borne(*carried*)

Public Gatherings: It is against the law (*misdemeanor offense*) for a person (*licensed or not*) to carry to or while at a public gathering any explosive compound, firearm, or knife designed for the purpose of offense or defense (*including ANY deadly weapon not listed here*). A public gathering is defined and includes, but is not limited to, athletic or sporting events, churches or church functions, political rallies and/or functions, publicly owned or operated buildings (*Fed, state, or local government buildings*), and establishments at which alcoholic beverages are sold for consumption on the premises and it derives less than 50 percent of their total annual gross food and beverage sales from the sale of prepared meals or food (*Basically bars but not restaurants with bars in them. Check their business license if you are not sure as the state license lists what is a restaurant that servers alcohol and what is a bar. Does not apply to stores that sell alcohol for consumption somewhere else, like liquor stores, gas stations, etc.*). Nothing in this code section shall otherwise prohibit the carrying of a firearm in any other public place by a person licensed or permitted to do so. (*This means licensees are permitted to carry in stores, malls, financial institutions, and other places open to the public*) Five areas are specifically defined as public gatherings, but since the definition of a public gathering is not limited to the five areas, what else could be considered a public gathering? Attorney general Mike Bowers issued an opinion that addresses this very issue. In his definition a public gathering is "a place in which the public gathers or will gather for an particular event or function and does not apply to a place (*such as a shopping mall, Walmart, grocery store, McDonalds; see [State v. Burns](#)*), where people may gather even in large numbers when there is no event or function". So basically a public gathering in addition to the 5 defined areas is an event or function that the general public gathers or will gather for. This may be a parade, music event, free contests, presentation speakers, or any other publicized event that the general public can gather for. Remember however if a public place that is not off limits by the definition of this code section CAN still be defined as a public gathering IF any of the activities defined above are taking place on the premises. i.e. a mall that is hosting a public speaker or a music concert or portions of the mall that hold religious services or portions leased to a government agency.

Also keep in mind that this prohibition also applies to the grounds that are on or in close proximity of the "public gathering". i.e. the parking lot of a bar, stadium, church, or the common area of the premises that is hosting a "public gathering". It is an affirmative defense to violation of this code section if a person notifies any law enforcement officer or security guard employed to provide security for the public gathering, if you are in possession of a deadly weapon while at a public gathering as soon as you learn of it's presence and you surrender or secure such weapon as directed by the law enforcement officer or security guard providing

security for the public gathering. *(This does not mean you can carry to a public gathering, this section means that if you are carrying to a public gathering and you realize that you accidentally brought your weapon, then you can come forward to a LEO or security guard and surrender your weapon without risking arrest. This code section is clearly criminal in nature and the burden is on the state to show intent to violate this code section)* This law shall not apply to competitors participating in a sport shooting or gun event, law enforcement officers, district attorneys, judges, magistrates, solicitors, persons in the state or US military and more. Please see [16-11-130](#) for the full list. ([16-11-127](#), *Carroll co. probate court, AG opinion U96-22*)

Weapons on school property and functions: It is (*felony offense*) unlawful for a person to carry ANY type of weapon onto or within 1,000 feet of real property owned or leased by any public or private elementary school, secondary school, or school board and used for elementary or secondary education and in, on, or within 1,000 feet of the campus of any public or private technical school, vocational school, college, university, or institution of post secondary education.

This code section does not apply to persons who are licensed under code [16-11-129](#) (*Georgia Firearm License*) or in accordance with code [43-38-10](#) (*special carry licenses for security guards*) when such person carries or picks up a student at a school building, school function, or school property or on a bus or other transportation furnished by the school. *(I'm not sure of the total legality actually carrying into a school building while picking up or dropping off a student, but it appears to be completely legal since the code does not say anything about not being allowed to enter the building while carrying. Note that the public gathering code makes an exception for what is allowed in this school law. I wouldn't loiter around in the halls or cafeteria, but instead make a straight bee line to the office and back in order to drop off or pick up a student if you are required to do so.)* This code section shall not apply to Teachers and other school 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. This code section shall also not apply to a weapon 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 at a school building, school function, or school property or on a bus or other transportation furnished by the school, or when such vehicle is used to transport someone to an activity being conducted on school property which has been authorized by a duly authorized official of the school; provided, however, that this exception shall not apply to a student attending such

school; and 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(*this code section does not apply to anyone carrying or transporting a weapon through the zone, or while conducting business while in the zone, or while visiting someone who resides in the zone. Be advised however if you step onto actual school property (while not picking up or dropping off a student), the building or land the building is situated on, then you are in violation even if you have a license. Be careful!*) however, 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, a school bus, or other transportation furnished by the school any weapon or explosive compound.([16-11-127.1](#))

Deadly Weapons on the premises of a nuclear power facility: It is (*misdemeanor offense*) against the law for a person (*licensed or not*) to carry, possess, or have under such person's control while on the premises of a nuclear power facility a firearm or weapon. (*There are some exceptions, but they all have to do with official duties or training.*) ([16-11-127.2](#))

Carrying deadly weapons on public transportation: Except for those with a valid license to carry, it is a felony offense to carry a deadly weapon onto a commercial airline, rail vehicle, or bus. The provisions of this subsection shall not apply to any privately owned aircraft, bus, or rail vehicle if the owner of such aircraft or vehicle has given his or her express permission to board the aircraft or vehicle with the item. Carrying into a public building that houses the public transportation is also ok if you have a valid license to carry. In order to carry on a commercial airline, the firearm must be unloaded lock in a case and separate from its ammunition and checked in with the transportation company. It is still against Federal Law to carry a firearm into the secure areas (*Past the TSA metal detectors*) of the airport([16-12-123](#), [16-12-127](#))

State parks, historic sites, and recreational areas: Except for those with a valid license to carry, it is against the law in Georgia to carry or attempt to carry a deadly weapon onto a park, historic site, or recreational area. The term 'park, historic site, or recreational area' means a park, historic site, or recreational area which is operated by or for and is under the custody and control of the Department of Natural Resources (DNR). Without a valid license to carry it is unlawful for any person to use or possess in any park, historic site, or recreational area any firearms (*with a GFL it is also legal to carry that firearm into buildings on the property*). It is unlawful to carry onto park, historic site or recreational area

property, bows and arrows, spring guns, air rifles, slingshots, or any other device which discharges projectiles by any means (*unless it is a pistol, revolver, or concealable firearm and you have a GFL*), unless the device is unloaded and stored so as not to be readily accessible or unless such use has been approved within restricted areas by prior written permission of the commissioner of natural resources or his authorized representative. It shall be unlawful to refuse to leave a park, historic site, or recreational area after violating any law or regulation of the Board of Natural Resources promulgated pursuant to Code Section [12-3-9](#) and after being directed to leave by an authorized representative of the department. (*If you are caught carrying a firearm without a license or breaking any of the other rules, then you can be asked to leave the park area by an authorized rep from DNR.*) Any person who violates any of the provisions of this Code section commits the offense of criminal trespass. (*If you refuse to leave after being asked too, then you can be arrested for criminal trespass*) ([12-3-10](#), [16-11-127](#))

Wildlife management areas: Except for those with a valid license to carry, it is against the law in Georgia to possess a firearm during a closed hunting season for that wildlife management area unless such firearm is unloaded and stored in a motor vehicle so as not to be readily accessible or to possess a loaded firearm in a motor vehicle during a legal open hunting season for that area. ([27-3-1.1](#), [16-11-127](#))

Possession of firearm while hunting with bow and arrow: Except for those with a valid carry license, it shall be unlawful for any person to possess any center-fire or rimfire firearm while hunting with a bow and arrow during archery or primitive weapons season for deer or while hunting with a muzzleloading firearm during a primitive weapons season for deer. (*You can now protect yourself from 2 legged creatures while using primitive weapons to hunt for the 4 legged kind*) ([27-3-6](#), [16-11-127](#))

Those are the laws addressing where firearms may be borne. There are 2 more laws that addresses where firearms may be carried. They apply to carrying in the state capitol and behind the guard line at a jail or prison. Since civilians are prohibited from carrying in public buildings anyway, they are really a moot point and only regulate where legislators, clerks, and LEO's can carry in secure areas of the state capitol and guard lines.

Firearm Carrying Licenses

There are 2 weapons licenses that are issued in Georgia. A license issued under code [43-38-10](#) is a special carry license that is issued to armed security guard while employed by a security agency. This license gives its bearer the authority to carry everywhere a LEO can carry, but only while on duty AND only if it is in performance of the bearer's duties. This license is NOT valid when the bearer is off duty and the bearer is limited to a revolver caliber of up to .357 magnum and a semi-automatic caliber up to 45 ACP. This license is beyond the scope of this document, but if you wish to get more information, it can be obtained in the Georgia code in title 43 chapter 38.

A license issued under code [16-11-129](#) is a Georgia Firearms License and it is issued to bond recovery agents and citizens wishing to exercise their "right to carry". This license is subject to restrictions of carry found in Georgia code 16-11-126 - 16-11-129. To qualify for this license you must NOT be any of these exceptions; No license will be granted to:

1. Any person who is prohibited from possessing firearms pursuant to 18 U.S.C. Section 922
2. Any person under 21 years of age;
3. Any person who is a fugitive from justice or against whom proceedings are pending for any felony, forcible misdemeanor, or violation of Code Section [16-11-126](#), [16-11-127](#), or [16-11-128](#) until such time as the proceedings are adjudicated;
4. Any person who has been convicted of a felony by a court of this state or any other state; by a court of the United States including its territories, possessions, and dominions; or by a court of any foreign nation and has not been pardoned for such felony by the President of the United States, the State Board of Pardons and Paroles, or the person or agency empowered to grant pardons under the constitution or laws of such state or nation or any person who has been convicted of a forcible misdemeanor and has not been free of all restraint or supervision in connection therewith for at least five years or any person who has been convicted of a violation of Code Section [16-11-126](#), [16-11-127](#), or [16-11-128](#) and has not been free of all restraint or supervision in connection therewith for at least three years, immediately preceding the date of the application;
5. Any individual who has been hospitalized as an inpatient in any mental hospital or alcohol or drug treatment center within five years of the date of his or her application. The probate judge may require any applicant to sign a waiver authorizing any mental hospital or treatment center to inform the judge whether or not the applicant has been an inpatient in any such facility in the last five years and authorizing the superintendent of such facility to

- make to the judge a recommendation regarding whether a license to carry a pistol or revolver should be issued. When such a waiver is required by the probate judge, the applicant shall pay to the probate judge a fee of \$3.00 for reimbursement of the cost of making such a report by the mental health hospital, alcohol or drug treatment center, or the Department of Human Resources, which the probate judge shall remit to the hospital, center, or department. The judge shall keep any such hospitalization or treatment information confidential. It shall be at the discretion of the probate judge, considering the circumstances surrounding the hospitalization and the recommendation of the superintendent of the hospital or treatment center where the individual was a patient, to issue the license; or
6. Any person, the provisions of paragraph (3) of this subsection notwithstanding, who has been convicted of an offense arising out of the unlawful manufacture, distribution, possession, or use of a controlled substance or other dangerous drug.
 7. Any person not lawfully present in the United States.

To obtain a license, a person must go to the probate court in the county in which they live in. *(The process may be different for each probate office from county to county, check with the probate court for the exact directions that need to be followed in order to apply for a firearms license. The [License Process by County](#) page has the phone number for each county's probate court and may have the process itself as submitted by other GFL holders.)* The probate court clerk will process and fill out the application and give you 2 fingerprint cards. The cost for this is usually \$15. You will then go to your local sheriff's office and take with you your completed application, depending on the county you may have to take 2 ink-type fingerprints cards and a money order for the amount of \$26 made payable to the G.B.I. or if your county uses digital prints you will just need \$19.25. You will be fingerprinted while at the sheriff's office and they may charge a \$5 fee for fingerprinting. The sheriff's office will then collect your application, money order, and send them to the G.B.I. for processing. It usually takes between 5-50 days *(depending on if ink or digital prints were used)* for the G.B.I. and F.B.I. to process the application before sending it back to the probate court judge who will then issue the license if no disqualifying information is found during the background check. Your Georgia Firearms License exempts the holder from a NICS background check when you go to buy a firearm. Some sheriff's offices may offer a free public handgun course. It is recommend you take it as the deputies who teach the class will go over gun safety, proper loading, unloading techniques, proper carrying and drawing techniques, explanation of the firearm laws and use of deadly force laws, and range time to practice with your

carry weapon.

Your license will be valid for 5 years and it **MUST** be in your possession at **ALL TIMES** when you are carrying a firearm. There is no requirement in the Georgia law to volunteer that you are armed when approached by a LEO, but if you are asked **DON'T LIE!** 99% of LEO's have a lot of appreciation for those who are honest and even more so for those that are forthcoming. Most won't even care if you are carrying, some will thank you for letting them know and a select few will give you a hard time about carrying. I have had over a dozen interactions with LEO's while carrying and only 2 negative experiences.

It is against federal law for the court or Sheriff to require or even request your Social Security Number. If you are told that it will be denied or delayed in processing, it is not true. You will not be denied and there is only a remote chance that your application will be delayed. If you do not wish to give out your SSN to the Probate Court or Sheriff, there is nothing they can do to make you.

Employment exception: Persons employed in certain jobs are exempt from the law above. Jobs such as peace officer, keepers of a correctional facility, persons in the military service of the state or of the United States, and others. Please see [16-11-130](#) for the full list.

Reciprocity

Georgia law allows for "reciprocity" of firearm carry licenses. This means that the state attorney general can enter in agreements with other states to allow licensed Georgia residents to carry in the reciprocal state, but while only the state of Georgia provides the same recognition for the state that it is reciprocating with. To find out what states have reciprocal agreements and allow Georgia residents to carry in those states, visit my [Reciprocity page](#) or call the Attorney General's office @ (404)656-3300

State Preemption

Georgia has a state preemption law regulating firearms; which means the legislature is the only governing body that can regulate the manner of gun shows, the possession, ownership, transport, carrying, transfer, sale, purchase, licensing,

or registration of firearms, components of firearms, firearms dealers, or dealers in firearms components. Counties, cities, municipalities, and other local governments cannot pass laws or ordinances that regulate gun shows, the possession, ownership, transport, carrying, transfer, sale, purchase, licensing, or registration of firearms, components of firearms, firearms dealers, or dealers in firearms components.

State preemption includes restricting the ability of any unit of government (*other than the State itself*) to file a lawsuit against any firearms or ammunition manufacturer, trade association, or dealer for damages, abatement, or injunctive relief resulting from or relating to the lawful design, manufacture, marketing, or sale of firearms or ammunition to the public. (*This does not include cases brought by a government entity for breach of contract or express warranty as to firearms or ammunition purchased by the political subdivision or local government authority*)

State preemption does allow local governments; to regulate the transport, carrying, or possession of firearms by employees of the local unit of government in the course of their employment with that local unit of government; requiring the ownership of guns by heads of households within the political subdivision, and reasonably limiting or prohibiting the discharge of firearms within the boundaries of the municipal corporation. (*State preemption law allows local governments to pass ordinances requiring the ownership of firearms within the political subdivision, the city of Kennesaw requires heads of the household to maintain a firearm in the house at all times. Also state preemption allows local governments to pass ordinances "reasonably restricting" the discharge or shooting of firearms within the political subdivision. "Reasonably restricting" means restricting the discharge of firearms in pursuant to target practicing and hunting. This does not apply to discharging of firearms pursuant to defense of health, life, and property.*)([16-11-173](#))

Shooting Range Protection Act; The state has also preempted the ability of local governments and residents from suing (*civil or criminal liability, damages, abatement, or injunctive relief resulting from or relating to noise if the range remains in compliance with noise control or nuisance abatement rules, regulations, statutes, or ordinances applicable to the range on the date on which it commenced operation*) or regulating (*relating to noise control, noise pollution, or noise abatement adopted or applied retroactively*) gun ranges. Also, no shooting range shall be or shall become a nuisance, either public or private, solely as a result of changed conditions in or around the locality of such range if the range has been in operation for one year since the date on which it commenced

operation as a sport shooting range (*expansion of the range or types of firearms allowed does not affect the date of commencement*). ([41-1-9](#))

Deadly Force

There are 3 code sections that govern when lethal or deadly force may lawfully be used.

Defense from a forcible felony; A person is justified in using force which may harm or kill only if he or she reasonably believes that such force is necessary to prevent death or great bodily injury to himself or herself or a third person or to prevent the commission of a forcible felony. You are not justified if you were the aggressor or you are/were/on-the-way-to committing a felony. (*The state has pre-empted local cities and counties from further restricting this defense.*)([16-3-21](#))

Defense of habitation; (*here habitation means dwelling, motor vehicle, or place of business*) A person is justified in the use of force which is intended or likely to cause death or great bodily harm only if:

1. A person is breaking\has broken into your home in a violent and tumultuous manner, and you think that the intruder is going to assault you or someone else living there.
2. A person who is not a member of the family or household and who unlawfully and forcibly enters the residence and you know it is an unlawful entry.
3. The person using such force reasonably believes that the entry is made or attempted for the purpose of committing a felony therein and that such force is necessary to prevent the commission of the felony.

([16-3-23](#))

Defense of property other than habitation; Lethal force cannot be used to protect real property unless the person using such force reasonably believes that it is necessary to prevent the commission of a forcible felony.([16-3-24](#))

(*Stand Your Ground/Shoot First/License To Murder - went into effect July 1st, 2006*) If you have determined you need to use lethal force (*as stated in one of the underlined "Defense" sections immediatly above*) you do not have to try to retreat before using that force. If your defense is valid, you are immune from criminal procecution (*unless it is illegal to carry that weapon where you used it*) and civil

liability actions. ([16-3-23.1](#), [16-3-24.2](#), [51-11-9](#))

Miscellaneous

Here are some various other laws that pertain to firearms. It is unlawful to point a firearm, loaded or not, at another person not necessary in defense of life, health, and property. It is unlawful to discharge a firearm within 50 yards of a public road, unless in defense of life, health, and property. It is unlawful to discharge a firearm on some else's land without permission of the landowner. ([16-11-102](#), [16-11-103](#), [16-11-104](#))

Local Laws

While state law has preemption over most firearm laws, this does not mean that there are no local firearm ordinances. Many cities and a growing number of the metro counties have a complete ban on the discharge of firearms (*except in self-defense*). Other cities and counties have a ban on discharging a firearm within a certain distance from a road or a neighbor's house or land owned by the city/county. Check Municode.com to see if your local ordinances are online. Also please be aware that knives are often regulated by locals so be careful with carrying a knife.