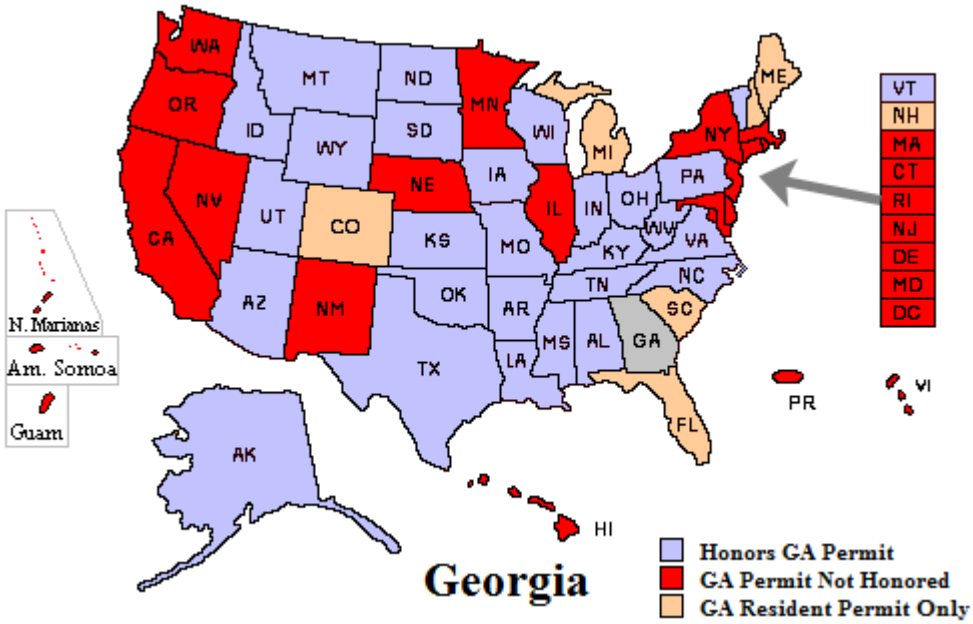
Georgia

Shall Issue **Must Inform Officer by Law: NO**
(See Must Inform Section Below)



Links

[State CCW Site]

[Sample Application]

[State FAQs]

[FAQ's New Law 2014]

[Issuing Authority FAQs]

[2nd Issue Authority FAQs]

[State Statutes]

[State Admin Rules]

[State Reciprocity Info]

[State Attorney General]

[Secretary of State]

[Last Updated:] 2/24/17

Note: [Alaska], [Arizona], [Kansas], [Maine], [Mississippi], [Missouri], [New Hampshire], [Vermont] **and** [West Virginia] have **"Permitless Carry."** Anyone who can legally possess a firearm may carry it concealed in those states without a Permit/License. Check each states page for more information and any restrictions that may apply.

Permits/Licenses This State Honors Listed Below

Alabama	Alaska	Arkansas	Arizona	Colorado
Florida,	Idaho	Indiana	Iowa	Kansas
Kentucky	Louisiana	Maine	Michigan	Mississippi
Missouri	Montana	New Hampshire	North Carolina	North Dakota
Ohio	Oklahoma	Pennsylvania	South Carolina	South Dakota
Tennessee	Texas	Utah	West Virginia	Wisconsin
Wyoming.				

Georgia Honors Non-Resident Permits/Licenses From the States They Honor.

Reciprocity/How This State Honors Other States Permit/Licenses

O.C.G.A. § 16-11-126 Having or Carrying Handguns, Long Guns, or Other Weapons; License Requirement; Exceptions for Homes, Motor Vehicles, and Other Locations and Conditions; Penalties for Violations

(e) Any person licensed to carry a handgun or weapon in any other state whose laws recognize and give effect to a license issued pursuant to this part shall be authorized to carry a weapon in this state, but only while the licensee is not a resident of this state; provided, however, that such licensee shall carry the weapon in compliance with the laws of this state.

How to Apply for a Permit

Note: Some Counties now have online Applications. You fill out the form online but you still have to make a trip to the Probate Court to sign the application. Hall County Georgina is reporting it this way:
Applications may now be submitted online. Applicants must still visit the Hall County Probate Court to sign their application after submission, but using the online form will make your visit shorter.
Check with your Probate Court to see if they have online Applications.

Gwinnett County is Reporting the Following:

The total cost of a Weapons Carry License is **$69.75** payable to the Gwinnett County Probate Court by cash, personal check made (no starter checks, third party checks, or business checks are accepted), or credit card (the court accepts Visa, Mastercard, or Discover cards). There are no refunds for these fees.

If you are a retired law enforcement officer who had arresting powers and who worked ten (10) of the twelve (12) years prior to your retirement, Weapons Carry License fees are waived with the exception of a $7.00 fee charged to create your physical license. Proof of retirement is required upon application.

Muscogee (Georgia) County Probate Court

REQUIREMENTS TO OBTAIN A WEAPONS CARRY LICENSE

1. Must be a U.S. Citizen or eligible lawful alien. (Additional documentation required to establish alien status).
2. Must be a resident of Muscogee County or active duty U.S. Armed Forces and reside in Columbus/Fort Benning.
3. Must be 21 years of age **OR** 18 and can provide proof of Basic Training Completion or Honorable Discharge.
4. Required documentation:

   a.) **For Muscogee County Residents-** A copy of Birth Certificate **or** U.S. Passport ***AND*** Driver's License/State I.D. showing a current Muscogee County address.

   b.) **For active duty U.S. Armed Forces** who have a current out of state Driver's License they must have their military ID and also provide a **current** lease or a **current** utility bill (power, water or gas only) showing Muscogee County/Fort Benning address & a copy of Birth Certificate **or** U.S. Passport

7. Required fee: $75 or $74.75 & a self addressed stamped envelope. Forms of payment cash, credit card, debit card or a money order made payable to: Probate Court

8. **To be eligible to Renew your WCL,** you must bring your Drivers License showing a current Muscogee address and your current **WCL**(your current **WCL** must not be more than 30 days expired). The cost is $35.00.

Weapons Carry License applications are processed by the Probate Court Monday-Friday from 8:30am – 4:00pm.
Sheriff's Office fingerprinting hours are Monday-Friday 8:30am – 11:30am and 1:00pm – 4:30pm.

Note: Other counties may be different. Check with your County of residence for more information on costs and fingerprinting.

You apply to the Probate Court in the county you reside in. Permit is Valid for 5 years

§ 16-11-129 Weapons Carry License; Temporary Renewal License This is a link to the Georgia Statute on issuing/renewing License.

Non-Resident Permits

Military personnel stationed in Georgia may apply for a GA Carry License. Those in the Military or Honorably Discharged aged 18-20 can apply. Check with the Probate Court in the county you are stationed in. Houston County Probate Court states this on their website, Military persons must bring a copy of their papers showing they are stationed at Robins Air Force Base if they have not changed their driver's license.

Places Off-Limits Even With a Permit/License

O.C.G.A. § 16-11-126

(g) Notwithstanding Code Sections 12-3-10, 27-3-1.1, 27-3-6, and 16-12-122 through 16-12-127, any person with a valid weapons carry license may carry a weapon in all parks, historic sites, or recreational areas, as such term is defined in Code Section 12-3-10, including all publicly owned buildings located in such parks, historic sites, and recreational areas, in wildlife management areas, and on public transportation; provided, however, that a person shall not carry a handgun into a place where it is prohibited by federal law.

O.C.G.A. § 16-11-127

(a) As used in this Code section, the term:

- **(1)** 'Courthouse' means a building occupied by judicial courts and containing rooms in which judicial proceedings are held.
- **(2)** 'Government building' means:
  - **(A)** The building in which a government entity is housed;
  - **(B)** The building where a government entity meets in its official capacity; provided, however, that if such building is not a publicly owned building, such building shall be considered a government building for the purposes of this Code section only during the time such government entity is meeting at such building; or
  - **(C)** The portion of any building that is not a publicly owned building that is occupied by a government entity.
- **(3)** 'Government entity' means an office, agency, authority, department, commission, board, body, division, instrumentality, or institution of the state or any county, municipal corporation, consolidated government, or local board of education within this state.
- **(4)** 'Parking facility' means real property owned or leased by a government entity, courthouse, jail, prison, or place of worship that has been designated by such government entity, courthouse, jail, prison, or place of worship for the parking of motor vehicles at a government building or at such courthouse, jail, prison, place of worship.

(b) Except as provided in subsection (d) or (e) of this Code section, a person shall be guilty of carrying a weapon or long gun in an unauthorized location and punished as for a misdemeanor when he or she carries a weapon or long gun while:

- **(1)** In a government building as a nonlicense holder;
- **(2)** In a courthouse;
- **(3)** In a jail or prison;
- **(4)** In a place of worship, unless the governing body or authority of the place of worship permits the carrying of weapons or long guns by license holders;
- **(5)** In a state mental health facility as defined in Code Section 37-1-1 which admits individuals on an involuntary basis for treatment of mental illness, developmental disability, or addictive disease; provided, however, that carrying a weapon or long gun in such location in a manner in compliance with paragraph (3) of subsection (d) of this Code section shall not constitute a

violation of this subsection;

(6) On the premises of a nuclear power facility, except as provided in Code Section 16-11-127.2, and the punishment provisions of Code Section 16-11-127.2 shall supersede the punishment provisions of this Code section; or

(7) Within 150 feet of any polling place when elections are being conducted and such polling place is being used as a polling place as provided for in paragraph (27) of Code Section 21-2-2

(c) A license holder or person recognized under subsection (e) of Code Section 16-11-126 shall be authorized to carry a weapon as provided in Code Section 16-11-135 and in every location in this state not listed in subsection (b) or prohibited by subsection (e) of this Code section; provided, however, that private property owners or persons in legal control of private property through a lease, rental agreement, licensing agreement, contract, or any other agreement to control access to such private property shall have the right to exclude or eject a person who is in possession of a weapon or long gun on their private property, in accordance with paragraph (3) of subsection (b) of Code Section 16-7-21, except as provided in Code Section 16-11-135. A violation of subsection (b) of this Code section shall not create or give rise to a civil action for damages.

(d) Subsection (b) of this Code section shall not apply:

(1) To the use of weapons or long guns as exhibits in a legal proceeding, provided such weapons or long guns are secured and handled as directed by the personnel providing courtroom security or the judge hearing the case;

(2) To a license holder who approaches security or management personnel upon arrival at a location described in subsection (b) of this Code section and notifies such security or management personnel of the presence of the weapon or long gun and explicitly follows the security or management personnel's direction for removing, securing, storing, or temporarily surrendering such weapon or long gun; and

(3) To a weapon or long gun possessed by a license holder which is under the possessor's control in a motor vehicle or 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 and such vehicle is parked in a parking facility.

(e) (1) A license holder shall be authorized to carry a weapon in a government building when the government building is open for business and where ingress into such building is not restricted or screened by security personnel. A license holder who enters or attempts to enter a government building carrying a weapon where ingress is restricted or screened by security personnel shall be guilty of a misdemeanor if at least one member of such security personnel is certified as a peace officer pursuant to Chapter 8 of Title 35; provided, however, that a license holder who immediately exits such building or immediately leaves such location upon notification of his or her failure to clear security due to the carrying of a weapon shall not be guilty of violating this subsection or paragraph (1) of subsection (b) of this Code section. A person who is not a license holder and who attempts to enter a government building carrying a weapon shall be guilty of a misdemeanor.

(2) Any license holder who violates subsection (b) of this Code section in a place of worship shall not be arrested but shall be fined not more than $100.00. Any person who is not a license holder who violates subsection (b) of this Code section in a place of worship shall be punished as for a misdemeanor."

O.C.G.A. § 16-11-127.1 Schools

§ 16-11-127.1. Carrying weapons within school safety zones, at school functions, or on a bus or other transportation furnished by a school

(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.

(4) "Weapon" means 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) (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 or at a school function, or on 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.

(c) The provisions of this Code section shall not apply to:

(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;

(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 firearm 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;

(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;

(17) Teachers and other personnel who are otherwise authorized to possess or carry firearms, provided that any such firearm 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;

(18) Constables of any county of this state; or

(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.

(e) It shall be no defense to a prosecution for a violation of this Code section that:

(1) A school or postsecondary institution was or was not in session at the time of the offense;
(2) The real property was being used for other purposes besides school or postsecondary Institution purposes at the time of the offense; or
(3) The offense took place on a bus or other transportation furnished by a school

Note: Many are saying that the wording in HB 826 allows carry in School Safety Zones. The Georgia Attorney General has stated that carry in School Safety Zones grounds/buildings is still illegal because of a previous law. This will most likely take a court decision. Handgunlaw.us recommends you not carry on School safety Zones grounds/buildings until this is settled by the courts. **GA AG FAQs on HB 60 and 826**

16-11-130.2. Airports

(a) No person shall enter the restricted access area of a commercial service airport, in or beyond the airport security screening checkpoint, knowingly possessing or knowingly having under his or her control a weapon or long gun. Such area shall not include an airport drive, general parking area, walkway, or shops and areas of the terminal that are outside the screening checkpoint and that are normally open to unscreened passengers or visitors to the airport. Any restricted access area shall be clearly indicated by prominent signs indicating that weapons are prohibited in such area.

(b) A person who is not a license holder and who violates this Code section shall be guilty of a misdemeanor. A license holder who violates this Code section shall be guilty of a misdemeanor; provided, however, that a license holder who is notified at the screening checkpoint for the restricted access area that he or she is in possession of a weapon or long gun and who immediately leaves the restricted access area following such notification and completion of federally required transportation security screening procedures shall not be guilty of violating this Code section.

Georgia Code 42-4-13 Jail/Prison Guard Line

(d)(1)(A) It shall be unlawful for any person to come inside the guard lines established at any jail with, or to give or have delivered to an inmate of a jail, any controlled substance, dangerous drug, marijuana, or any gun, pistol, or other dangerous weapon without the knowledge and consent of the jailer or a law enforcement officer.

(2) Except as otherwise provided in paragraph (3) of this subsection, any person who violates subparagraph (A) of paragraph (1) of this subsection shall be guilty of a felony and, upon conviction thereof, shall be imprisoned for not less than one nor more than five years.

(j) Perimeter guard lines shall be established at every jail by the jailer thereof. Such guard lines shall be clearly marked by signs on which shall be plainly stamped or written: 'Guard line of _____.' Signs shall also be placed at all entrances and exits for vehicles and pedestrians at the jail and at such intervals along the guard lines as will reasonably place all persons approaching the guard lines on notice of the location of the jail.

Firearms on Tennessee Valley Authority (TVA Property)

4. Firearms and Weapons - TVA campgrounds may receive use by hunters during hunting season. While firearms and weapons are generally prohibited, possession of firearms and other weapons associated with in-season hunting excursions are permissible if they are unloaded and properly cased**. Possession of firearms at TVA public ramps, associated roads, and parking areas are allowed if the possession complies with the law of the state where the boat ramp is located and is not otherwise prohibited by law.**

Note: Day Use Areas, Campgrounds, and other developed recreational TVA lands are still off limits. TVA lands where Hunting is presently allowed, Undeveloped Shorelines, Boat Ramps, Boat Ramp Parking Areas and Associated Roads for those areas is where carry will be allowed.

For Federal Restrictions on Firearms see the **USA Page**.

Do "No Gun Signs" Have the Force of Law?

"NO"

"No Firearm" signs in Georgia have no force of law unless they are posted on property that is specifically mentioned in State Law as being off limits to those with a Permit/License to Carry. If you are in a place not specifically mentioned in the law that is posted and they ask you to leave, you must leave. If you refuse to leave then you are breaking the law and can be charged. Even if the property is not posted and you are asked to leave you must leave. Always be aware of the possibility that responding Police Officers who may have been called without your knowledge and may not know the laws on trespass etc. could arrest you even if you are within the law.

"Handgunlaw.us highly recommends that you not enter a place that is posted "No Firearms" no matter what the state laws read/mean on signage. We recommend you print out the **No Guns = No Money Cards** and give one to the owner of the establishment that has the signage." As responsible gun owners and upholders of the 2nd Amendment we should also honor the rights of property owners to control their own property even if we disagree with them."

Parking Lot Storage Law

§ 16-11-135 Public or Private Employer's Parking Lots; right of privacy in vehicles in employer's parking lot or invited guests on lot; severability; rights of action

(a) Except as provided in this Code section, no private or public employer, including the state and its political subdivisions, shall establish, maintain, or enforce any policy or rule that has the effect of allowing such employer or its agents to search the locked privately owned vehicles of employees or invited guests on the employer's parking lot and access thereto.

(b) Except as provided in this Code section, no private or public employer, including the state and its political subdivisions, shall condition employment upon any agreement by a prospective employee that prohibits an employee from entering the parking lot and access thereto when the employee's privately owned motor vehicle contains a firearm or ammunition, or both, that is locked out of sight within the trunk, glove box, or other enclosed compartment or area within such privately owned motor vehicle, provided that any applicable employees possess a Georgia weapons carry license.

(c) Subsection (a) of this Code section shall not apply:

(1) To searches by certified law enforcement officers pursuant to valid search warrants or valid warrantless searches based upon probable cause under exigent circumstances;

(2) To vehicles owned or leased by an employer;

(3) To any situation in which a reasonable person would believe that accessing a locked vehicle of an employee is necessary to prevent an immediate threat to human health, life, or safety; or

(4) When an employee consents to a search of his or her locked privately owned vehicle by licensed private security officers for loss prevention purposes based on probable cause that the employee unlawfully possesses employer property.

(d) Subsections (a) and (b) of this Code section shall not apply:

(1) To an employer providing applicable employees with a secure parking area which restricts general public access through the use of a gate, security station, security officers, or other similar means which limit public access into the parking area, provided that any employer policy allowing vehicle searches upon entry shall be applicable to all vehicles entering the property and applied on a uniform and frequent basis;

(2) To any penal institution, correctional institution, detention facility, diversion center, jail, or similar place of confinement or confinement alternative;

(3) To facilities associated with electric generation owned or operated by a public utility;

(4) To any United States Department of Defense contractor, if such contractor operates any facility on or contiguous with a United States military base or installation or within one mile of an airport;

(5) To an employee who is restricted from carrying or possessing a firearm on the employer's premises due to a completed or pending disciplinary action;

(6) Where transport of a firearm on the premises of the employer is prohibited by state or federal law or regulation;

(7) To parking lots contiguous to facilities providing natural gas transmission, liquid petroleum transmission, water storage and supply, and law enforcement services determined to be so vital to the State of Georgia, by a written determination of the Georgia Department of Homeland Security, that the incapacity or destruction of such systems and assets would have a debilitating impact on public health or safety; or

(8) To any area used for parking on a temporary basis.

(e) No employer, property owner, or property owner's agent shall be held liable in any criminal or civil action for damages resulting from or arising out of an occurrence involving the transportation, storage, possession, or use of a firearm, including, but not limited to, the theft of a firearm from an employee's automobile, pursuant to this Code section unless such employer commits a criminal act involving the use of a firearm or unless the employer knew that the person using such firearm would commit such criminal act on the employer's premises. Nothing contained in this Code section shall create a new duty on the part of the employer, property owner, or property owner's agent. An employee at will shall have no greater interest in employment created by this Code section and shall remain an employee at will.

(f) In any action relating to the enforcement of any right or obligation under this Code section, an employer,

property owner, or property owner's agent's efforts to comply with other applicable federal, state, or local safety laws, regulations, guidelines, or ordinances shall be a complete defense to any employer, property owner, or property owner's agent's liability.

(g) In any action brought against an employer, employer's agent, property owner, or property owner's agent relating to the criminal use of firearms in the workplace, the plaintiff shall be liable for all legal costs of such employer, employer's agent, property owner, or property owner's agent if such action is concluded in such employer, employer's agent, property owner, or property owner's agent's favor.

(h) This Code section shall not be construed so as to require an employer, property owner, or property owner's agent to implement any additional security measures for the protection of employees, customers, or other persons. Implementation of remedial security measures to provide protection to employees, customers, or other persons shall not be admissible in evidence to show prior negligence or breach of duty of an employer, property owner, or property owner's agent in any action against such employer, its officers or shareholders, or property owners.

(i) All actions brought based upon a violation of subsection (a) of this Code section shall be brought exclusively by the Attorney General.

(j) In the event that subsection (e) of this Code section is declared or adjudged by any court to be invalid or unconstitutional for any reason, the remaining portions of this Code section shall be invalid and of no further force or effect. The General Assembly declares that it would not have enacted the remaining provisions of this Code section if it had known that such portion hereof would be declared or adjudged invalid or unconstitutional.

(k) Nothing in this Code section shall restrict the rights of private property owners or persons in legal control of property through a lease, a rental agreement, a contract, or any other agreement to control access to such property. When a private property owner or person in legal control of property through a lease, a rental agreement, a contract, or any other agreement is also an employer, his or her rights as a private property owner or person in legal control of property shall govern. **HISTORY:** Code 1981, § 16-11-135, enacted by Ga. L. 2008, p. 1199, § 7/HB 89; Ga. L. 2009, p. 8, § 16/SB 46; Ga. L. 2010, p. 963, § 1-9/SB 308; Ga. L. 2015, p. 805, § 7/HB 492.

Must Inform Officer Immediately on Contact By Law?

"NO"

"16-11-137.

(a) Every license holder shall have his or her valid weapons carry license in his or her immediate possession at all times when carrying a weapon, or if such person is exempt from having a weapons carry license pursuant to Code Section 16-11-130 or subsection (c) of Code Section 16-11-127.1, he or she shall have proof of his or her exemption in his or her immediate possession at all times when carrying a weapon, and his or her failure to do so shall be prima-facie evidence of a violation of the applicable provision of Code Sections 16-11-126 through 16-11-127.2.

(b) A person carrying a weapon shall not be subject to detention for the sole purpose of investigating whether such person has a weapons carry license.

(c) A person convicted of a violation of this Code section shall be fined not more than $10.00 if he or she produces in court his or her weapons carry license, provided that it was valid at the time of his or her arrest, or produces proof of his or her exemption.

Carry In State Parks//WMA/Road Side Rest Areas & St & Nat. Forests

Carry Allowed in these Areas:

State Parks: **YES** **O.C.G.A. § 16-11-127**

State/National Forests: **YES** **O.C.G.A. § 16-11-127**

State WMA's: **YES** **O.C.G.A. § 16-11-127**

Road Side Rest Areas: **YES** **O.C.G.A. § 16-11-127**

RV/Car Carry Without a Permit/License

§ 16-11-126. Having or carrying handguns, long guns, or other weapons; license requirement; exceptions for homes, motor vehicles, private property, and other locations and conditions

(a) Any person who is not prohibited by law from possessing a handgun or long gun may have or carry on his or her person a weapon or long gun on his or her property or inside his or her home, motor vehicle, or place of business without a valid weapons carry license.

(b) Any person who is not prohibited by law from possessing a handgun or long gun may have or carry on his or her person a long gun without a valid weapons carry license, provided that if the long gun is loaded, it shall only be carried in an open and fully exposed manner.

(c) Any person who is not prohibited by law from possessing a handgun or long gun may have or carry any handgun provided that it is enclosed in a case and unloaded.

(d) Any person who is not prohibited by law from possessing a handgun or long gun who is eligible for a weapons carry license may transport a handgun or long gun in any private passenger motor vehicle; provided, however, that private property owners or persons in legal control of property through a lease, rental agreement, licensing agreement, contract, or any other agreement to control access to such property shall have the right to forbid possession of a weapon or long gun on their property, except as provided in Code Section 16-11-135.

Note: No Permit License Is needed to carry the firearm inside your Motor Vehicle either openly or concealed.

Note: The GA Court of Appeals ruled in (Hubbard v. State, 210 Ga. App. 141, 143-44 1993) that if you do not have a permit/license honored in GA you can only carry a firearm in "Your Own Vehicle**." This means you can carry in** "Your Own Vehicle" **without a permit/license but if you are riding in a vehicle that is** not yours **you must have permission of the person who has legal control of the vehicle.**

Open Carry (Without a Valid Permit/License)

Open Carry is legal in Georgia but you must have a valid Carry Permit/License to Open Carry. Places as listed in the "Places Off Limits" above apply to those who open carry. See the "RV/Car Carry Without a Permit" section for carrying in a vehicle.

In some states Open Carry is forbidden in places where those with a valid permit/license can carry. This is not the last word on Open Carry in this state. Check at **www.opencarry.org** or go to Google and type in State Name Open Carry or Open Carry State Name for a search for open carry info in this state. Check with the **State's RKBA** Organization/s. Also see "Attorney General Opinions/Court Cases" Section for any written opinions/Cases on Open Carry.

State Preemption

16-11-173

(a)(1) It is declared by the General Assembly that the regulation of firearms and other weapons is properly an issue of general, state-wide concern.
(2) The General Assembly further declares that the lawful design, marketing, manufacture, and sale of firearms and ammunition and other weapons to the public is not unreasonably dangerous activity and does not constitute a nuisance per se.

(b)(1) Except as provided in subsection (c) of this Code section, no county or municipal corporation, by zoning or by ordinance or resolution or by any other means, nor any agency, board, department, commission, or authority of this state, other than the General Assembly, by rule or regulation political subdivision, school district, shall regulate in any manner:

(A) Gun shows;
(B) The possession, ownership, transport, carrying, transfer, sale, purchase, licensing, or registration of firearms or other weapons or components of firearms or other weapons;
(C) Firearms dealers or dealers of other weapons or
(D) Dealers in components of firearms or other weapons.

(2) The authority to bring suit and right to recover against any weapons, firearms or ammunition manufacturer, trade association, or dealer by or on behalf of any governmental unit created by or pursuant to an Act of the General Assembly or the Constitution, or any department, agency, or authority thereof, for damages, abatement, or injunctive relief resulting from or relating to the lawful design, manufacture, marketing, or sale of weapons, firearms or ammunition to the public shall be reserved exclusively to the state. This paragraph shall not prohibit a political subdivision or local government authority from bringing an action against a weapon, firearms or ammunition manufacturer or dealer for breach of contract or express warranty as to weapons, firearms or ammunition purchased by the political subdivision or local government authority.

(c) (1) A county or municipal corporation may regulate the transport, carrying, or possession of firearms by employees of the local unit of government or by unpaid volunteers of such local unit of government, in the course of their employment or volunteer functions with such local unit of government provided, however, that the sheriff or chief of police shall be solely responsible for regulating and determining the possession, carrying, and transportation of firearms and other weapons by employees under his or her respective supervision so long as such regulations comport with state and federal law.

(2) The commanding officer of any law enforcement agency shall regulate and determine the possession, carrying, and transportation of firearms and other weapons by employees under his or her supervision so long as such regulations comport with state and federal law.

(3) The district attorney, and the solicitor-general in counties where there is a state court, shall regulate and determine the possession, carrying, and transportation of firearms and other weapons by county employees under his or her supervision so long as such regulations comport with state and federal law.

(d) Nothing contained in this Code section shall prohibit municipalities or counties by ordinance or resolution, from requiring the ownership of guns by heads of households within the political subdivision.

(e) Nothing contained in this Code section shall prohibit municipalities or counties, by ordinance, resolution, from reasonably limiting or prohibiting the discharge of firearms within the boundaries of the municipal corporation or county.

(f) As used in this Code section, the term 'weapon' means any device designed or intended to be used, or capable of being used, for offense or defense, including but not limited to firearms, bladed

devices, clubs, electric stun devices, and defense sprays.

(g) Any person aggrieved as a result of a violation of this Code section may bring an action against the person who caused such aggrievement. The aggrieved person shall be entitled to reasonable attorney's fees and expenses of litigation and may recover or obtain against the person who caused such damages any of the following:

(1) Actual damages or $100.00, whichever is greater;
(2) Equitable relief, including, but not limited to, an injunction or restitution of money and property; and
(3) Any other relief which the court deems proper."

HISTORY: Code 1981, § 16-11-173, enacted by Ga. L. 1995, p. 139, § 2; Ga. L. 2005, p. 613, § 1/SB 175; Ga. L. 2011, p. 752, § 16/HB 142; Ga. L. 2014, p. 599, § 1-11/HB 60; Ga. L. 2015, p. 805, § 9/HB 492.

Deadly Force Laws

Title 16 'Criminal Code of Georgia.'
Chapter 16 Sections:

16-3-20 Justification
16-3-21 Force Against Another
16-3-22 Assisting Law Enforcement
16-3-23 Threatening or Using Force
16-3-23.1 Definition
16-3-24 Property, Duty to Retreat
16-3-24.1 Definition
16-3-24.2 Immunity
16-3-25 Entrapment
16-3-26 Coercion
16-3-27 Benefit of Clergy
16-3-28 Affirmative Defense
16-3-40 Alibi
16-12-129 Defense of Self or Others
51-11-9 Immunity From Civil Liability for Threat or Use of Force In Defense of Habitation

Knife Laws State/Cities

To access State/Local Knife Laws Click "Here"

Carry in Restaurants That Serve Alcohol

YES **§ 16-11-127**

Note: A "YES" above means you can carry into places like described below. "NO" means you can't. Handgunlaw.us definition of "Restaurant Carry" is carry in a restaurant that serves alcohol. Places like Friday's or Red Lobster unless posted with "No Gun Signs." This may or may not mean the bar or the bar area of a restaurant. But you can carry your firearm into a restaurant that serves alcohol and sit and eat without consuming. Handgunlaw.us recommends you not sit at the Bar or in the Bar area of such restaurants. In some states it is illegal to be in the Bar area of such restaurants. Handgunlaw.us believes you should never consume alcohol when carrying your firearm. In some states it is illegal to take even one drink while carrying a firearm. If you want further info on carrying in places that serve alcohol check your state laws.

Chemical Sprays/Stun Gun/Higher Capacity Magazine Laws

Stun Devices/Electric Weapons:

(b)(1)
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…

16-11-127.1 (C)

(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.

LEOSA State Information

No State LEOSA Information Available. See the LEOSA Section on the USA Page at Handgunlaw.us for more LEOSA Information.

Attorney General Opinions/Court Cases

- **Georgia AG - Mall Carry**
- **Georgia AG - Military and Permits**
- **Georgia - Stone Mountain Park Carry**
- **Hubbard v. State, 210 Ga. App. 141, 143-44 (1993) Carrying in Vehicle Without Permit.**
- **Court Case Glove Box Carry Legal**
- **Court Case Open Carry**
- **Court Case Preemption**
- **Georgia AG - Honoring Other States Permit/Licenses** **(The list of states in this opinion that GA Honors is not an up to date listing of the states GA now Honors)**

Airport Carry/Misc. Information

Airport Carry: **Parking Lot and Terminal OK** **16-11-130.2.**

Training Valid for: **No set time.**

Time Period to Establish Residency: **None mentioned in Law. Upon obtaining Drivers License/ID.**

Minimum Age for Permit/License: **21** **18 if Active/Prior Military Service**

Permit/License Info Public Information: **NO** **50-18-72**

State Reciprocity/How They Honor Other States Statute: **O.C.G.A. § 16-11-126**

State Fire arm Laws: **16-11-100 thru 16-11-134**

State Deadly Force Laws: **16-3-20 thru 16-3-28**

State Knife Laws: **16-11-126 & 16-11-127.1,**

Chemical/Electric Weapons Laws: **16-11-106**

Body Armor Laws: **16-11-160**

Does Your Permit Cover Other Weapons Besides Firearms? **YES** **16-11-125.1 & 16-11-129**

Is carrying of a Concealed Firearm with Permit/License for Defensive Purposes Only While Hunting Legal? **YES** **O.C.G.A. § 27-3-1.1 & 27-3-6**

Notes

What Does GA Consider A Loaded Firearm?

Title 16. Crimes and Offenses
Chapter 11. Offenses Against Public Order And Safety
Article 4. Dangerous Instrumentalities And Practices
Part 3. Carrying and Possession Of Firearms

§ 16-11-132. Possession of handgun by person under the age of 18 years

(a) For the purposes of this Code section, a handgun is considered loaded if there is a cartridge in the chamber or cylinder of the handgun.

State Emergency Powers

O.C.G.A. § 38-3-51 Emergency Powers of Governor; Termination of Emergency; Limitations In Energy Emergency; Immunity (Edited for Space Considerations)

(a) In the event of actual or impending emergency or disaster of natural or human origin, or pandemic influenza emergency, or impending or actual enemy attack, or a public health emergency, within or affecting this state or against the United States, the Governor may declare that a state of emergency or disaster exists. As a condition precedent to declaring that a state of emergency or disaster exists as a result of a public health emergency, the Governor shall issue a call for a special session of the General Assembly pursuant to Article V, Section II, Paragraph VII of the Constitution of Georgia, which session shall convene at 8:00 A.M. on the second day following the date of such declaration for the purpose of concurring with or terminating the public health emergency. The state of emergency or disaster shall continue until the Governor finds that the threat or danger has passed or the emergency or disaster has been dealt with, to the extent that emergency or disaster conditions no longer exist, and terminates the state of emergency or disaster. No state of emergency or disaster may continue for longer than 30 days unless renewed by the Governor. The General Assembly by

concurrent resolution may terminate a state of emergency or disaster at any time. Thereupon, the Governor shall by appropriate action end the state of emergency or disaster.

(c) The Governor shall have and may exercise for such period as the state of emergency or disaster exists or continues the following additional emergency powers:

(d) In addition to any other emergency powers conferred upon the Governor by law, he may: (5) Direct and compel the evacuation of all or part of the population from any stricken or threatened area within the state if he deems this action necessary for the preservation of life or other disaster mitigation, response, or recovery;

(6) Prescribe routes, modes of transportation, and destinations in connection with evacuation;

(7) Control ingress and egress to and from a disaster area, the movement of persons within the area, and the occupancy of premises therein;

(8) Suspend or limit the sale, dispensing, or transportation of alcoholic beverages, explosives, or combustibles; provided, however, that for purposes of this paragraph, the terms 'explosives' and 'combustibles' shall not include firearms or ammunition or any component thereof; and

38-3-37. Prohibited actions by government official or employee during declared state of emergency

(a) As used in this Code section, the term:

(1) "Firearm" means any handgun, rifle, shotgun, or similar device or weapon which will or can be converted to expel a projectile by the action of an explosive or electrical charge.

(2) "License holder" shall have the same meaning as set forth in Code Section 16-11-125.1.

(3) "Weapon" shall have the same meaning as set forth in Code Section 16-11-125.1.

(b) No official or employee of the state or any political subdivision thereof, member of the National Guard in the service of the state, or any person operating pursuant to or under color of state law, while acting during or pursuant to a declared state of emergency, shall:

(1) Temporarily or permanently seize, or authorize the seizure of, any firearm or ammunition or any component thereof the possession of which was not prohibited by law at the time immediately prior to the declaration of a state of emergency, other than as provided by the criminal or forfeiture laws of this state;

(2) Prohibit possession of any firearm or ammunition or any component thereof or promulgate any rule, regulation, or order prohibiting possession of any firearm or ammunition or any component thereof if such possession was not otherwise prohibited by law at the time immediately prior to the declaration of a state of emergency;

(3) Prohibit any license holder from carrying any weapon or promulgate any rule, regulation, or order prohibiting such carrying if such carrying was not otherwise prohibited by law at the time immediately prior to the declaration of a state of emergency; or

(4) Require the registration of any firearm.

HISTORY: Code 1981, § 38-3-37, enacted by Ga. L. 2014, p. 599, § 2-2/HB 60.

Note: Federal Law can apply if the state is receiving monetary and/or other assistance from the Federal Government. See **US Code 42-5207** for Federal Law as it applies to States of Emergencies. The state quoted code may also not be all of the law on Emergency Powers held by the state. You should read the entire code on Emergency Powers etc for this state by following the link to the state code.

Minimum Age for Possessing and Transporting of Handguns.

Georgia 18 Y/O § 16-11-132

This is the minimum age for possessing and transporting a handgun unloaded and secured in a vehicle without any type of permit/license to carry firearms.

Note: In some states Possession and Transportation CAN be very restrictive in that you can ONLY possess and transport a handgun to and from a Shooting Range, Gun Shop, property you own or other places you can legally possess a handgun. Some states do not have this restriction.

This is not the last word on possession and transporting of handguns in this, or any other state. Study your state law further for more information. See "RV/Car Carry" Section Above for more information.

Permit/License Image

These images have been digitally assembled from 2 or more images. They are not 100% accurate but gives a good representation of the actual Permit/License. The lower image is the new statewide format. The holograms on the reverse can be many different colors depending on the angle you view the reverse. The new statewide format image was created from very poor quality images and will be updated when better quality images are available.

Updates to this Page:

Archive of Previous Updates

12/1/16 – Costs in How to Apply Section Updated.
12/10/16 – How to Apply Section Updated.
1/1/17 – Missouri Added as Permitless Carry State to List of States Under Map at Top of Page.
2/1/17 – All Links Checked and Repaired if Needed.
2/24/17 – New Hampshire Added as Permitless Carry State to List of States Under Map at Top of Page.