

House Bill 238

By: Representatives Wilson of the 80<sup>th</sup>, Beverly of the 143<sup>rd</sup>, Frye of the 118<sup>th</sup>, McLaurin of the 51<sup>st</sup>, Hutchinson of the 107<sup>th</sup>, and others

A BILL TO BE ENTITLED  
AN ACT

1 To amend Part 5 of Article 4 of Chapter 11 of Title 16 of the Official Code of Georgia  
2 Annotated, relating to Brady Law Regulations, so as to provide for a background check for  
3 guns purchased at gun shows; to provide for definitions; to provide that only dealers may  
4 legally sell, transfer, or exchange a firearm at a gun show; to provide a short title; to provide  
5 for related matters; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 This Act shall be known and may be cited as the "Gun Safety Act."

9 **SECTION 2.**

10 Part 5 of Article 4 of Chapter 11 of Title 16 of the Official Code of Georgia Annotated,  
11 relating to Brady Law Regulations, is amended by adding new paragraphs to Code Section  
12 16-11-171, relating to definitions, to read as follows:

13 "(3.1) 'Gun show' means any event at which 25 or more firearms are offered or exhibited  
14 for sale, transfer, or exchange.

15 (3.2) 'Gun show vendor' means any person who offers for sale, exhibits, sells, transfers,  
16 or exchanges one or more firearms at a gun show, regardless of whether or not the person  
17 arranges with the gun show promoter for a fixed location from which to offer for sale,  
18 exhibit, sell, transfer, or exchange one or more firearms."

19 **SECTION 3.**

20 Said part is further amended by revising subsection (a) of Code Section 16-11-172, relating  
21 to transfers or purchases of firearms subject to the NICS, information concerning persons  
22 who have been involuntarily hospitalized to be forwarded to the FBI, penalties for breach of  
23 confidentiality, and exceptions, as follows:

24 "(a) All transfers or purchases of firearms conducted by a licensed importer, licensed  
25 manufacturer, gun show vendor, or licensed dealer shall be subject to the NICS. To the  
26 extent possible, the center shall provide to the NICS all necessary criminal history  
27 information and wanted person records in order to complete an NICS check."

28 **SECTION 4.**

29 Said part is further amended by adding a new Code section to read as follows:

30 "16-11-174.

31 If any part of a firearm transaction takes place at a gun show, it shall be unlawful for any  
32 person who is not a dealer to offer for sale, exhibit, sell, transfer, or exchange a firearm to  
33 another person who is not so licensed."

34 **SECTION 5.**

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