

House Bill 45

By: Representatives Au of the 50<sup>th</sup>, Park of the 107<sup>th</sup>, Lim of the 98<sup>th</sup>, Mughal of the 105<sup>th</sup>,  
Romman of the 97<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 require a three-day waiting period for  
3 the purchase or transfer of certain firearms; to provide for inspection; to provide for  
4 exceptions; to provide for criminal penalties; to provide for related matters; to repeal  
5 conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Part 5 of Article 4 of Chapter 11 of Title 16 of the Official Code of Georgia Annotated,  
9 relating to Brady Law Regulations, is amended by adding a new Code section to read as  
10 follows:

11 "16-11-172.1.

12 (a) No transfer or purchase of a firearm conducted by a licensed importer, licensed  
13 manufacturer, or licensed dealer shall be completed until the third day after the initiation  
14 of such transfer or purchase; provided, however, that the calculation of the three days shall  
15 not include Saturdays, Sundays, or state or federal holidays and provided, further, that the

16 NICS check provided for under Code Section 16-11-172 may be conducted within the three  
17 days.

18 (b) Licensed importers, licensed manufacturers, and licensed dealers shall, during normal  
19 business hours, make records available for inspection by any law enforcement agency for  
20 purposes of any criminal investigation.

21 (c) Subsection (a) of this Code section shall not apply when a firearm is being purchased  
22 by or transferred to:

23 (1) The holder of a weapons carry license issued pursuant to Code Section 16-11-129;  
24 or

25 (2) Any person provided for under Code Section 16-11-130.

26 (d) Any licensed importer, licensed manufacturer, or licensed dealer who violates this  
27 Code section, or any purchaser or transferee who uses fraud or false representation to avoid  
28 the requirements of subsection (a) of this Code section, shall be guilty of a felony and,  
29 upon conviction, shall be punished by imprisonment for not less than one nor more than  
30 five years."

31 **SECTION 2.**

32 All laws and parts of laws in conflict with this Act are repealed.