

## Brief Description of Federal and Georgia Prohibitors

**NOTE:** The following is a brief description of the federal and state prohibitors, which render a person ineligible for a weapons carry license. This is a brief description only; for the full text of the federal and/or state laws, please refer to the official statutes and any regulations issued thereunder. If you have any questions whether any of the following prohibitors applies to your charges, situation or circumstances, please consult an attorney.

### Federal Prohibitors [18 U.S.C. §922]:

- (g)(1) Persons convicted in any court of a crime punishable by imprisonment for a term exceeding one year.
- (g)(2) Persons who are fugitives from justice (subject to an active criminal warrant).
- (g)(3) Persons who are unlawful users of or addicted to any controlled substance.
- (g)(4) Persons who have been adjudicated as a mental defective or committed to a mental institution.
- (g)(5) Persons who are aliens and are illegally or unlawfully in the United States and legal aliens having a nonimmigrant status not covered by an exception.
- (g)(6) Persons who have been dishonorably discharged from the U. S. Armed Forces.
- (g)(7) Persons who have renounced their U. S. citizenship.
- (g)(8) Persons who are subject to current restraining order involving an intimate partner or the child of an intimate partner.
- (g)(9) Persons who have been convicted of a misdemeanor crime of domestic violence.
- (n) Persons under current indictment or information for a crime punishable by a term of imprisonment in excess of one year.

### Georgia Prohibitors [O.C.G.A. §16-11-129]

- (b)(2)(A) Persons under 21 years of age unless at least 18 and completed basic training in armed forces of the US and actively serving or honorably discharged.
- (b)(2)(B) Persons convicted of a felony who have not been pardoned.
- (b)(2)(C) Persons against whom proceedings are pending for any felony.
- (b)(2)(D) Persons who are fugitives from justice.
- (b)(2)(E) Persons prohibited from possessing or shipping a firearm in interstate commerce pursuant to subsections (g) and (n) of 18 U.S.C. §922. (See above)
- (b)(2)(F) Persons convicted of an offense arising out of the unlawful manufacture or distribution of a controlled substance or other dangerous drug. First offender w/o adjudication of guilt successfully completed and discharged is eligible if no other license exception applies.
- (b)(2)(G) Persons who have had their weapons carry license revoked within 3 years of the application date.
- (b)(2)(H) Persons convicted of i) carrying a weapon without a weapons carry license, or ii) carrying a weapon or long gun in an unauthorized location and not been free of all restraint or supervision in connection therewith and free of any other conviction for at least five years immediately preceding the date of the application.
- (b)(2)(I) Persons convicted of any misdemeanor involving use or possession of a controlled substance and have not been free of all restraint or supervision in connection therewith or free of a second misdemeanor drug conviction for at least 5 years immediately

preceding the date of application. First offender w/o adjudication of guilt successfully completed and discharged is eligible if no other license exception applies.

(b)(2)(J) Persons who have been hospitalized as an inpatient in a mental hospital or alcohol or drug treatment facility within five years prior to the application.

(b)(2)(K) Persons adjudicated mentally incompetent to stand trial unless relieved by court ordering incapacity

(b)(2)(L) Persons adjudicated not guilty by reason of insanity unless relieved by court ordering incapacity