

**Georgia Weapons Carry License Application**  
**Instruction for Completing Application**

*Read these instructions carefully before completing the application.*

Following these instructions is the Georgia Weapons Carry License application. You may complete the application below, print it, and take it to the Probate Court in the county of your legal residence. You may NOT file the application online. You must sign the application in the presence of the judge or a clerk in the Probate Court, affirming under oath that all answers given by you on the application are true and correct to the best of your knowledge and belief.

1. You must complete all of the identifying and descriptive information at the beginning of the application, except for the “County Number.” All of the information requested in this part is **required** and cannot be left unanswered, except for the INS Alien/Admission Number (which **MUST** be provided if applicable), a different mailing address, and an alternate telephone number.
2. **READ** every question carefully and **ANSWER** each question truthfully. You will take an oath affirming that **ALL** information given and **ALL** responses to questions are true and correct.
  - a. Knowingly giving false answers to any questions on the application may, itself, constitute the crime of perjury and may disqualify you from receiving the license.
  - b. Take careful note that some questions (3, 5, and 6) ask whether you have ever received **first offender treatment** in connection with the prosecution of certain crimes. You must answer these questions truthfully.
  - c. You will be required to show proof that you completed all first offender probation requirements set by the court and that you have been discharged **without conviction**.
3. If you have ever been convicted of a felony or any other crime which is punishable by imprisonment for more than one year (regardless of the actual sentence), you **must** provide proof of the granting to you of a pardon or a relief from disabilities which applies to all such convictions. The pardon or relief from disabilities must include restoration of your right to purchase, own, possess, and use firearms.
4. Please **READ** carefully the list of federal and state “prohibitors” available at the Probate Court and at [www.gaprobate.org](http://www.gaprobate.org). If you are **prohibited** under federal or state law from owning, possessing or transporting a firearm, the probate judge has no discretion and must **deny** your application. If your criminal records search report shows arrests for matters which might disqualify you but do not show the disposition of the charges, you will be required to obtain proof of the disposition.
5. Once your application has been filed and all required fees have been paid you will **not** be eligible for a refund if your application is denied. All fees paid are for the **application** process and the required search of criminal records. If you are ineligible for a license, you should **not** apply for one. If you have any questions about your eligibility, you should consult your attorney.

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APPLICATION FOR WEAPONS CARRY LICENSE

Applicant's Name: \_\_\_\_\_

Date of Birth: \_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_ First Middle Last (or as registered with INS)
INS Alien/Admission No. \_\_\_\_\_

Sex: \_\_\_\_\_ Race: \_\_\_\_\_ Height: \_\_\_\_\_ Weight: \_\_\_\_\_ Hair Color: \_\_\_\_\_ Eye Color: \_\_\_\_\_

Place of Birth: \_\_\_\_\_
City State, Province or District Country

Residence/Street Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_ County: \_\_\_\_\_

Mailing Address if different: \_\_\_\_\_

Phone Numbers: Home (\_\_\_\_\_) \_\_\_\_\_ Other (\_\_\_\_\_) \_\_\_\_\_

1. Are you currently a United States Citizen? ..... Yes [ ] No [ ]
[Have you ever renounced your U.S. citizenship? Yes [ ] No [ ] If so, attach a copy of the reversal of renunciation.]

- If you are not a U.S. Citizen:
• you must show proof of name/address/date of birth/INS number/photo ID.
• Identify all countries of citizenship: \_\_\_\_\_
• Attach: (a) documentation of your lawful presence in the United States, and
(b) proof of residency in the State of Georgia for at least 90 days.

2. Are you a non-immigrant or non-resident alien? ..... Yes [ ] No [ ]
If yes, attach proof that you fall within an exemption establishing your eligibility.

3. Have you been convicted of, pled guilty or nolo contendere to, or received first offender treatment
for any offense involving the unlawful possession or use of a controlled substance or dangerous drug
within the past five years or served any portion of a probationary sentence for use or possession
of a controlled substance within the past five years?..... Yes [ ] No [ ]

If you have ever been convicted of a misdemeanor drug offense, have you also been convicted of a
second such drug offense, unlawful possession or shipping of a firearm during the past five years?.. Yes [ ] No [ ]
If pardoned and firearms rights restored, attach copy of pardon.

4. Have you ever been convicted of, or pled guilty or nolo contendere to, any crime involving domestic
violence, violence towards a family member, child or significant other ? ..... Yes [ ] No [ ]
If pardoned and firearms rights restored, attach copy of pardon.

5. Have you ever been convicted of, or pled guilty or nolo contendere to, any felony offense or any offense
punishable by a term of imprisonment over one year, or court-martial charge punishable by
imprisonment over one year?..... Yes [ ] No [ ]
If pardoned and firearms rights restored, attach copy of pardon.

6. Have you ever been convicted of, pled guilty or nolo contendere to, or received first offender
treatment for any offense arising out of the unlawful manufacture or distribution of a controlled
substance or dangerous drug? ..... Yes [ ] No [ ]
If pardoned and firearms rights restored, attach copy of pardon.

7. Have you ever been convicted of, or pled guilty or nolo contendere to, pointing a gun or pistol at another
person, carrying a weapon without a weapons carry license, or carrying a weapon or long gun in an
unauthorized location?..... Yes [ ] No [ ]

If so, have you served any portion of incarceration or probation for such firearms offense in the past five

years or had any other conviction, guilty plea or nolo contendere plea within the past five years?..... Yes  No   
If you have had no other conviction, attach proof of the date your term of probation, if any, was completed.

8. Are you subject to any pending charge or charges in any court including matters under indictment, accusation, on appeal, uncompleted first offender treatment or other court order? ..... Yes  No

If yes, do the pending charges involve or arise out of any felony, any crime that is possibly punishable by imprisonment for over one year, or any offense or conduct involving a weapon or any offense involving a controlled substance or other dangerous drug?..... Yes  No

9. Have you left any state, or any foreign state, to avoid criminal prosecution, to avoid testifying in any criminal proceeding, or knowing that charges are pending against you?..... Yes  No

10. Have you been the subject of any proceedings (including arrests, matters on appeal, under indictment or accusation, or cases which were *nolle prossed*) within the past five years for any offense arising out of the unlawful possession, manufacturing or distribution or use of a controlled substance or other dangerous drug, or found through a drug test to have used such a substance or drug unlawfully within the past year?..... Yes  No

11. Do you use any controlled substance or illegal drug other than as prescribed by a licensed physician, or have you done so within the past year, or regularly used any such drug within the past five years? ... Yes  No

12. Are you addicted to or have you lost self-control over any controlled substance or drug? ..... Yes  No

13. Are you, or have you ever been, subject to any court order (including but not limited to restraining orders, protective orders, peace bonds & good behavior bonds) restraining you from harassing, stalking, threatening, engaging in communication with, or refraining in any manner from contact with or coming in proximity to any person, individual, spouse, child or former or current intimate partner, parent or their property, residence or other location frequented by such person?... ..... Yes  No

If yes, attach a copy of the order and any later order terminating or superceding the original order.

14. Have you ever been dishonorably discharged from the U.S. Armed Forces, or separated from the U.S. Armed Forces under a dismissal adjudged by a general court-martial? ..... Yes  No

15. Have you ever been found by a civil or criminal court, board, commission or other lawful authority, as a result of subnormal intelligence, incompetency, mental illness, condition or disease, to be a danger to yourself or others, to lack the mental capacity to manage your own affairs, or to be incompetent to stand trial, insane, guilty but mentally ill, or not guilty for lack of mental responsibility? ..... Yes  No

16. Have you ever been ordered to receive inpatient or outpatient treatment at any treatment facility, mental health center, hospital, sanitarium, clinic or program for a mental condition, drug abuse, or alcohol abuse, by any court, board, or other authority in any civil, criminal or administrative proceeding? (If yes, attach a copy of the order) ..... Yes  No

17. Have you ever had a weapons carry license revoked by a judge of a probate court? ..... Yes  No

**I do swear and affirm under penalty of false swearing or perjury that the foregoing information is true and correct to the best of my knowledge and belief.**

Sworn to and subscribed before me  
This \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_  
\_\_\_\_\_  
Clerk of Probate Court

\_\_\_\_\_  
**APPLICANT'S SIGNATURE**

**FOR COURT USE ONLY:**

On \_\_\_\_\_ the applicant was:  
\_\_\_\_\_ issued a firearms license \_\_\_\_\_denied a firearms license

\_\_\_\_\_  
Judge/Clerk, Probate Court

**CRIMINAL HISTORY RECORD CHECK  
CONSENT FORM**

**BIBB COUNTY PROBATE COURT**

I hereby authorize the Bibb County Probate Court to receive a background check of the Federal Bureau of Investigation's National Instant Criminal Background Check System prior to the issuance of a Firearm license or a renewal.

\_\_\_\_\_  
Full Name (print)

\_\_\_\_\_  
Maiden Name

\_\_\_\_\_  
Alias Names

\_\_\_\_\_  
Address

\_\_\_\_\_  
Date of Birth

\_\_\_\_\_  
Sex

\_\_\_\_\_  
Race

\_\_\_\_\_  
Place of Birth

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

-----  
**Probate Court Use Only**

\_\_\_\_\_  
License Number

(Purpose Code "F")

\_\_\_\_\_  
Record Checked By:

\_\_\_\_\_  
Date

Results:

**PROBATE COURT OF BIBB COUNTY**

**IMPORTANT NOTICE TO ALL  
FIREARMS LICENSE APPLICANTS  
CONCERNING CERTAIN FEDERAL LAWS**

A list of **Prohibited Persons** containing a brief description of the prohibited categories under federal law has been displayed to you, and you have been asked to read it in its entirety. If you are a person prohibited under federal law from receiving a firearms license, a license may **not** be issued to you. If information establishing a prohibition is obtained by the Court after the application is submitted, there will be **no refund** of the fees collected. If you believe that you might fall within a prohibited category, it is suggested that you not make application until you determine whether the prohibition applies to you or your situation. If you have any questions about your legal rights or whether the list and descriptions apply to you, it is suggested that you consult with an **attorney**. The Probate Court staff may not advise you on your legal rights, nor may they determine for you whether a particular prohibition applies to you or your circumstances.

The application process will involve a criminal records check, including a NICS check. If a report is received back by the Court from the Federal Bureau of Investigation and/or The Georgia Bureau of Investigation listed you as a **Prohibited Person**, this Court will **not** issue a license. It will be **your responsibility** to seek the removal of the prohibition from your record. Even if you believe that the prohibition does not apply to you or that the circumstances resulting in the prohibition fail to meet the requirements of federal law, this Court cannot accept your position and must not issue a license until the prohibition is removed and a subsequent report, without the prohibition, is obtained.

Therefore, as a condition to the processing of your application, you must complete and sign under oath the following, in addition to the usual Georgia Application for Firearm License:

Initial

\_\_\_\_\_ I have read the paragraphs above and the 3-page list and descriptions of “Prohibited Persons” in its entirety prior to submitting my Application for Firearm License to the Probate Court of Bibb County.

\_\_\_\_\_ I am not presently under indictment in any court for an offense punishable by imprisonment for a term in excess of one year, nor am I the subject of an offense punishable by imprisonment for a term in excess of one year which has been referred to a general court-martial, nor am I a fugitive from justice.

\_\_\_\_\_ I am not addicted to, nor have I lost the power of self-control over, any controlled substance. I have never been treated involuntarily in a mental institution for addiction to or abuse of a controlled substance.

\_\_\_\_\_ I have never been adjudicated by any court, board, commission or other lawful authority to be, as a result of marked subnormal intelligence, mental illness, incompetency, condition or disease, a danger to myself or others or to lack the mental capacity to contract or manage my own affairs.

\_\_\_\_\_ I have never been involuntarily committed for treatment to a mental institution by any court, board, commission, or other lawful authority.

\_\_\_\_\_ I am a citizen of the United States of America.

**OR** \_\_\_\_\_ I am a citizen of \_\_\_\_\_ [country], admitted into the United States as a nonimmigrant resident alien. I have been a resident of the State of Georgia for not less than 90 days [proof attached]. I am eligible to receive a license because I ( ) am in possession of a valid hunting license or permit lawfully issued in the United States, ( ) am an official representative of a foreign government who is accredited to the US government or his government's mission to an international organization having its headquarters in the US, or ( ) have received a waiver from the prohibition from the Attorney General of the US.

\_\_\_\_\_ I have never been dishonorably discharged from the U. S. Armed Forces, nor have I ever been separated from the U. S. Armed Forces under a dismissal adjudicated by a general court-martial.

\_\_\_\_\_ I have never renounced my U. S. citizenship before a diplomatic or consular officer of the United States in a foreign state nor before an officer designated by the Attorney General when the United States is in a state of war, except such renunciation as has been reversed as a result of administrative or judicial appeal.

\_\_\_\_\_ I am not presently subject to a court order issued in any court which restrains me from harassing, stalking, or threatening an intimate partner or the child of an intimate partner, or from engaging in other conduct which would place an intimate partner in reasonable fear of bodily injury and which includes a finding that I represent a credible threat to the physical safety of such intimate partner or child or which expressly prohibits the use, attempted use, or threatened use of physical force against such intimate partner or child that would reasonably be expected to cause bodily injury.

\_\_\_\_\_ I have never been convicted in any court of a misdemeanor crime of domestic violence.

\_\_\_\_\_ I understand that if the criminal records report received by the Probate Court of Bibb County shows me to be a **Prohibited Person**, the license for which I have applied will **not** be issued until the prohibition is removed and does not appear on a subsequent report. I acknowledge that it will be **my** responsibility to seek the removal of any prohibition which may appear.

Sworn to and subscribed before  
me on \_\_\_\_\_.

\_\_\_\_\_  
Applicant  
Application No. \_\_\_\_\_

\_\_\_\_\_  
Clerk, Probate Court

# PROBATE COURT OF BIBB COUNTY

## IMPORTANT NOTICE TO ALL FIREARMS LICENSE APPLICANTS CONCERNING CERTAIN FEDERAL LAWS

The laws passed by the Congress of the United States and the authorized Regulations thereunder are, under the Constitution of the United States, superior to the laws of the State of Georgia. The Gun Control Act of 1968, 18 U.S.C. §§921, *et seq.*, including amendments thereto made under the Brady Handgun Violence Prevention Act of 1993, Public Law 103-159, and other related Acts, and the Regulations thereunder apply to and are binding on the several States. Because the Firearm License issued in the State of Georgia is a license which exempts the holder from the requirement that information be obtained through the National Instant Criminal Background Check System (NICS) at the time of any purchase of a handgun, any person who is prohibited under federal law from shipping, transporting, possessing or receiving firearms is prohibited from receiving a Georgia Firearm License. Therefore, it is possible that an applicant for a firearms license may be qualified under Georgia law to receive such a license but be prohibited under federal law from receiving the license.

As the issuing authority under Georgia law, the Probate Judge is required to recognize and follow the controlling federal law. The Probate Judge **may not** issue a license to any applicant who is prohibited from receiving such a license under federal law (primarily the “Brady Act”) even if the applicant is otherwise qualified to receive the license under applicable Georgia law.

At present, the Application for Firearm License approved and published by the Georgia Department of Public Safety, pursuant to the authority and direction contained in O.C.G.A. §16-11-129, may not call for disclosure by an applicant of all information which might indicate that the applicant is prohibited under federal law from receiving the license.

Following is a listing and a brief description of the prohibited categories under federal law, as this Court now knows them to exist and apply. If you are a person prohibited under federal law from receiving a firearms license, a license may not be issued to you. If information establishing a prohibition is obtained by the Court after the license is submitted, there will be **no refund** of the fees collected. If you believe that you might fall within a prohibited category, it is suggested that you not make application until you determine whether the prohibition applies to you or your situation.

### **Prohibited Persons:**

**Convicted Felon** Any person convicted of an offense for which the maximum penalty, whether or not imposed, is imprisonment in excess of one year (a felony or a misdemeanor carrying a maximum penalty in excess of one year). What constitutes a conviction is determined by the laws of the jurisdiction in which the proceedings were held (state or federal). The prohibition does not apply if the conviction has been expunged or set aside or if the person has been pardoned or has had civil rights restored, unless the expungement, pardon or restoration expressly provides that the person may not ship, transport, possess or receive firearms.

<b>Under indictment</b>	A person presently under a pending indictment for a crime punishable by imprisonment for a period in excess of one year may not receive a license during the pendency of the proceedings.
<b>Fugitive</b>	Any person who has fled from any State to avoid prosecution for a felony or a misdemeanor or any person who leaves the State to avoid giving testimony in any criminal proceeding or any person who leaves the State knowing that misdemeanor or felony charges are pending against him are prohibited from receiving a license.
<b>Addict or User</b>	A person who uses a <b>controlled substance</b> and has lost the power of self-control with reference to the use of the controlled substance or any person who is a current user of a controlled substance in a manner other than as prescribed by a licensed physician is prohibited from receiving a license. A “controlled substance” is a drug or other substance defined in Section 102 of the Controlled Substances Act, 21 U.S.C. § 802 and includes, but is not limited to, marijuana, depressants, stimulants, and narcotic drugs. It does not include distilled spirits, wine, malt beverages, or tobacco.
<b>Mental Defective</b>	A person who has been determined by a court, board, commission or other lawful authority to be, as a result of marked subnormal intelligence, or mental illness, incompetency, condition or disease, (1) a danger to himself or to others, or who (2) lacks the mental capacity to contract or manage his own affairs is prohibited from receiving a license. The term includes (1) a finding of insanity by a court in a criminal case, and (2) those persons found incompetent to stand trial or found not guilty by reason of lack of mental responsibility under the U.C.M.J.
<b>Committed to a Mental institution</b>	A person who has been formally committed to a mental institution by a court, board, commission or other lawful authority is prohibited from receiving a license. The term includes a commitment to a mental institution involuntarily. The term includes commitment for mental defectiveness or mental illness. It also includes commitments for other reasons, such as drug use. The term does not include a person in a mental institution for observation or a voluntary admission to a mental institution. The term “mental institution” includes mental health facilities, mental hospitals, sanitariums, psychiatric facilities and other facilities that provide diagnosis by licensed professionals of mental retardation or mental illness including a psychiatric ward in a general hospital.
<b>Aliens</b>	Aliens illegally or unlawfully in the United States and nonimmigrant aliens (with certain exceptions) are prohibited from receiving a license.
<b>Dishonorably Discharged from Military</b>	A person who has been separated from the U. S. Armed Forces resulting from a dishonorable discharge or dismissal adjudged by a general court-martial is prohibited from receiving a license. The term does not include separation from the U. S. Armed Forces from any other discharge, e.g., a bad conduct discharge.

**Renounced Citizenship**

A person who has renounced his U. S. citizenship is prohibited from receiving a license.

**Court Orders**

A person is prohibited from receiving a license who is the subject of a pending court order which restrains him from harassing, stalking, or threatening an intimate partner of such person or child of such intimate partner or person or from engaging in other conduct that would place an intimate partner or person in reasonable fear of bodily injury to the partner or child AND which includes a finding that such person represents a credible threat to the physical safety of such intimate partner or child OR by its terms explicitly prohibits the use, attempted use, or threatened use of physical force against such intimate partner or child that would reasonably be expected to cause bodily injury.

**Misdemeanor Domestic Violence****Conviction**

A person who has been convicted in any court of a misdemeanor crime of domestic violence [a misdemeanor crime which has, as an element, the use or attempted use of physical force, or the threatened use of a deadly weapon, committed by a current or former spouse, parent, or guardian of the victim, or by a person with whom the victim shares a child in common, or by a person who is cohabiting with or has cohabited with the victim as a spouse, parent, or guardian, or by a person similarly situated to a spouse, parent or guardian] is prohibited from receiving a license.

**PROBATE COURT OF BIBB COUNTY  
STATE OF GEORGIA  
NOTICE TO FIREARMS LICENSE APPLICANTS  
REGARDING FINGERPRINTING**

We at the Probate Court of Bibb County have been duly trained to take the fingerprints of applicants for firearms licenses. Whenever possible, the prints will be scanned electronically, which will considerably expedite the processing of the criminal records searches. However, despite our best efforts, some prints cannot be successfully scanned electronically, in which case the applicant's fingerprints must be inked onto standard fingerprint cards. It is our experience that criminal records searches performed using hard-copy, inked fingerprints take considerably longer than with those done with electronic fingerprints.

Also, despite our best efforts, fingerprints may be rejected by the Georgia Bureau of Investigation (GBI), the Federal Bureau of Investigation (FBI), or the U. S. Bureau of Immigration and Customs Enforcement (ICE). This is beyond our control, and, when fingerprints are rejected, we have no alternative than to require the applicant to be re-fingerprinted. The fingerprint based criminal records checks cannot be completed until an applicant's fingerprints are accepted by each agency.

Pursuant to the amendments to Code Section 16-11-129 enacted by House Bill 89 during the 2008 Session of the Georgia General Assembly, the law enforcement agencies are required to return the complete criminal records reports to us within 30 days after the search requests have been received from us (which we are required to make within 2 days after the application is completed, signed and accepted). We have no control over the GBI, the FBI or ICE, and the Probate Court of Bibb County cannot assure that all reports of criminal history records checks will actually be received back by us within 30 days. Pursuant to the authority expressed by Moore v. Cranford, 285 Ga.App. 666 (2007), this Court will not make a final determination on the eligibility of an applicant until ALL required reports have been actually received by us, even if that requires delaying the determination beyond 30 days. In the event we have not received ALL required reports within 30 days, an Order Suspending Determination of Eligibility will be issued by the Court, and a copy will be served upon the applicant by first-class mail at the applicant's address shown on the application.

A copy of the foregoing Notice is hereby acknowledged by the undersigned applicant at the time of making application.

\_\_\_\_\_  
Applicant's Signature

\_\_\_\_\_  
Printed Name of Applicant

FL # \_\_\_\_\_

Date: \_\_\_\_\_

Witness:

\_\_\_\_\_  
(Dep.) CLERK, Probate Court