



## GEORGIA CARRY.ORG, INC.

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April 30, 2008

VIA FACSIMILE (404)657-7332

AND U.S. MAIL

Honorable Sonny Perdue  
Office of the Governor  
State of Georgia  
203 State Capitol  
Atlanta, Georgia 30334

Re: Misrepresentations of Fact Pertaining to HB 89

Dear Governor Perdue,

GeorgiaCarry.org just became aware of some blatant misrepresentations that certain special interest groups are making in a disingenuous attempt to convince you to veto HB 89. On Friday, the Atlanta Journal Constitution published online two letters urging you to veto HB 89. One was from Charles Hoff, in his capacity as counsel for the Georgia Restaurant Association, dated April 11, 2008, and the other was from Jimmy Gisi, in his capacity as Executive Director of the Georgia Recreation and Park Association.

Mr. Hoff asserted on behalf of the Georgia Restaurant Association his belief that the fact that the vast majority of states have no law against carrying a firearm into a restaurant that serves alcohol falls into the category of “lies, damn lies, and *statistics*.” (emphasis and foul language in original). Mr Hoff merely points out that some of these states have restrictive licensing schemes. What he fails to point out is that 41 of the 50 states have, like Georgia, a “shall issue” concealed carry licensing law pursuant to which the state *must* issue the license to all qualified applicants. Even in the very few states that have a “may issue” licensing scheme, the number of licensees are sometimes surprisingly high, such as in California, where 50,000 people hold a firearms license and may carry into restaurants that serve alcohol without fear of arrest, unlike Georgia.

I have **enclosed** a map for your convenience that shows which states do and do not criminalize the carry of firearms into restaurants that serve alcohol. *You will note that Alaska is green on the map.* This is ironic, because Mr. Hoff made the outrageous and untrue claim that “It is interesting that even in a ‘frontier’ state like Alaska where anyone can carry a gun, the law prohibits a citizen from taking a gun into a restaurant.” Overlooking for now Mr. Hoff’s untrue assertion that Alaska is a state “where anyone can carry a gun,” Mr. Hoff’s “legal analysis” of Alaska’s firearms laws overlooks an exception identical to the one proposed in Georgia by HB 89. Alaska Statute 11.61.220(d)(1)(C) provides a very specific exception to its criminal law on carrying into establishments that serve alcohol, if the gun is concealed and “the possession occurred at a place designated as a restaurant for the purposes of AS 04.16.049 and the defendant did *not consume* intoxicating liquor at the place.” (emphasis added). In other words, Alaska law provides almost *exactly* the same exception to prosecution that HB 89, currently on your desk for

consideration, would provide to Georgians exercising their right to bear arms. It is noteworthy that Alaska law also provides an exception for business owners and their employees, an exception that current Georgia law does not contain and presumably the Georgia Restaurant Association does not want its members to have.

The Georgia Recreation and Park Association's letter contains errors and omissions that are probably not intentional. In short, the GRPA letter leaves the impression that HB 89 has something to do with local parks and recreational facilities. The GRPA letter mentions youth sports programs and other activities that take place in city and county parks. As you are probably already aware, it is legal under current law, without HB 89, to carry a firearm into city and county parks. *See GeorgiaCarry.Org, Inc. v. Coweta County*, 288 Ga. App. 788 (2007). Cities and counties are expressly precluded by state law "from regulating in any manner the carrying of firearms." *Id.* (punctuation omitted).

Because it is already legal for Georgians with a firearms license to carry a firearm in city and county parks (and always has been), the statement that the GRPA "watched with horror" the passage of HB 89 is perplexing. The experience of the GRPA with legally carried firearms in city and county parks must have been overwhelmingly positive, since the GRPA is completely unaware that such conduct is *already* legal in Georgia.

Your decision on HB 89 relates to State Parks, which are under the control of the Department of Natural Resources. I have **enclosed** a map of states that do and do not criminalize the carry of firearms in State Parks. In addition, your decision on HB 89 will also affect National Parks. As you are probably aware, the Department of the Interior just published this week its proposed new rule on carrying firearms in National Parks. The new rule will adopt the state law relating to the carrying of concealed firearms in state parks.

In the interest of counteracting the MARTA CEO Beverly Scott's statement at the City of Atlanta press conference last week, that "very few" states permit legally carried firearms on mass transit, I have taken the liberty of **enclosing** a map showing the states that do and do not have any criminal laws pertaining to mass transit. As you can see, such laws are almost non-existent, and even the four red states on that do appear on the map do not have anything like Georgia's draconian law.

If you have any questions about this issue, please do not hesitate to contact me.

Sincerely,  
Edward A. Stone  
President  
GEORGIACARRY.ORG, INC.

Cc: Charles Hoff, Esq.  
Ron Wolf  
Jimmy Gisi

