

House Bill 1057 (COMMITTEE SUBSTITUTE)

By: Representatives Lane of the 146<sup>th</sup>, Morris of the 155<sup>th</sup>, Mosley of the 171<sup>st</sup>, Stokes of the 92<sup>nd</sup> and Keen of the 174<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Part 2 of Article 4 of Chapter 4 of Title 27 of the Official Code of Georgia  
2 Annotated, relating to crabs, so as to provide for the permissible possession of crabs lawfully  
3 taken from the waters of another state; to require certain proof of the point of origin; to  
4 provide that it shall be unlawful to take or possess a female blue crab bearing visible eggs;  
5 to provide for automatic repeal; to authorize the commissioner of natural resources to close  
6 waters to fishing for crabs under certain circumstances; to provide an effective date; to repeal  
7 conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 Part 2 of Article 4 of Chapter 4 of Title 27 of the Official Code of Georgia Annotated,  
11 relating to crabs, is amended by striking in its entirety subsection (a) of Code Section  
12 27-4-150, relating to taking, possessing, and dealing in crabs and peelers and required  
13 records, and inserting in lieu thereof the following:

14 "(a)(1) It shall be unlawful for any person to take or possess in this state any crab, other  
15 than a mature adult female crab, measuring less than five inches from spike to spike  
16 across the back; provided, however, that any person may take or possess peelers  
17 measuring at least three inches from spike to spike across the back. Any crabs taken or  
18 possessed in violation of this ~~subsection~~ paragraph may not be intentionally killed and  
19 must be returned to the salt waters of this state as soon as possible; provided, however,  
20 nothing in this ~~subsection~~ paragraph shall prohibit any person from importing,  
21 transporting, or possessing crabs when such person can provide documentary evidence  
22 showing that the crabs were taken outside this state in full compliance with the laws of  
23 the state of origin. He or she must have an executed invoice showing the point of origin  
24 of such crabs and exhibit such an invoice upon demand to any conservation ranger.

25 (2) It shall be unlawful for any person to take or possess or offer for sale at any time any  
26 female blue crab bearing eggs visibly on its body, commonly known as sponge crabs, or

1 any such female blue crab from which the egg pouch or bunion has been removed. It shall  
2 not be unlawful temporarily to take such sponge crabs incidental to lawful crabbing  
3 operations so long as the sponge crabs are returned immediately to the water free, alive,  
4 and unharmed. Nothing in this paragraph shall prohibit any person from importing,  
5 transporting, or possessing sponge crabs when such person can provide documentary  
6 evidence showing that the sponge crabs were taken outside this state in full compliance  
7 with the laws of the state of origin. He or she must have an executed invoice showing the  
8 point of origin of such sponge crabs and exhibit such an invoice upon demand to any  
9 conservation ranger. This paragraph shall be automatically repealed on July 1, 2005,  
10 unless continued by the General Assembly following a report on the status of the blue  
11 crab resource and fishery."

12 **SECTION 2.**

13 Said part is further amended by inserting at the end of Code Section 27-4-151, relating to the  
14 use of crab traps and identification of boats or vessels, a new subsection to read as follows:

15 "(j) The commissioner shall have the power to close all or any portion of the saltwaters of  
16 this state to commercial and recreational fishing for blue crabs or any component of the  
17 blue crab fishery, including peeler, soft, or sponge crabs, in the event of flood, drought,  
18 disease, or any other emergency situation or in the event of a disaster or other occurrence  
19 likely to cause seafood to be unfit for human consumption. Any determination to close the  
20 saltwaters pursuant to this subsection or to reopen such waters shall be made in accordance  
21 with current, sound principles of wildlife research and management as provided by Code  
22 Section 27-4-130."

23 **SECTION 3.**

24 This Act shall become effective upon its approval by the Governor or upon its becoming law  
25 without such approval.

26 **SECTION 4.**

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