

The House Committee on Game Fish and Parks offered the following substitute to SB 347:

A BILL TO BE ENTITLED
AN ACT

1 To amend Title 27 of the Official Code of Georgia Annotated, relating to game and fish, so
2 as to provide that certain violations shall constitute misdemeanors of a high and aggravated
3 nature; to provide for penalties; to change the date of rules upon which criminal violations
4 may be based; to provide that trawlers shall be exempt from the creel and possession limits
5 for flounder, whiting, spot, and Atlantic croaker; to repeal conflicting laws; and for other
6 purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

8 Title 27 of the Official Code of Georgia Annotated, relating to game and fish, is amended by
9 striking in its entirety Code Section 27-1-38, relating to the penalty for violations of such
10 title, and inserting in lieu thereof the following:.

11 "27-1-38.

12 Unless otherwise specifically provided, any person who violates any of the provisions of
13 this title shall be guilty of a misdemeanor; provided, however, that unless otherwise
14 specifically provided, any person who violates any of the provisions of this title or any rule
15 or regulation promulgated pursuant thereto relating to the possession or use of fishing gear
16 on trawlers shall be a misdemeanor of a high and aggravated nature and shall be fined
17 \$1,000.00 for the first offense, \$3,000.00 for the second offense, and \$5,000.00 for the
18 third and each subsequent offense."
19

SECTION 2.

20 Said title is further amended by striking in its entirety Code Section 27-1-39, relating to rules
21 and regulations used to establish criminal violations, and inserting in lieu thereof the
22 following:

23 "27-1-39.

1 Notwithstanding any other law to the contrary, for purposes of establishing criminal
 2 violations of the rules and regulations promulgated by the Board of Natural Resources as
 3 provided in this title, the terms 'rules' and 'regulations' shall mean those rules and
 4 regulations of the Board of Natural Resources in force and effect on July 1, 2001 2002."

5 SECTION 3.

6 Said title is further amended by striking in its entirety subsection (c) of Code Section
 7 27-4-130.1, relating to open seasons, creel and possession limits, and minimum size limits
 8 for certain fish species, and inserting in lieu thereof the following:

9 "(c) It shall be unlawful to take the following salt-water fish species at any time except
 10 during the open seasons so established for such species or to take or possess the following
 11 salt-water fish species except in accordance with the creel and possession limits and
 12 minimum sizes so established for such species; provided, however, that trawlers fishing for
 13 shrimp for human consumption pursuant to Code Section 27-4-133 shall be exempt from
 14 the creel and possession limits for whiting, spot, and Atlantic croaker:

15	<u>Species</u>	<u>Maximum Open Season</u>	<u>Maximum</u>	<u>Range of</u>
16			<u>Daily Creel</u>	<u>Minimum</u>
17			<u>And</u>	<u>Sizes</u>
18			<u>Possession</u>	
19			<u>Limit</u>	
20	(1) Spotted seatrout <u>sea trout</u>	All year	15	13 inches
21	(2) Weakfish	All year	6	13 inches
22	(3) Black drum	All year	15	10 inches
23	(4) Flounder (Paralichthys	All year	15	12 inches
24	spp.)			
25	(5) Whiting (Menticirrhus	All year	35	10 inches
26	spp.)			
27	(6) Spot	All year	25	8 inches
28	(7) Atlantic croaker	All year	25	8 inches
29	(8) Tripletail	All year	5	18 inches"

30 SECTION 4.

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