

Senate Bill 347

By: Senators Williams of the 6th and Kemp of the 3rd

AS PASSED

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 provide that hook and line anglers shall
6 be exempt from the creel and possession limits for whiting; to repeal conflicting laws; and
7 for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

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

13 "27-1-38.

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

21 **SECTION 2.**

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

25 "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 finish species, and inserting in lieu thereof the following:

9 "(c) It shall be unlawful to take the following salt-water finish 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 finish 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 and provided, further,
 15 that hook and line anglers shall be exempt from the creel and possession limits for whiting:

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

31 SECTION 4.

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