

Senate Bill 406

By: Senators Williams of the 19th, Johnson of the 1st, Kemp of the 3rd and Thomas of the 2nd

AS PASSED SENATE

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 change certain provisions relating to revocation, suspension, denial, or nonrenewal of
3 licenses or permits and administrative and judicial review; to change certain provisions
4 relating to hunting deer with dogs; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **SECTION 1.**

7 Title 27 of the Official Code of Georgia Annotated, relating to game and fish, is amended by
8 striking subsection (c) of Code Section 27-2-25, relating to revocation, suspension, denial,
9 or nonrenewal of licenses or permits and administrative and judicial review, and inserting in
10 lieu thereof the following:

11 "(c) Any person whose license, permit, or application for a license or permit, or both, is
12 proposed for revocation, suspension, denial, or nonrenewal shall, upon petition to the
13 commissioner within ~~30~~ ten days of issuance of notice given as stated in subsection (a) of
14 this Code section, have a right to a hearing before ~~an administrative law judge appointed~~
15 ~~by the Board of Natural Resources. The~~ the judge of the probate court of the county in
16 which the alleged violation occurred, who for such purposes shall act and be compensated
17 as an associate administrative law judge the same as if assigned to such cases by the chief
18 state administrative law judge under paragraph (5) of subsection (e) of Code Section
19 50-13-40. In all other respects, the hearing before the ~~administrative law judge of the~~
20 probate court shall be conducted in accordance with Chapter 13 of Title 50, the 'Georgia
21 Administrative Procedure Act,' and the rules and regulations adopted by the board pursuant
22 thereto. The decision of the ~~administrative law judge of the probate court~~ shall constitute
23 the final decision of the board and any party to the hearing, including the commissioner,
24 shall have the right of judicial review thereof in accordance with Chapter 13 of Title 50."

SECTION 2.

Said title is further amended in Code Section 27-3-17, relating to hunting deer with dogs, by striking subsections (c) through (f) and inserting in lieu thereof the following:

"(c) It shall be unlawful for any person to hunt deer with dogs on any tract of real property unless a permit for hunting deer with dogs has been issued by the department for such tract to the owner or owners of such tract or the lessee of deer hunting rights for such tract. There shall be no minimum acreage requirements for any permit for hunting deer with dogs issued to the owner or owners of a tract of real property. A permit for hunting deer with dogs shall not be issued to a lessee of deer hunting rights for any tract of real property that is less than ~~1,000~~ 250 contiguous acres. Any application for a permit for hunting deer with dogs shall be on such form as prescribed by the department; ~~shall be accompanied by the required application fee;~~ and shall include a written description of the tract boundaries and a map showing key features such as public roads or streams on or bordering the tract and occupied dwellings on adjacent properties. The application must be signed by all persons owning any portion of the tract of real property or an authorized agent thereof. ~~The application~~ There shall be no fee for such permit ~~shall be \$100.00 for an annual permit or \$25.00 for a two-day permit.~~

(d) The owner of any dog that is used for hunting deer must cause such dog to be identified with the owner's name, address, and telephone number at all times during the hunt ~~with the permit number for the tract being hunted.~~

~~(e) Any person operating a motor vehicle used in conducting a deer hunt with dogs shall during such hunt clearly display in the lower corner of the driver's side of the front or rear windshield of such motor vehicle a decal or card showing the tract permit number in numerals not less than two inches high.~~

~~(f)~~(e) The department shall thoroughly investigate for validity any complaints from adjacent property owners regarding hunting deer with dogs in violation of this title or rules and regulations issued pursuant to this title. The commissioner ~~may~~ shall not take action against a permit issued to a corporation under this Code section for violations of this title or rules and regulations issued pursuant to this title committed by any individual hunter or hunters, but the commissioner may take action against any individual hunter as provided by Code Section 27-2-25 for violations of the provisions of this title or rules and regulations issued pursuant to this title ~~occurring on the tract of real property for which the permit was issued~~ committed by such individual."

SECTION 3.

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