

House Bill 338 (AS PASSED HOUSE AND SENATE)

By: Representatives Warren of the 122<sup>nd</sup>, Jenkins of the 8<sup>th</sup>, Burns of the 157<sup>th</sup>, Williams of the 165<sup>th</sup>, Mosley of the 178<sup>th</sup>, and others

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 for certain matters relating to game and fish violations; to specify a date certain  
3 for rules and regulations of the Board of Natural Resources used to establish game and fish  
4 criminal violations; to change certain provisions relating to legal weapons for hunting  
5 wildlife generally; to change certain provisions relating to unlawful use of certain substances  
6 and equipment in hunting game animals or game birds; to define a term; to prohibit computer  
7 assisted remote hunting; to provide punishments for violations; to provide for forfeiture of  
8 certain equipment used in the commission of crime; to prohibit the importation of live  
9 cervids into this state; to prohibit the importation or possession of certain whole cervid  
10 carcasses or cervid carcass parts; to define certain terms; to provide penalties for violations;  
11 to provide effective dates; to repeal conflicting laws; and for other purposes.

12 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

13 style="text-align:center">**SECTION 1.**

14 Title 27 of the Official Code of Georgia Annotated, relating to game and fish, is amended by  
15 striking Code Section 27-1-39, relating to rules and regulations of the Board of Natural  
16 Resources used to establish game and fish criminal violations, and inserting in lieu thereof  
17 the following:

18 "27-1-39.

19 Notwithstanding any other law to the contrary, for purposes of establishing criminal  
20 violations of the rules and regulations promulgated by the Board of Natural Resources as  
21 provided in this title, the terms 'rules and regulations' shall mean those rules and regulations  
22 of the Board of Natural Resources in force and effect on ~~October 1, 2003~~ January 1, 2006."



**SECTION 4.**

Said title is further amended by adding a new Code section to read as follows:

"27-5-2.1.

(a) As used in this Code section, the term,

(1) 'Cervid' means a member of the family cervidae.

(2) 'Chronic wasting disease' means a fatal disease that belongs to a group of diseases known as transmissible spongiform encephalopathies and that affects the brains of cervids.

(3) 'Clean' means having no meat matter or tissue attached to the carcass part.

(4) 'Importation' means the transportation of a cervid, cervid carcass, or carcass part into this state.

(5) 'Whole' means the entire carcass, whether eviscerated or not, prior to the carcass being processed.

(b)(1) It shall be unlawful for any person, firm, partnership, or association to import, bring, or cause to be imported or brought into this state any live cervid, except as otherwise authorized by rule or regulation of the board in effect as of January 1, 2007, or such later date as may be provided by Code Section 27-1-39.

(2)(A) Any person who violates paragraph (1) of this subsection shall be guilty of a misdemeanor of a high and aggravated nature and upon conviction shall be punished by a fine of not less than \$1,500.00 nor more than \$5,000.00, imprisonment for a period not exceeding 12 months, or both such fine and imprisonment.

(B) The hunting and fishing privileges of any person convicted of violating paragraph (1) of this subsection shall be suspended for not less than three years from the date of conviction.

(c) It shall be unlawful for any person to import or possess a whole cervid carcass or cervid carcass part from any state having a documented case of a cervid infected with chronic wasting disease, except for any one or more of the following cervid carcass parts:

(1) Boned-out meat and commercially processed cuts of meat;

(2) Portions of meat with no part of the spinal column or head attached;

(3) Hides with no heads attached;

(4) Clean skull plates with antlers attached;

(5) Clean antlers;

(6) Finished taxidermy heads; and

(7) Clean upper canine teeth (buglers, whistlers, ivories)."

1 **SECTION 5.**

2 (a) Except as otherwise provided by subsection (b) of this section, this Act shall become  
3 effective on July 1, 2006.

4 (b) Section 4 of this Act shall become effective on July 1, 2006, for purposes of  
5 promulgating rules and regulations and on January 1, 2007, for all other purposes.

6 **SECTION 6.**

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