

Senate Bill 377

By: Senator Mullis of the 53rd

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 establish the office of natural resource law enforcement officer; to provide for the
3 appointment of such officers; to provide for the qualifications of such officers; to provide for
4 the provision of coverage for general liability and fidelity bonds; to provide for deputy
5 natural resource law enforcement officers; to provide for the terms of such appointments; to
6 provide for duties and powers; to redesignate conservation rangers as natural resource law
7 enforcement officers; to amend Titles 12, 16, 35, 40, 47, and 52 of the Official Code of
8 Georgia Annotated, relating to conservation and natural resources, crimes and offenses, law
9 enforcement officers and agencies, motor vehicles and traffic, retirement and pensions, and
10 waters of the state, ports, and watercraft, respectively, so as to conform other provisions of
11 the Code; to provide for related matters; 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 revising paragraph (8) of Code Section 27-1-6, relating to the powers and duties of the
16 Department of Natural Resources generally, as follows:

17 "(8) To pay to each ~~conservation ranger~~ natural resource law enforcement officer the
18 expenses incurred by such ~~ranger~~ officer in the performance of his or her duties;".

19 style="text-align:center">**SECTION 2.**

20 Said title is further amended by revising Code Section 27-1-16, relating to the establishment
21 of unit of conservation rangers, as follows:

22 "27-1-16.

23 (a) Within the department is established a unit of peace officers to be known as
24 ~~conservation rangers~~ natural resource law enforcement officers. All such ~~conservation~~
25 ~~rangers~~ natural resource law enforcement officers shall be at least 21 years of age. Such

1 unit of peace officers shall include, but not be limited to, the commissioner and other
 2 supervisory personnel; provided, however, that the commissioner and the director of ~~the~~
 3 any division to which peace officer functions are assigned shall be excluded from the
 4 classified service under the State Merit System of Personnel Administration as provided
 5 for in Chapter 20 of Title 45 unless otherwise provided by law. The commissioner shall
 6 have the power to appoint such a number of ~~conservation rangers~~ natural resource law
 7 enforcement officers of the state at large from among the ranks of any job title within the
 8 department or, if hired on a part-time or temporary basis, from outside the department as
 9 may be necessary to carry out the duties assigned to them, who shall be charged with the
 10 law enforcement responsibilities pertaining to the department. Job titles of natural resource
 11 law enforcement officers shall include, but not be limited to, conservation rangers, wildlife
 12 technicians, regional wildlife supervisors, park managers, assistant park managers, park
 13 rangers, park enforcement officers, and environmental criminal investigators.

14 (b) After a ~~conservation ranger~~ natural resource law enforcement officer has accumulated
 15 25 years of service with the department as a peace officer and upon leaving such
 16 department under honorable conditions, such ~~conservation ranger~~ natural resource law
 17 enforcement officer shall be entitled as part of his or her compensation to retain his or her
 18 weapon and badge pursuant to regulations promulgated by the commissioner.

19 (c) As used in this subsection, the term 'disability' means a disability that prevents an
 20 individual from working as a law enforcement officer. When a ~~conservation ranger~~ natural
 21 resource law enforcement officer leaves the department as a result of a disability arising
 22 in the line of duty, such ~~conservation ranger~~ natural resource law enforcement officer shall
 23 be entitled as part of such officer's compensation to retain his or her weapon and badge in
 24 accordance with regulations promulgated by the commissioner."

25 SECTION 3.

26 Said title is further amended by revising Code Section 27-1-17, relating to deputy
 27 conservation rangers, as follows:

28 "27-1-17.

29 (a) The ~~board~~ commissioner shall have the power to appoint deputy ~~conservation rangers.~~
 30 ~~No deputy conservation rangers may be appointed without actual duties relating to the~~
 31 ~~protection of natural resources~~ natural resource law enforcement officers. All such deputy
 32 natural resource law enforcement officers shall perform their duties in accordance with the
 33 policies and procedures established to govern such deputy natural resource law
 34 enforcement officers while in the performance of their official duties and in accordance
 35 with all other policies and procedures governing the actions of all other peace officers
 36 within the department.

1 (b) ~~Deputy conservation rangers~~ natural resource law enforcement officers shall have all
 2 or part of the powers and duties of ~~conservation rangers~~ natural resource law enforcement
 3 officers, as assigned by the ~~board~~ commissioner. ~~Deputy conservation rangers who are not~~
 4 natural resource law enforcement officers shall not be employees of the department and
 5 shall receive no compensation for their services. The ~~board~~ commissioner is authorized to
 6 appoint such number of deputy ~~conservation rangers~~ natural resource law enforcement
 7 officers as may be necessary to carry out the duties assigned to them.

8 (c) ~~Each deputy conservation ranger who is not an employee of the department shall~~
 9 ~~personally secure a bond of not less than \$5,000.00 from a bonding or surety company~~
 10 ~~licensed to transact business in the State of Georgia conditioned upon the faithful~~
 11 ~~performance of his duties, payable to the department~~ The commissioner is authorized to
 12 provide general liability coverage and fidelity bond coverage for deputy natural resource
 13 law enforcement officers while they are rendering service to or on behalf of the department.
 14 Such officers may also be treated as employees of the state for the purposes of inclusion
 15 in any automobile liability insurance or self-insurance or fidelity bond coverage provided
 16 by the department for its employees while operating state owned vehicles.

17 (d) The ~~board~~ commissioner shall have the power to ~~adopt rules and regulations~~ establish
 18 policies and procedures concerning qualifications, appointments, badge, oath of office, and
 19 other matters pertaining to deputy ~~conservation rangers~~ natural resource law enforcement
 20 officers."

21 SECTION 4.

22 Said title is further amended by revising Code Section 27-1-18, relating to powers of
 23 conservation rangers generally, as follows:

24 "27-1-18.

25 (a) ~~Conservation rangers~~ Natural resource law enforcement officers shall have the power
 26 and authority:

27 (1) To enforce all state laws on all property owned or controlled by the department;

28 (2) To enforce all state laws pertaining to functions assigned to the department to
 29 include, but not be limited to, all laws pertaining to wildlife, boating, environmental
 30 protection, waste and litter control, parks, historic sites, natural areas, and coastal
 31 resource protection;

32 (3) To enforce any state law when the violation of that law is committed in conjunction
 33 with a violation of a state law pertaining to functions assigned to the department or while
 34 the person committing such violation is engaged in any activity which is regulated by or
 35 pertains to functions assigned to the department;

1 (4) To enforce any state law when ordered to do so by the Governor or to protect any life
2 or property when the circumstances demand action; and

3 (5) At the expense of the department, to assist the Department of Public Safety and the
4 Georgia Bureau of Investigation in carrying out their duties and responsibilities when
5 requested to do so by the Department of Public Safety or the Georgia Bureau of
6 Investigation.

7 (b) The commissioner may, and in the case of a request by the Governor shall, authorize
8 and direct the department's ~~conservation rangers~~ natural resource law enforcement officers
9 to cooperate with and render assistance to any law enforcement agency of this state or any
10 municipality, county, or other political subdivision thereof in any criminal case, in the
11 prevention or detection of violations of any law, or in the apprehension or arrest of persons
12 who violate the criminal laws of this state, any other state, or the United States, upon a
13 request by the governing authority or chief law enforcement officer of any municipality,
14 the sheriff of any county, a judge of the superior court of any county, or the Governor."

15 SECTION 5.

16 Said title is further amended by revising Code Section 27-1-19, relating to power of
17 conservation rangers and deputy conservation rangers to arrest persons, as follows:

18 "27-1-19.

19 (a) Notwithstanding any other provision of law to the contrary, ~~conservation rangers~~
20 natural resource law enforcement officers and deputy ~~conservation rangers~~ natural resource
21 law enforcement officers, when authorized to do so by the ~~board~~ commissioner, may arrest
22 persons accused of violating any law or regulation which such officers are empowered to
23 enforce by the issuance of a citation, provided that the offense is committed in the presence
24 of the officer or information concerning the offense constituting a basis for arrest was
25 received by the arresting officer from a law enforcement officer observing the offense
26 being committed. The arresting officer may issue to the person a citation which shall
27 enumerate the specific charges against the person and the date upon which the person is to
28 appear and answer the charges. Whenever an arrest is made by the arresting officer on the
29 basis of information received from another law enforcement officer observing the offense
30 being committed, the citation shall list the name of each officer, and each must be present
31 when the charges against the offender are heard.

32 (b) If the person charged shall fail to appear as specified in the citation, the judge having
33 jurisdiction of the offense may issue a warrant ordering the apprehension of the person and
34 commanding that he or she be brought before the court to answer the charge contained
35 within the citation and the charge of his or her failure to appear as required. The person

1 shall then be allowed to make a reasonable bond to appear on a given date before the
2 court."

3 **SECTION 6.**

4 Said title is further amended by revising Code Section 27-1-20, relating to additional powers
5 of conservation rangers, as follows:

6 "27-1-20.

7 (a) In addition to the powers enumerated in Code Sections 27-1-18 and 27-1-19,
8 ~~conservation rangers~~ natural resource law enforcement officers shall have all the powers
9 previously vested in any other law enforcement officers within the department including,
10 but not limited to, the following:

11 (1) To enforce all laws, rules, and regulations pertaining to wildlife and to boating safety
12 and as otherwise provided;

13 (2) To execute all warrants and search warrants for the violation of the laws, rules, and
14 regulations pertaining to wildlife or to boating safety;

15 (3) To serve subpoenas issued for the examination, investigation, and trial of all offenses
16 against the laws, rules, and regulations pertaining to wildlife or to boating safety;

17 (4) To arrest without warrant any person found violating any of the laws, rules, and
18 regulations pertaining to wildlife or to hunting, fishing, or boating;

19 (5) To seize and take possession of all wildlife or parts thereof taken, caught, killed,
20 captured, possessed, or controlled or which have been shipped or are about to be shipped
21 at any time and in any manner or for any purpose contrary to the laws, rules, and
22 regulations pertaining to wildlife;

23 (6) To go upon property outside of buildings, posted or otherwise, in the performance
24 of their duties;

25 (7) To carry firearms while ~~performing duties pertaining to wildlife~~ in performance of
26 their assigned duties;

27 (8) To seize as evidence, without warrant, any device other than a boat, vehicle, or
28 aircraft when they have cause to believe that its possession or use is in violation of any
29 of the provisions of the laws or regulations dealing with wildlife. For the purposes of this
30 Code section, 'device' includes any light, hunting apparatus, or fishing or netting gear or
31 tackle;

32 (9) To enter and inspect any commercial cold storage warehouse, ice house, locker plant,
33 butcher shop, or other plant or building for the purpose of determining whether wildlife
34 is being kept or stored therein in violation of the wildlife laws or regulations; and

35 (10) To exercise the full authority of peace officers while in the performance of their
36 duties.

1 (b) Unless inconsistent with this title, whenever any statute pertaining to an agency whose
 2 functions are assigned to the department refers to law enforcement personnel of that
 3 agency, that reference applies to ~~conservation rangers~~ natural resource law enforcement
 4 officers."

5 SECTION 7.

6 Said title is further amended by revising subsection (a) of Code Section 27-1-21, relating to
 7 seizure and disposal of wildlife illegally taken or possessed, as follows:

8 "(a) ~~Conservation rangers~~ Natural resource law enforcement officers, sheriffs, and other
 9 peace officers of this state or any political subdivision thereof shall seize any wildlife taken
 10 or possessed in violation of the wildlife laws and regulations of this state. Such wildlife
 11 shall be sold or disposed of in such manner as the commissioner may direct, in
 12 conformance with any rules and regulations promulgated by the board, at any time after the
 13 expiration of 30 days following the seizure, unless the owner thereof or the person in
 14 possession at the time of the seizure files a civil action against the State of Georgia,
 15 Department of Natural Resources, within 30 days following the seizure, in the state or
 16 superior court having jurisdiction in the county where the seizure was made. The person
 17 filing the action shall have the burden of proof, and the action shall be tried as other civil
 18 cases in such court. Items for which such an action has been filed shall be held pending
 19 the resolution of the action, provided that reasonable charges for storage shall be paid by
 20 the person filing the action in the event that such person does not prevail in the action."

21 SECTION 8.

22 Said title is further amended revising Code Section 27-1-24, relating to inspection of vessels
 23 and boats, as follows:

24 "27-1-24.

25 The provisions of this title or any rule or regulation adopted pursuant to this title pertaining
 26 to the operation of vessels or boats upon the waters of this state shall be enforceable by, in
 27 addition to ~~conservation rangers~~ natural resource law enforcement officers, agents of the
 28 Georgia Bureau of Investigation and other persons having responsibility to preserve the
 29 peace and enforce the laws of this state. Such persons shall have the authority to order any
 30 vessel or boat within the boundaries of this state to stop and lay to and shall have the
 31 authority to board, inspect, and examine the vessel or boat, its equipment, the wildlife on
 32 board, if any, and such documents, licenses, or other records which the vessel or boat is
 33 required to possess under this title and Code Sections 52-7-1 through 52-7-25 for the
 34 purpose of determining compliance with the provisions of such laws."

SECTION 9.

Said title is further amended by revising Code Section 27-1-25, relating to interference with arrest or performance of ranger's duties, as follows:

"27-1-25.

It shall be unlawful for any person to resist or interfere by force, menace, threat, or in any other manner with any arrest for violation of any wildlife law. It shall also be unlawful for any person to refuse to go with a ~~conservation ranger~~ natural resource law enforcement officer or deputy ~~conservation ranger~~ natural resource law enforcement officer after such an arrest has been made or to interfere with such ~~ranger~~ officer in the performance of his or her duty."

SECTION 10.

Said title is further amended by revising subsection (c) of Code Section 27-2-5, relating to required hunter education courses, as follows:

"(c) It shall be unlawful for any person age 16 through 25 who is not required by law to obtain a hunting license to hunt in this state unless that person carries on his or her person while hunting a certificate attesting to that person's satisfactory completion of a hunter education course as prescribed by the board. Such person shall present his or her certificate to a ~~conservation ranger~~ natural resource law enforcement officer or deputy ~~conservation ranger~~ natural resource law enforcement officer for inspection upon demand."

SECTION 11.

Said title is further amended by revising subsection (a) of Code Section 27-2-28, relating to refusing inspection of identification or license, as follows:

"(a) It shall be unlawful for any person who is required to have on his or her person any license, permit, or stamp issued under this title to refuse the inspection of such license, permit, or stamp upon demand by a ~~conservation ranger~~ natural resource law enforcement officer or deputy ~~conservation ranger~~ natural resource law enforcement officer. It shall also be unlawful for any such person, upon demand by a ~~conservation ranger~~ natural resource law enforcement officer or deputy ~~conservation ranger~~ natural resource law enforcement officer, to refuse to provide a driver's license or equally reliable identification of such person and his or her current residence."

SECTION 12.

Said title is further amended by revising subsection (c) of Code Section 27-3-9, relating to unlawful enticement of game, as follows:

1 "(c) When a ~~conservation ranger~~ natural resource law enforcement officer is aware or
 2 becomes aware that a clearly identifiable area of land or field is baited for doves in such
 3 a manner that hunting thereon would be a violation of subsection (b) of this Code section,
 4 it shall be the duty of the ~~conservation ranger~~ natural resource law enforcement officer to
 5 require the owner or other person having lawful possession or control of the baited area of
 6 land or field to remove such bait. The ~~conservation ranger~~ natural resource law
 7 enforcement officer shall require such owner or other person to erect on the area of land
 8 or field signs having printed thereon the words: 'No Hunting, Baited Field.' Such signs
 9 shall remain for ten days after bait is removed. The printing on such signs shall be clearly
 10 visible to a person with normal eyesight from a distance of at least 50 yards. A sufficient
 11 number of such signs shall be erected to provide reasonable notice to hunters that the field
 12 or area is baited. If the ~~conservation ranger~~ natural resource law enforcement officer
 13 cannot locate the owner or other person having lawful possession or control of the baited
 14 area of land or field, it shall be the duty of such ~~conservation ranger~~ natural resource law
 15 enforcement officer to erect such signs. The owner or other person having lawful
 16 possession or control of a baited area or field who fails to comply with an order of a
 17 ~~conservation ranger~~ natural resource law enforcement officer requiring the removal of bait
 18 or the erection of signs, or both, as required by this subsection shall be guilty of a
 19 misdemeanor. When a ~~conservation ranger~~ natural resource law enforcement officer is
 20 aware that a clearly identifiable area of land or field is baited in such a manner that hunting
 21 thereon would be a violation of subsection (b) of this Code section prior to any such
 22 violation, no charge may be brought against any person under subsection (b) of this Code
 23 section unless the provisions of this subsection have been followed. Nothing in this
 24 subsection shall be construed to preclude the owner or other person having lawful
 25 possession or control of a baited area or field from being charged with and convicted of a
 26 violation of subsection (a) of this Code section. Nothing in this subsection shall be
 27 construed to preclude a person's being charged with and convicted of a violation of
 28 subsection (b) of this Code section when such violation is on a baited area of land or field
 29 which was not previously identified by a ~~conservation ranger~~ natural resource law
 30 enforcement officer as provided in this subsection prior to such violation."

31 **SECTION 13.**

32 Said title is further amended by revising Code Section 27-3-47, relating to collision with deer
 33 by motor vehicle, as follows:

34 "27-3-47.

35 Any person who, while driving a motor vehicle, is involved in a collision with a deer shall,
 36 if the deer is killed, immediately notify the nearest ~~conservation ranger~~ natural resource law

1 enforcement officer or sheriff's office. If there exists a charitable institution or prison
 2 within the county which can make use of the carcass, the ~~conservation ranger~~ natural
 3 resource law enforcement officer may deliver the carcass to the institution for consumption
 4 and shall obtain receipts therefor. If no such institution exists within the county and there
 5 is no cause to question the accidental killing of the deer, the ~~conservation ranger~~ natural
 6 resource law enforcement officer may, at his the officer's discretion, award the carcass to
 7 the person who hit the deer, to be possessed and consumed only by the immediate family
 8 of such person. Receipts shall be acquired for a deer so awarded."

9 **SECTION 14.**

10 Said title is further amended by revising Code Section 27-3-49, relating to killing of dogs
 11 running deer, as follows:

12 "27-3-49.

13 (a) It shall be the duty of every ~~conservation ranger~~ natural resource law enforcement
 14 officer to kill any dog pursuing or killing any deer in any locality other than that prescribed
 15 by law or rules and regulations permitting such hunting, and no action for damages shall
 16 be maintained against the ~~person~~ officer for such killing.

17 (b) It shall be unlawful for any person other than a ~~conservation ranger~~ natural resource
 18 law enforcement officer, sheriff, or deputy sheriff to kill a dog wearing a collar, which dog
 19 is or has been pursuing or killing a deer.

20 (c) It shall not be unlawful for any person to kill a dog which does not have a collar and
 21 which is pursuing or killing deer in any locality other than that prescribed by law or rules
 22 and regulations permitting such hunting, and no action for damages shall be maintained
 23 against the person for such killing."

24 **SECTION 15.**

25 Said title is further amended by revising Code Section 27-3-63, relating to general offenses
 26 and penalties relating to trapping, trappers, and fur dealers, as follows:

27 "27-3-63.

28 (a) It shall be unlawful for any person to:

29 (1) Trap any wildlife upon the right of way of any public road or highway of this state;

30 (2) Set, place, or bait any trap for the purpose of taking any wildlife upon the land or in
 31 the waters adjoining the land of any other person, except during the open trapping season
 32 for such wildlife, and then only after obtaining the written consent of the owner of the
 33 land, which written consent shall be carried upon the trapper's person while engaged in
 34 trapping;

1 (3) Trap any wildlife without inspecting the traps used for such purpose at least once
2 during each 24 hour period and removing from the traps any wildlife caught therein;

3 (4) Trap any wildlife by the use of any trap or other device which is not legibly etched,
4 stamped, or tagged by affixing a stamped metal tag showing the owner's permanent
5 trapper's identification number as provided by the department or the owner's name. In
6 the event that a trap or other device etched or stamped with the owner's permanent
7 trapper's identification number or name is being used in the field by another, such trap
8 or device must have attached to it a stamped metal tag with the user's permanent
9 trapper's identification number or name. Any trap or other device found in use in the
10 field which is not etched, stamped, or tagged as required by this paragraph may be
11 confiscated and destroyed by the department through its officers and ~~conservation rangers~~
12 natural resource law enforcement officers;

13 (5) Ship or otherwise remove or cause to be removed from this state any raw or
14 undressed hide, fur, pelt, or skin of any fur-bearing animal without first making a report
15 to the department of the removal on forms to be furnished by the department for such
16 purpose;

17 (6) Fail to carry a weapon of .22 caliber rimfire while tending traps and to fail to use
18 such weapon to dispatch any fur-bearing animal found in a trap, which animal is to be
19 taken by the person;

20 (7) Fail to carry a choke stick or similar device while tending traps, which device shall
21 be used for releasing domestic animals;

22 (8) Set on land any trap with a jaw opening larger than 5 3/4 inches, provided that
23 nothing in this Code section shall be construed to restrict the type of trap which may be
24 used in water;

25 (9) Sell the fur, hide, or pelt of any domestic dog or cat caught by a trap;

26 (10) Sell the raw, undressed fur, hide, skin, or pelt of any fur-bearing animal unless the
27 person has a current valid commercial trapping license or fur dealer license; or

28 (11) Set any body-gripping trap (as opposed to a leg-hold trap) of a size in excess of 9
29 1/2 inches square except in water or on land within ten feet of water, including swamps,
30 marshes, and tidal areas.

31 (b) Any person who violates subsection (a) of this Code section shall be guilty of a
32 misdemeanor and shall be punished as for a misdemeanor, subject to a minimum
33 punishment as follows:

34 (1) For the first offense, the offender shall be fined not less than \$100.00, except that this
35 minimum fine shall not apply to the offender if he or she is 17 years of age or younger;

36 (2) For a second offense within a two-year period after the first offense, the offender
37 shall be fined not less than \$300.00; or

1 (3) For a third offense and for each subsequent offense within a two-year period after the
2 first offense, the offender shall be fined not less than \$750.00."

3 SECTION 16.

4 Said title is further amended by revising Code Section 27-3-68, relating to confiscation and
5 disposal of unlawful devices relating to trapping, trappers, and fur dealers, as follows:

6 "27-3-68.

7 It shall be the duty of ~~conservation rangers~~ natural resource law enforcement officers to
8 confiscate any trap, pitfall, deadfall, scaffold, catch, snare, net, salt lick, blind pig, baited
9 hook, or other similar device used in violation of the wildlife laws, rules, and regulations
10 and to dispose of same as directed by the commissioner."

11 SECTION 17.

12 Said title is further amended by revising Code Section 27-3-71, relating to reports and
13 records of fur dealers, as follows:

14 "27-3-71.

15 (a) It shall be unlawful for any person to engage in business as a fur dealer unless the
16 person files an annual report with the department not later than 60 days after the close of
17 the trapping season. The report shall list the number of each type of hide, fur, skin, or pelt
18 purchased during the preceding year, the date of purchase, the name of the person from
19 whom purchased, and the person's trapping or raccoon fur seller's license number. The
20 report shall be submitted on forms provided by the department. In addition, each fur dealer
21 shall maintain in a legible manner on his or her business premises a listing of furs
22 purchased during the license year showing each type of hide, fur, skin, or pelt purchased,
23 the date of purchase, and the name of the person from whom purchased.

24 (b) ~~Conservation rangers~~ Natural resource law enforcement officers and other authorized
25 representatives of the department shall be authorized to enter the premises of a fur dealer,
26 during normal working hours and at any other time when the licensed activity is being
27 conducted, for the purpose of inspecting the premises and the records maintained by the
28 fur dealer pursuant to subsection (a) of this Code section.

29 (c) Any person who violates subsection (a) of this Code section shall be guilty of a
30 misdemeanor."

31 SECTION 18.

32 Said title is further amended by revising Code Section 27-3-92, relating to transportation out
33 of state of wildlife, as follows:

1 "27-3-92.

2 It shall be unlawful for any person, other than a carrier who has complied with Code
3 Section 27-3-94, to remove, ship, or transport wildlife out of this state except under the
4 following conditions:

5 (1) The person must have in his or her possession at the time of such removing, shipping,
6 or transporting the proper wildlife license or permit duly issued to such person by the
7 department;

8 (2) The person cannot remove from the state more than the bag or possession limits
9 established by law or regulation;

10 (3) The person shall make a sworn statement, duly attested to by an authorized officer
11 of this state, which statement shall show that the person has lawfully taken such wildlife
12 and that they are not for sale, except as otherwise permitted by the wildlife laws, rules,
13 and regulations, and shall show the number of wildlife being shipped, transported, or
14 removed from the state. One copy of the statement shall be given the carrier, if such
15 wildlife is being transported by carrier, and one shall be attached to the wildlife being
16 shipped, transported, or removed from the state; and

17 (4) The person shall submit his or her license or permit and sworn statement to any
18 sheriff, deputy sheriff, or ~~conservation ranger~~ natural resource law enforcement officer
19 for inspection when requested to do so."

20 **SECTION 19.**

21 Said title is further amended by revising Code Section 27-4-2, relating to fishing in waters
22 or from lands of another without permission, as follows:

23 "27-4-2.

24 It shall be unlawful for any person to fish in the waters or from upon the lands of another
25 without first having obtained permission from the landowner or person in charge of such
26 lands, provided that nothing contained in this Code section shall be construed to apply to
27 the fishing or taking of fish, other than oysters, clams, and other shellfish, in any of the
28 salt-water creeks, streams, or estuaries leading from the Atlantic Ocean or from the sounds,
29 rivers, or bays surrounding the several islands of this state. It shall also be unlawful for any
30 person to obstruct or interfere with the right of any other person to fish in these salt-water
31 creeks, streams, or estuaries leading from the Atlantic Ocean or from the sounds, rivers, or
32 bays surrounding the several islands of this state. ~~Conservation rangers~~ Natural resource
33 law enforcement officers, sheriffs, deputy sheriffs, and all other peace officers of this state
34 or of any county or municipality thereof shall enforce this Code section."

1 "(d) The ~~conservation rangers~~ natural resource law enforcement officers or other agents
 2 or officials of the department shall confiscate any fish imported, purchased, or acquired by
 3 any person in violation of this Code section or any regulation promulgated by the board
 4 pursuant to this Code section."

5 SECTION 23.

6 Said title is further amended by revising subsection (b) of Code Section 27-4-92, relating to
 7 lawful baskets for fresh water fishing, as follows:

8 "(b) It shall be unlawful to fish with baskets in fresh-water flowing streams. It shall also
 9 be unlawful to fish with a basket without notifying the ~~conservation ranger~~ natural resource
 10 law enforcement officer in the area of the time and place such basket is to be used."

11 SECTION 24.

12 Said title is further amended by revising subsection (a) of Code Section 27-4-150, relating
 13 to taking, possessing, and dealing in crabs and peelers, as follows:

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 across
 16 the back; provided, however, that any person may take or possess peelers measuring at
 17 least three inches from spike to spike across the back. Any crabs taken or possessed in
 18 violation of this paragraph may not be intentionally killed and must be returned to the salt
 19 waters of this state as soon as possible; provided, however, nothing in this paragraph shall
 20 prohibit any person from importing, transporting, or possessing crabs when such person
 21 can provide documentary evidence showing that the crabs were taken outside this state in
 22 full compliance with the laws of the state of origin. He or she must have an executed
 23 invoice showing the point of origin of such crabs and exhibit such an invoice upon demand
 24 to any ~~conservation ranger~~ natural resource law enforcement officer."

25 SECTION 25.

26 Said title is further amended by revising subsection (h) of Code Section 27-4-151, relating
 27 to the use of crab traps, as follows:

28 "(h) Any commercial crab trap in violation of this Code section is declared to be
 29 contraband and subject to seizure by ~~conservation rangers~~ natural resource law enforcement
 30 officers, sheriffs, and other peace officers authorized to enforce this title."

31 SECTION 26.

32 Said title is further amended by revising Code Section 27-4-199, relating to evidence of
 33 intent to use shellfish as food, as follows:

1 "27-4-199.

2 (a) The distribution, sale, or possession with intent to distribute or sell any shellfish shall
3 be prima-facie evidence that the shellfish were intended for use as food unless prior written
4 approval from the department authorizing such possession of shellfish is presented.

5 (b) ~~Conservation rangers~~ Natural resource law enforcement officers and other authorized
6 personnel of the department are authorized to take samples from, to enter and have access
7 to, and to examine during normal working hours and at any time when the licensed or
8 authorized activity is being conducted all shellfish beds, places of business, and other
9 places where shellfish are grown, kept, stored, sold, or held in possession with intent to
10 distribute, sell, or give away. Such personnel are also authorized at any time to take such
11 samples of shellfish as are necessary to carry out the purposes of this article and to have
12 access to and take samples from all streams, tributaries thereof, and lands adjacent thereto,
13 the waters draining from which may come into contact with shellfish. It shall be unlawful
14 for any person to obstruct or in any way interfere with any ~~conservation ranger~~ natural
15 resource law enforcement officer or other authorized personnel of the department in
16 carrying out the purposes of this article.

17 (c) Prior to and at point of landing ~~conservation rangers~~ natural resource law enforcement
18 officers and other authorized personnel of the department are authorized to seize,
19 confiscate, and remove any and all shellfish discovered which were taken or possessed in
20 violation of this article. Whenever a ~~conservation ranger~~ natural resource law enforcement
21 officer or other authorized personnel of the department believes that shellfish examined
22 may have been taken, contained, or stored in such a manner that may render the shellfish
23 adulterated, misbranded, tainted, or otherwise which may pose a public health problem, the
24 ~~conservation ranger~~ natural resource law enforcement officer or other authorized personnel
25 of the department is authorized to seize, confiscate, and remove any and all shellfish. Such
26 shellfish shall be destroyed or returned to the resource according to methods as the
27 department may prescribe."

28 **SECTION 27.**

29 Title 12 of the Official Code of Georgia Annotated, relating to conservation and natural
30 resources, is amended by revising Code Section 12-5-289, relating to inspection of
31 marshlands, as follows:

32 "12-5-289.

33 The department, through its officers, staff, and ~~conservation rangers~~ natural resource law
34 enforcement officers, shall, in addition to its other duties prescribed by law, make
35 reasonable inspections of the marshlands to ascertain whether the requirements of this part

1 and the rules, regulations, and permits promulgated or issued under this part are being
2 faithfully complied with."

3 **SECTION 28.**

4 Title 16 of the Official Code of Georgia Annotated, relating to crimes and offenses, is
5 amended by revising Code Section 16-10-24, relating to obstructing or hindering law
6 enforcement officers, as follows:

7 "16-10-24.

8 (a) Except as otherwise provided in subsection (b) of this Code section, a person who
9 knowingly and willfully obstructs or hinders any law enforcement officer in the lawful
10 discharge of his or her official duties is guilty of a misdemeanor.

11 (b) Whoever knowingly and willfully resists, obstructs, or opposes any law enforcement
12 officer, prison guard, correctional officer, probation supervisor, parole supervisor, or
13 ~~conservation ranger~~ natural resource law enforcement officer in the lawful discharge of his
14 or her official duties by offering or doing violence to the person of such officer or legally
15 authorized person is guilty of a felony and shall, upon conviction thereof, be punished by
16 imprisonment for not less than one nor more than five years."

17 **SECTION 29.**

18 Said title is further amended by revising subsection (h) of Code Section 16-11-129, relating
19 to license to carry pistol or revolver, as follows:

20 "(h) *Licenses for former law enforcement officers.* Except as otherwise provided in Code
21 Section 16-11-130, any person who has served as a law enforcement officer for at least ten
22 of the 12 years immediately preceding the retirement of such person as a law enforcement
23 officer shall be entitled to be issued a license as provided for in this Code section without
24 the payment of any of the fees provided for in this Code section. Such person must comply
25 with all the other provisions of this Code section relative to the issuance of such licenses.
26 As used in this subsection, the term 'law enforcement officer' means any peace officer who
27 is employed by the United States government or by the State of Georgia or any political
28 subdivision thereof and who is required by the terms of his or her employment, whether by
29 election or appointment, to give his or her full time to the preservation of public order or
30 the protection of life and property or the prevention of crime. Such term shall include
31 ~~conservation rangers~~ natural resource law enforcement officers."

SECTION 30.

Title 35 of the Official Code of Georgia Annotated, relating to law enforcement officers and agencies, is amended by revising Code Section 35-4-2, relating to definitions regarding the Georgia Police Academy, as follows:

"35-4-2.

As used in this chapter, the term:

(1) 'Academy' means the Georgia Police Academy.

(2) 'Police officer' means any law enforcement officer charged with the duty of enforcing the criminal laws and ordinances of the state or of the counties or municipalities of the state who is employed by and compensated by the state or any county or municipality of the state or who is elected and compensated on a fee basis. The term shall include, but not be limited to, members of the department, municipal police, county police, sheriffs, deputy sheriffs, wardens, guards, agents and investigators of the State Forestry Commission, ~~conservation rangers~~ natural resource law enforcement officers of the Department of Natural Resources, and agents of the Department of Revenue.

(3) 'State' means the State of Georgia and any department, board, bureau, commission, or other agency thereof."

SECTION 31.

Title 40 of the Official Code of Georgia Annotated, relating to motor vehicles and traffic, is amended by revising subsection (f) of Code Section 40-2-86.10, relating to special license plates for police officers wounded in the line of duty, as follows:

"(f) For the purposes of this Code section, the term 'police officer' shall mean any law enforcement officer charged with the duty of enforcing the criminal laws and ordinances of this state, any other state, or the United States or of the counties or municipalities of this state or any other state who is employed by and compensated by the United States, the state, or any county or municipality of the state. The term shall include, but not be limited to, municipal police, county police, sheriffs, deputy sheriffs, wardens, guards, agents of the Georgia Bureau of Investigation, members of the uniform division of the Department of Public Safety, agents and investigators of the State Forestry Commission, ~~conservation rangers~~ natural resource law enforcement officers of the Department of Natural Resources, agents of the Department of Revenue, agents of the Federal Bureau of Investigation, agents of the federal Drug Enforcement Administration, and agents of the federal Secret Service."

SECTION 34.

1
2 Said title is further amended by revising Code Section 47-2-221, relating to disability
3 allowances payable to personnel for certain disabilities arising in the line of duty, as follows:
4 "47-2-221.

5 (a)(1) Notwithstanding the disability allowance provided for in Code Section 47-2-123,
6 any member in service of the Uniform Division of the Department of Public Safety, any
7 ~~conservation ranger~~ natural resource law enforcement officer of the Department of
8 Natural Resources, any officer or agent of the Georgia Bureau of Investigation, and any
9 alcohol and tobacco officer or agent of the Department of Revenue who, while a
10 contributing member of this retirement system and upon becoming permanently disabled
11 due to an act of external violence or injury incurred in line of duty, becomes eligible for
12 disability retirement allowances shall, upon making written application to the board of
13 trustees either personally or through his or her employer and after a medical examination
14 and upon certification by the medical board that such member is, in their opinion,
15 permanently disabled, be entitled to a monthly allowance as computed on the member's
16 life expectancy without option. Such monthly allowance as shall be payable to the
17 member only, during his or her life or length of disability, shall not exceed 80 percent of
18 the service allowance that would have been payable to the member had he accumulated
19 not more than 30 years of creditable service and had retired at age 65. Such allowance
20 shall be computed on the basis of the member's monthly earnable compensation for the
21 month in which his or her permanent disability occurred. Such permanent disability
22 retirement shall apply regardless of the length of service of any such member; and such
23 member shall be deemed to have acquired 30 or more years of creditable service. In
24 addition, a member so disabled in the line of duty shall receive a monthly supplemental
25 benefit which shall be in the amount of \$5.00 per month for each year of creditable
26 service as a member of the Uniform Division of the Department of Public Safety,
27 ~~conservation ranger~~ natural resource law enforcement officer of the Department of
28 Natural Resources, alcohol and tobacco officer or agent of the Department of Revenue,
29 or as an officer or agent of the Georgia Bureau of Investigation. Such additional monthly
30 supplemental benefit shall in no event exceed \$150.00 per month. Any other provision
31 of law to the contrary notwithstanding, any member of the Uniform Division of the
32 Department of Public Safety who retired prior to July 1, 1970, as a result of becoming
33 permanently disabled due to an act of external violence or injury incurred in the line of
34 duty and who was a member of the retirement system on the date of the injury or act of
35 violence shall be entitled to and shall receive the monthly supplemental benefit provided
36 for in this subsection.

1 (2) In lieu of the foregoing, any member so disabled in the line of duty shall be entitled
2 to receive a minimum monthly disability retirement benefit equal to 2 percent of his or
3 her monthly earnable compensation for the month in which his or her permanent
4 disability occurred for each year of creditable service determined as though he or she had
5 continued in service in the Uniform Division of the Department of Public Safety, as a
6 ~~conservation ranger~~ natural resource law enforcement officer of the Department of
7 Natural Resources, as an alcohol and tobacco officer or agent of the Department of
8 Revenue, or as an officer or agent of the Georgia Bureau of Investigation until his or her
9 mandatory retirement age.

10 (b)(1) Notwithstanding the disability allowance provided for in Code Section 47-2-123,
11 any employee of the Department of Natural Resources appointed as a deputy
12 ~~conservation ranger~~ natural resource law enforcement officer under Code Section
13 27-1-17, any parole officer employed by the State Board of Pardons and Paroles, and any
14 probation officer employed by the Department of Corrections who, while a contributing
15 member of this retirement system and upon becoming permanently disabled due to an act
16 of external violence or injury incurred in the line of law enforcement duty, becomes
17 eligible for disability retirement allowances shall, after a medical examination and upon
18 certification by the medical board that such member is, in their opinion, permanently
19 disabled, be entitled to a monthly allowance as computed on the member's life
20 expectancy without option. Such monthly allowance as shall be payable to the member
21 only, during his or her life or length of disability, shall not exceed 80 percent of the
22 service allowance that would have been payable to the member had he or she
23 accumulated not more than 30 years of creditable service and had retired at age 65. Such
24 allowance shall be computed on the basis of the member's monthly earnable
25 compensation for the month in which his or her permanent disability occurred. Such
26 permanent disability retirement shall apply regardless of the length of service of any such
27 member; and such member shall be deemed to have acquired 30 or more years of
28 creditable service. In addition, a member so disabled in the line of law enforcement duty
29 shall receive a monthly supplemental benefit which shall be in the amount of \$5.00 per
30 month for each year of creditable service as an employee of the Department of Natural
31 Resources who has been appointed as a deputy ~~conservation ranger~~ natural resource law
32 enforcement officer under Code Section 27-1-17, parole officer of the State Board of
33 Pardons and Paroles, or probation officer of the Department of Corrections. Such
34 additional monthly supplemental benefit shall in no event exceed \$150.00 per month.

35 (2) In lieu of the foregoing, any member so disabled in the line of law enforcement duty
36 shall be entitled to receive a minimum monthly disability retirement benefit equal to 2
37 percent of his or her monthly earnable compensation for the month in which his or her

1 permanent disability occurred for each year of creditable service determined as though
 2 he or she had continued in service as a deputy ~~conservation ranger~~ natural resource law
 3 enforcement officer, probation officer, or parole officer until his or her mandatory
 4 retirement age."

5 SECTION 35.

6 Said title is further amended by revising subsection (e) of Code Section 47-2-224, relating
 7 to mandatory retirement age and monthly retirement benefits for certain members of the
 8 Department of Natural Resources and of the Department of Revenue, as follows:

9 "(e) The Board of Natural Resources may waive the mandatory retirement ages specified
 10 in this Code section for ~~conservation rangers~~ natural resource law enforcement officers as
 11 necessary to permit members who entered such service in the department on or before
 12 June 30, 1965, to complete service sufficient to provide them with 25 years of total
 13 creditable service. Such a member shall be retired on the last day of the month following
 14 the month in which he or she completes such service. The Board of Natural Resources, in
 15 its discretion, may waive the mandatory retirement ages specified in this Code section for
 16 ~~conservation rangers~~ natural resource law enforcement officers in a supervisory
 17 classification upon application of such members or upon the initiation by the board of
 18 trustees, provided that such waivers to members in a supervisory classification shall not be
 19 extended to such members who have reached 60 years of age."

20 SECTION 36.

21 Title 52 of the Official Code of Georgia Annotated, relating to waters of the state, ports, and
 22 watercraft, is amended by revising subsection (d) of Code Section 52-7-25, relating to
 23 enforcement of laws concerning the registration, operation, and sale of watercraft, as follows:

24 "(d) Any person employed or elected by this state or a political subdivision thereof, whose
 25 duty it is to preserve the peace or to make arrests or to enforce the law, including, but not
 26 limited to, members of the sheriffs' departments, state ~~patrolmen, and conservation rangers~~
 27 patrol officers, and natural resource law enforcement officers, are empowered to enforce
 28 this article. The Department of Natural Resources shall be primarily responsible for
 29 enforcement of this article and the rules and regulations issued under this chapter."

30 SECTION 37.

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