

House Bill 1103

By: Representatives Jamieson of the 28th, England of the 108th, Benton of the 31st, Houston of the 170th, Loudermilk of the 14th, and others

**A BILL TO BE ENTITLED
AN ACT**

1 To amend Part 1 of Article 1 of Chapter 3 of Title 12 of the Official Code of Georgia
2 Annotated, relating to general provisions regarding parks, historic areas, memorials, and
3 recreation, so as to provide for limitations with respect to certain regulatory authority of the
4 Board of Natural Resources; to provide an effective date; to repeal conflicting laws; and for
5 other purposes.

6 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

7 **SECTION 1.**

8 Part 1 of Article 1 of Chapter 3 of Title 12 of the Official Code of Georgia Annotated,
9 relating to general provisions regarding parks, historic areas, memorials, and recreation, is
10 amended by revising Code Section 12-3-9, relating to rules and regulations regarding parks,
11 historic sites, and recreation areas, as follows:

12 "12-3-9.

13 (a) The Board of Natural Resources is authorized to adopt and promulgate rules and
14 regulations relating to:

15 (1) The use or occupancy of state parks, historic sites, and recreational areas; and
16 (2) The protection of the health, safety, and welfare of persons using state parks, historic
sites, and recreational areas, and the protection of state property thereon, provided that
18 nothing in this Code section shall be construed to repeal, diminish, or supersede the
19 authority of the Department of Human Resources to promulgate rules and regulations for
20 the protection of the public health.

21 (b) Nothing in this Code section shall be construed to give additional authority to the
22 Board of Natural Resources to adopt and promulgate rules and regulations relating to the
23 game and fish laws of this state.

24 (c) Nothing in this Code section shall be construed to authorize the Board of Natural
25 Resources, the department, or any division of the department to prohibit any otherwise

1 lawful Civil War memorial activities at any state park, historic site, or recreational area, or
2 any portion thereof, which relates to the Civil War."

SECTION 2.

4 This Act shall become effective upon its approval by the Governor or upon its becoming law
5 without such approval.

SECTION 3.

7 All laws and parts of laws in conflict with this Act are repealed.