

House Bill 1103

By: Representatives Jamieson of the 28<sup>th</sup>, England of the 108<sup>th</sup>, Benton of the 31<sup>st</sup>, Houston of the 170<sup>th</sup>, Loudermilk of the 14<sup>th</sup>, 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  
17 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."

3 **SECTION 2.**

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

6 **SECTION 3.**

7 All laws and parts of laws in conflict with this Act are repealed.