

The House Committee on Game, Fish and Parks offers the following substitute to SB 474:

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 1 of Chapter 3 of Title 27 of the Official Code of Georgia Annotated,
2 relating to hunting of wildlife, so as to provide that in general any person may take
3 possession of native wildlife which has been killed by a motor vehicle; to provide exceptions
4 and conditions; to require notification in the case of bear; to provide for related matters; to
5 provide an effective date; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 SECTION 1.

8 Article 1 of Chapter 3 of Title 27 of the Official Code of Georgia Annotated, relating to
9 hunting of wildlife, is amended by revising paragraph (3) of subsection (a) of Code Section
10 27-3-26, relating to hunting bears, restrictions, and penalties, as follows:

11 "(3) Possess or transport a freshly killed bear or bear part except during the open season
12 for hunting and taking bears and except as provided in Code Section 27-3-28."

13 SECTION 2.

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

15 "27-3-28.

16 (a) Except as otherwise provided in this Code section, any person may lawfully possess
17 native wildlife which has been accidentally killed by a motor vehicle. The following
18 exceptions and conditions to this general rule shall apply:

19 (1) Any person taking possession of a bear accidentally killed by a motor vehicle shall
20 notify the department or a law enforcement officer of the fact and location of the taking
21 of possession and his or her name and address within 48 hours after taking possession of
22 the bear; and

23 (2) This Code section shall not authorize any person to take possession of any animal of
24 a species designated as a protected species under Article 5 of this chapter or under federal
25 law.

26 (b) A law enforcement officer receiving a report of a person taking possession of a bear
27 under paragraph (1) of subsection (a) of this Code section shall in turn transmit the reported
28 information to the department within 48 hours after receipt of such information."

29 **SECTION 3.**

30 Said article is further amended by repealing and reserving Code Section 27-3-47, relating to
31 collision with a deer by a motor vehicle, as follows:

32 "27-3-47.

33 ~~Reserved. Any person who, while driving a motor vehicle, is involved in a collision with~~
34 ~~a deer shall, if the deer is killed, immediately notify the nearest conservation ranger or~~
35 ~~sheriff's office. If there exists a charitable institution or prison within the county which can~~
36 ~~make use of the carcass, the conservation ranger may deliver the carcass to the institution~~
37 ~~for consumption and shall obtain receipts therefor. If no such institution exists within the~~
38 ~~county and there is no cause to question the accidental killing of the deer, the conservation~~
39 ~~ranger may, at his discretion, award the carcass to the person who hit the deer, to be~~
40 ~~possessed and consumed only by the immediate family of such person. Receipts shall be~~
41 ~~acquired for a deer so awarded."~~

42 **SECTION 4.**

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

45 **SECTION 5.**

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