

House Bill 109

By: Representatives Bryant of the 160th, Stephens of the 161st, Stephens of the 164th, Carter of the 159th, Gordon of the 162nd, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Part 1 of Article 2 of Chapter 12 of Title 16 of the Official Code of Georgia
2 Annotated, relating to gambling, so as to define a certain term; to provide that owning,
3 possessing, keeping, or training a cock for cockfighting, causing any cock to fight or injure
4 another cock for amusement or gain, or allowing such activities on a person's property shall
5 constitute a felony; to provide that being present at a cockfight shall constitute a
6 misdemeanor of a high and aggravated nature; to provide that being present at any place
7 where preparations are being made for an exhibition of cockfighting shall constitute a
8 misdemeanor; to provide for punishments; to provide for exemptions; to provide an effective
9 date; to repeal conflicting laws; and for other purposes.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

11 Part 1 of Article 2 of Chapter 12 of Title 16 of the Official Code of Georgia Annotated,
12 relating to gambling, is amended by adding a new Code section to read as follows:

13 "16-12-39.

14 (a) As used in this Code section, the term 'cock' means any male chicken including game
15 fowl; provided, however, that such term shall not include wildlife as defined in Code
16 Section 27-1-2.

17 (b) Any person who knowingly:

18 (1) Owns, possesses, keeps, or trains any cock with the intent that such cock engage in
19 an exhibition of fighting with another cock;

20 (2) For amusement or gain, causes any cock to fight with another cock or causes any
21 cocks to injure each other; or

22 (3) Permits any act in violation of paragraph (1) or (2) of this subsection to be done on
23 any premises under his or her charge or control

24 shall be guilty of a felony and, upon the first conviction thereof, shall be punished by
25 imprisonment of not less than one nor more than five years, a fine of not less than
26 \$5,000.00, or both such fine and imprisonment. On a second or subsequent conviction,

27 such person shall be punished by imprisonment of not less than one nor more than ten
28 years, a fine of not less than \$15,000.00, or both such fine and imprisonment. Each act or
29 omission in violation of this subsection shall constitute a separate offense.

30 (c) Any person who is present at an exhibition of the fighting of cocks shall be guilty of
31 a misdemeanor of a high and aggravated nature and shall be punished by a fine of not less
32 than \$1,000.00 and not to exceed \$10,000.00, or by confinement for a term not less than
33 three months nor more than 12 months, or both, which punishment shall not be suspended,
34 probated, or withheld.

35 (d) Any person who is knowingly present at any place or building where preparations are
36 being made for an exhibition of the fighting of cocks is guilty of a misdemeanor.

37 (e) The provisions of subsection (b) of this Code section shall not apply to any activity
38 involving the possession, training, exhibition, or use of a cock in the lawful pursuits of
39 ranching, farming, rodeos, and related activities."

40 **SECTION 2.**

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

43 **SECTION 3.**

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