

House Bill 277 (AS PASSED HOUSE AND SENATE)

By: Representatives Shaw of the 176th, Maddox of the 172nd, Roberts of the 154th, Williams of the 165th, Black of the 174th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Part 1 of Article 1 of Chapter 3 of Title 27 of the Official Code of Georgia
2 Annotated, relating to general provisions relative to hunting, so as to change certain
3 provisions relating to unlawful enticement of game and hunting in the vicinity of feed or bait;
4 to change certain provisions relating to restrictions on hunting feral hogs; to repeal
5 conflicting laws; and for 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 27 of the Official Code of Georgia Annotated,
9 relating to general provisions relative to hunting, is amended by revising Code Section
10 27-3-9, relating to unlawful enticement of game, as follows:

11 "27-3-9.

12 (a) As used in this Code section, the term:

13 (1) 'Northern zone' means the northern zone for hunting deer with firearms as established
14 pursuant to subsection (c) of Code Section 27-3-15.

15 (2) 'Southern zone' means the southern zone for hunting deer with firearms as established
16 pursuant to subsection (c) of Code Section 27-3-15.

17 (a.1) It shall be unlawful for any person to place, expose, deposit, distribute, or scatter any
18 corn, wheat, or other grains, salts, apples, or other feeds or bait so as to constitute a lure or
19 attraction or enticement for any game bird or game animal on or over any area where
20 hunters are or will be hunting; provided, however, that it shall be lawful to hunt deer within
21 the vicinity of such feeds if the hunter is at least 200 yards away from and not within sight
22 of the feed or bait.

23 (a.2) Nothing in subsection (a.1) of this Code section shall prohibit any person from
24 placing, exposing, depositing, distributing, or scattering any corn, wheat, or other grains,
25 salts, apples, or other feeds or bait so as to constitute a lure or attraction or enticement for
26 deer on lands that are not under the ownership or control and management of the state or

27 federal government; provided, however, that any such lure or attraction or enticement shall
28 not cause hunting on any adjoining property to be prohibited under subsection (b) of this
29 Code section.

30 (b)(1) Except as otherwise provided by law or regulation, it shall be unlawful for any
31 person to hunt any game bird or game animal upon, over, around, or near any place where
32 any ~~such~~ corn, wheat, or other grains, salts, apples, or other feed or bait has been placed,
33 exposed, deposited, distributed, or scattered so as to constitute a lure, attraction, or
34 enticement to such birds or animals. It shall also be unlawful to hunt any game animal
35 or game bird upon, over, around, or near any such place for a period of ten days following
36 the complete removal of all such feed or bait.

37 (2) The prohibitions of paragraph (1) of this subsection shall not apply to:

38 (A) The hunting of deer in the northern zone, other than on lands under the ownership
39 or control and management of the state or federal government, if the hunter is at least
40 200 yards away from and not within sight of such feed or bait; and

41 (B) The hunting of deer in the southern zone, other than on lands under the ownership
42 or control and management of the state or federal government, if the hunter has written
43 permission of the landowner to hunt upon, over, around, or near such feed or bait,
44 except as otherwise provided by paragraph (3) of this subsection.

45 (3)(A) The board may by rule or regulation restrict the feeding, baiting, or hunting of
46 deer upon, over, around, or near such feed or bait in any county wherein there is a
47 documented occurrence of a communicable disease in deer and in any county adjoining
48 such county. Such restriction may be imposed in such county and any adjoining county
49 for a period of up to and including one year and may be extended for additional periods
50 of up to and including two years each upon documentation that the communicable
51 disease is still present in deer in such county. No person shall feed, bait, or hunt deer
52 in violation of any restriction imposed pursuant to this paragraph.

53 (B) The department shall give notice of such restriction by mail or electronic means
54 to each person holding a current license to hunt whose last known address is within a
55 restricted county. The department may place or designate the placement of signs and
56 markers so as to give notice of such restriction.

57 (4) Any person who takes any big game animal, other than deer, within 200 yards of any
58 place where any corn, wheat, or other grains, salts, apples, or other feed or bait has been
59 placed, exposed, deposited, distributed, or scattered so as to constitute a lure, attraction,
60 or enticement for any game bird or game animal shall, upon conviction of thereof, be
61 guilty of a misdemeanor of a high and aggravated nature and shall be punished as
62 provided by Code Section 17-10-4.

63 (c) When a conservation ranger is aware or becomes aware that a clearly identifiable area
 64 of land or field is baited for doves in such a manner that hunting thereon would be a
 65 violation of paragraph (1) of subsection (b) of this Code section, it shall be the duty of the
 66 conservation ranger to require the owner or other person having lawful possession or
 67 control of the baited area of land or field to remove such bait. The conservation ranger
 68 shall require such owner or other person to erect on the area of land or field signs having
 69 printed thereon the words: 'No Hunting, Baited Field.' Such signs shall remain for ten days
 70 after bait is removed. The printing on such signs shall be clearly visible to a person with
 71 normal eyesight from a distance of at least 50 yards. A sufficient number of such signs
 72 shall be erected to provide reasonable notice to hunters that the field or area is baited for
 73 doves. If the conservation ranger cannot locate the owner or other person having lawful
 74 possession or control of the ~~baited~~ area of land or field baited for doves, it shall be the duty
 75 of such conservation ranger to erect such signs. The owner or other person having lawful
 76 possession or control of a ~~baited~~ an area or field baited for doves who fails to comply with
 77 an order of a conservation ranger requiring the removal of bait or the erection of signs, or
 78 both, as required by this subsection shall be guilty of a misdemeanor. When a conservation
 79 ranger is aware that a clearly identifiable area of land or field is baited for doves in such
 80 a manner that hunting thereon would be a violation of paragraph (1) of subsection (b) of
 81 this Code section prior to any such violation, no charge may be brought against any person
 82 under paragraph (1) of subsection (b) of this Code section unless the provisions of this
 83 subsection have been followed. Nothing in this subsection shall be construed to preclude
 84 the owner or other person having lawful possession or control of a baited area or field from
 85 being charged with and convicted of a violation of subsection ~~(a)~~ (a.1) of this Code section.
 86 Nothing in this subsection shall be construed to preclude a person's being charged with and
 87 convicted of a violation of paragraph (1) of subsection (b) of this Code section when such
 88 violation is on a ~~baited~~ an area of land or field baited for doves which was not previously
 89 identified by a conservation ranger as provided in this subsection prior to such violation."

90

SECTION 2.

91 Said part is further amended in Code Section 27-3-24, relating to restrictions on hunting feral
 92 hogs, by revising subsection (a) and adding a new subsection (a.1) as follows:

93 "(a) It shall be unlawful to hunt, or engage in the hunting of, feral hogs:

94 (1) Upon the lands of another or enter upon the lands of another in pursuit of feral hogs
 95 without first obtaining permission from the landowner or lessee of such land or the lessee
 96 of the game rights of such land;

97 (2) Upon any land which is posted without having the permission required by paragraph
 98 (1) of this subsection in writing and carried upon the person;

99 (3) ~~Upon, over, around, or near any land or place upon which any corn, wheat, or other~~
 100 ~~grains, salts, apples, or other feeds or bait which would constitute a lure, attraction, or~~
 101 ~~enticement for any feral hog has been placed, exposed, deposited, distributed, or scattered~~
 102 ~~or upon, over, around, or near any such place for a period of ten days following the~~
 103 ~~complete removal of all such feed or bait; provided, however, this paragraph shall not~~
 104 ~~prohibit the use of bait described in this paragraph for the purpose of trapping feral hogs~~
 105 ~~or hunting feral hogs by means other than a firearm or bow and arrow~~ Reserved;

106 (4) From within a vehicle or while riding on a vehicle at night and with the use of a light;

107 (5) At night with a light, except that a light which is carried on the person of a hunter,
 108 affixed to a helmet or hat worn by a hunter, or part of a belt system worn by a hunter may
 109 be used for locating feral hogs; or

110 (6) During the firearms deer season unless the hunter and each person accompanying the
 111 hunter are wearing a total of at least 500 square inches of daylight fluorescent orange
 112 material as an outer garment and such material or garment is worn above the waistline,
 113 and may include a head covering.

114 (a.1)(1) The board may by rule or regulation restrict the feeding, baiting, or hunting of
 115 feral hogs upon, over, around, or near feed or bait in any county wherein there is a
 116 documented occurrence of a communicable disease in deer and in any county adjoining
 117 such county. Such restriction may be imposed in such county and any adjoining county
 118 for a period of up to and including one year and may be extended for additional periods
 119 of up to and including two years each upon documentation that the communicable disease
 120 is still present in deer in such county. No person shall feed, bait, or hunt feral hogs in
 121 violation of any restriction imposed pursuant to this paragraph.

122 (2) The department shall give notice of such restriction by mail or electronic means to
 123 each person holding a current license to hunt whose last known address is within a
 124 restricted county. The department may place or designate the placement of signs and
 125 markers so as to give notice of such restriction.

126 (a.2) It shall be unlawful for any person to place, expose, deposit, distribute, or scatter
 127 any corn, wheat, or other grains, salts, apples, or other feed or bait so as to constitute a
 128 lure, attraction, or enticement for feral hogs within 50 yards of any property ownership
 129 boundary."

130 **SECTION 3.**

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