

House Bill 485 (AS PASSED HOUSE AND SENATE)

By: Representatives McCall of the 30th, Anderson of the 117th, England of the 108th, Hanner of the 148th, and Roberts of the 154th

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 1 of Chapter 2 of Title 27 of the Official Code of Georgia Annotated,
2 relating to hunting, trapping, and fishing licenses and permits, so as to change certain
3 provisions relating to wildlife control permits; to prohibit releasing any trapped or
4 transported feral hog into any area that is not fenced to prevent the escape of such feral hog
5 onto the land of another; to provide penalties for violations; to repeal conflicting laws; and
6 for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Article 1 of Chapter 2 of Title 27 of the Official Code of Georgia Annotated, relating to
10 hunting, trapping, and fishing licenses and permits, is amended by revising Code Section
11 27-2-31, relating to wildlife control permits, as follows:

12 "27-2-31.

13 (a) The department is authorized to issue wildlife control permits authorizing the permittee
14 to trap, transport and release, or kill wildlife and feral hogs where such action is otherwise
15 prohibited by law or regulation:

16 (1) When the department determines that there is a substantial likelihood the presence
17 of such wildlife or feral hogs will endanger or cause injury to persons or will destroy or
18 damage agricultural crops, domestic animals, buildings, structures, or other personal
19 property;

20 (2) For the control of white-tailed deer on airport property; provided, however, that
21 permits shall be issued under this paragraph for purposes of public safety, and the control
22 of white-tailed deer for other purposes and the removal of black bear shall be as provided
23 in Code Sections 27-2-18 and 27-3-21, respectively;

24 (3) For fur-bearing animals, as defined in paragraph (31) of Code Section 27-1-2, to
25 implement a bona fide wildlife management plan that has been approved by the
26 department; and

27 (4) For feral hogs, provided that ~~at~~:

28 (A) All permitted activities must comply with all rules and regulations of the Georgia
 29 Department of Agriculture; and

30 (B)(i) No person shall release any trapped or transported feral hog into any area that
 31 is not fenced to prevent the escape of such feral hog onto the land of another.

32 (ii) Any person who violates division (i) of this subparagraph shall, upon conviction
 33 thereof, be guilty of a misdemeanor of a high and aggravated nature and shall be
 34 punished as provided by Code Section 17-10-4; provided, however, that if a fine is
 35 imposed pursuant to such Code section, such fine shall be not less than \$1,500.00.

36 (iii) Any license or permit previously issued under this title to any person convicted
 37 of violating division (i) of this subparagraph shall by operation of law be revoked and
 38 shall not be reissued for a period of three years after the date of such conviction. The
 39 licensee or permit holder shall be notified of the revocation personally or by a letter
 40 sent by certified mail or statutory overnight delivery to the name and address
 41 indicated on the application for the license or permit, or both, or to the Secretary of
 42 State as provided in Code Section 27-2-24.

43 (b) In issuing a wildlife control permit, the department shall prescribe the method, means,
 44 species, numbers, time limits, location, and any other conditions it deems necessary to
 45 ensure the continued viability of the wildlife population involved and to ensure that the
 46 public safety and interest are not compromised.

47 (c) Nothing in this Code section shall be construed to authorize the taking of any species
 48 which is protected by the federal Endangered Species Act of 1973, Public Law 93-205, as
 49 amended, or under any state law or regulation which has as its purpose the protection of
 50 endangered or threatened species."

51 **SECTION 2.**

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