

Senate Bill 301

By: Senators Bulloch of the 11th, Tolleson of the 20th, Shafer of the 48th, Rogers of the 21st,
Mullis of the 53rd and others

AS PASSED SENATE

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 regarding hunting, so as to authorize the use of
3 silencers on hunting firearms under certain circumstances; to provide for suspension of
4 hunting privileges for persons who are convicted of hunting without landowner permission,
5 hunting in an area that is closed to hunting, or hunting big game out of season or at night with
6 a silencer equipped firearm; to provide for related matters; to provide an effective date; to
7 repeal conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 Part 1 of Article 1 of Chapter 3 of Title 27 of the Official Code of Georgia Annotated,
11 relating to general provisions regarding hunting, is amended by revising Code Section
12 27-3-4, relating to legal weapons for hunting wildlife generally, as follows:

13 "27-3-4.

14 (a) It shall be unlawful to hunt wildlife with any weapon, except that:

15 (1) Longbows, recurve bows, crossbows, and compound bows may be used for taking
16 small game, feral hogs, or big game. Arrows for hunting deer, bear, and feral hogs must
17 be broadhead type;

18 (2) During primitive weapon hunts or primitive weapons seasons:

19 (A) Longbows, recurve bows, crossbows, compound bows, muzzleloading firearms
20 of .44 caliber or larger, and muzzleloading shotguns of 20 gauge or larger loaded with
21 single shot may be used; and

22 (B) Youth under 16 years of age may hunt deer with any firearm legal for hunting
23 deer;

24 (3) Firearms for hunting deer, bear, and feral hogs are limited to 20 gauge shotguns or
25 larger shotguns loaded with slugs or buckshot (except that no buckshot is permitted on
26 state wildlife management areas unless otherwise specified), muzzleloading firearms of

27 .44 caliber or larger, and center-fire firearms .22 caliber or larger; provided, however,
 28 that firearms for hunting feral hogs, other than those weapons specified in this paragraph,
 29 may be authorized by rule or regulation of the board. Bullets used in all center-fire rifles
 30 and handguns must be of the expanding type;

31 (4) Weapons for hunting small game shall be limited to shotguns with shot shell size of
 32 no greater than 3 1/2 inches in length with No. 2 lead shot or smaller or federally
 33 approved nontoxic shot size of F or smaller shot, .22 caliber or smaller rimfire firearms,
 34 air rifles, muzzleloading firearms, longbows, recurve bows, crossbows, and compound
 35 bows; provided, however, that nothing contained in this paragraph shall permit the taking
 36 of protected species;

37 (5)(A) For hunting deer, feral hogs, and bear, shotguns shall be limited to a capacity
 38 of not more than five shells in the magazine and chamber combined. If a plug is
 39 necessary to so limit the capacity, the plug shall be of one piece, incapable of being
 40 removed through the loading end of the magazine.

41 (B) For hunting all other game animals, shotguns shall be limited to a capacity of not
 42 more than three shells in the magazine and chamber combined. If a plug is necessary
 43 to so limit the capacity, the plug shall be of one piece, incapable of being removed
 44 through the loading end of the magazine;

45 (6) It shall be unlawful to hunt turkey with any weapons except shotguns using No. 2
 46 shot or smaller, muzzleloading firearms, longbows, crossbows, recurve bows, or
 47 compound bows. Any person taking turkey in violation of this paragraph shall be guilty
 48 of a misdemeanor and, upon conviction thereof, shall be punished as for a misdemeanor,
 49 except that a fine imposed for such violation shall not be less than \$250.00;

50 (7) Weapons for hunting alligators shall be limited to hand-held ropes or snares, snatch
 51 hooks, harpoons, gigs, or arrows with restraining lines attached. Lawfully restrained
 52 alligators may be killed with any caliber handgun or bangstick and shall be killed
 53 immediately before transporting;

54 (8) There are no firearms restrictions for taking nongame animals or nongame birds; and

55 (9) ~~The use of silencers for hunting within this state is prohibited~~ Any firearm otherwise
 56 authorized for use in the hunting or taking of game may be equipped with a silencer, as
 57 defined in paragraph (7) of Code Section 16-11-121, possessed by the user in accordance
 58 with paragraph (4) of Code Section 16-11-124.

59 (b) The hunting privileges of any person who has been convicted of violating the
 60 provisions of this title or any rule or regulation promulgated pursuant thereto by hunting
 61 without landowner permission, hunting in an area that is closed for hunting, or by hunting
 62 big game out of season or at night with a firearm equipped with a silencer shall be
 63 suspended for three years."

64 **SECTION 2.**

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

67 **SECTION 3.**

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