

House Bill 937

By: Representatives Spencer of the 180th, Atwood of the 179th, Stephens of the 164th, Gordon of the 162nd, Lane of the 167th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 27-4-171 of the Official Code of Georgia Annotated, relating to bait
2 shrimp dealers, so as to increase the limit on bait shrimp that may be transported between
3 dealers to 200 quarts; to increase the limit for on board shrimp; to increase the limit for land
4 transfers of shrimp and transfers of shrimp to vehicles with aeration equipment; to provide
5 for uniformity; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Code Section 27-4-171 of the Official Code of Georgia Annotated, relating to bait shrimp
9 dealers, is amended by revising paragraph (5) of subsection (a), subsection (j), and subsection
10 (o) as follows:

11 "(5) It shall be unlawful for any person fishing for shrimp for live bait pursuant to this
12 Code section to:

13 (A) Use any power-drawn net which is larger than a 20 foot net or constructed of mesh
14 smaller than one inch or greater than one and three-eighths inches when stretched;

15 (B) Fish for shrimp pursuant to this Code section at night. All salt waters of this state
16 shall be closed to fishing for shrimp pursuant to this Code section, except those rivers
17 or creeks or portions thereof opened to such taking. The determination of whether to
18 open or close a river or creek or portion thereof shall be made by the commissioner or
19 his or her designee in accordance with current, sound principles of wildlife research and
20 management as provided by Code Section 27-4-130;

21 (C) Have on board the boat used for fishing for shrimp pursuant to this Code section
22 more than ~~50~~ 100 quarts of shrimp at any one time, no more than 10 percent of which
23 may be dead;

24 (D) Fail to maintain on the commercial fishing boat bait-holding facilities which
25 comply with the requirements set forth in subsection (b) of this Code section, except

26 that it shall not be necessary for the boat to meet the requirements of paragraph (5) of
 27 subsection (b) of this Code section; or

28 (E) Hold a valid commercial food shrimp cast netting license issued pursuant to Part
 29 5 of this article or to employ any person holding such a commercial food shrimp cast
 30 netting license."

31 "(j) It shall be unlawful to sell, unload, or otherwise dispose of shrimp taken pursuant to
 32 this Code section at any place other than the licensed bait dealership for which the bait was
 33 taken. This subsection shall not prohibit:

34 (1) The transfer from the boat taking such shrimp to an approved vehicle with aeration
 35 equipment to keep shrimp alive which will unload shrimp so taken at a licensed bait
 36 dealership so long as the amount of bait being transferred does not exceed ~~50~~ 200 quarts;
 37 or

38 (2) The interstate import of bait shrimp provided that a bona fide bill of lading
 39 accompanies such shrimp as proof that such shrimp were not taken or transported in
 40 violation of this Code section or the laws of the jurisdiction from which the bait shrimp
 41 originated."

42 "(o) Notwithstanding subsections (i) and (j) of this Code section, it shall be lawful for a
 43 licensed bait dealer to sell live bait shrimp taken pursuant to this Code section to another
 44 licensed bait dealer if the department has been previously notified of the destination of the
 45 shrimp to be sold and the time and approximate amount of the sale and if the department
 46 has approved the equipment for transferring such shrimp. Transportation and transfer of
 47 live bait shrimp between bait dealers shall not exceed ~~the 50 quart possession limit for~~
 48 ~~commercial bait trawlers as provided in subsection (a) of this Code section~~ 200 quarts.
 49 Except as provided for in subsection (j) of this Code section, land transportation of
 50 quantities greater than ~~eight~~ 12 quarts of live shrimp is prohibited and shall be prima-facie
 51 evidence of a violation of this Code section."

52 **SECTION 2.**

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