

Senate Bill 360

By: Senators Wilkinson of the 50th, Williams of the 19th, Tolleson of the 20th and Jeffares of the 17th

AS PASSED SENATE

**A BILL TO BE ENTITLED
AN ACT**

To amend Code Section 27-1-2 of the Official Code of Georgia Annotated, relating to definitions relative to game and fish, so as to include certain tilapia species as domestic fish; to amend Code Section 27-4-5 of the Official Code of Georgia Annotated, relating to methods of taking fish generally, so as to prohibit the use or sale of tilapia as live bait; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Code Section 27-1-2 of the Official Code of Georgia Annotated, relating to definitions relative to game and fish, is amended by revising paragraph (23) as follows:

"(23) 'Domestic species' means those taxa of animals which have traditionally lived in a state of dependence on and under the dominion and control of man and have been kept as tame pets, raised as livestock, or used for commercial breeding purposes, including, but not limited to, dogs, cats, horses, cattle, ratites, and chickens. Animals which live in a captive or tame state and which lack a genetic distinction from members of the same taxon living in the wild are presumptively wild animals, except that lawfully obtained farmed fish which are held in confinement in private ponds shall be known as and considered to be 'domestic fish,' but only if they are:

(A) Fish species which are either indigenous to Georgia or are fish species which have been recognized prior to 1992 as having an established population in Georgia waters other than private ponds; provided, however, that *Morone americana*, white perch, (white perch) shall not be a domestic fish; or

(B) *Oreochromis niloticus* (Nile tilapia), *Oreochromis mossambicus* (Mozambique tilapia), *Oreochromis urolepis hornorum* (Wami tilapia), or their hybrids."

24 **SECTION 2.**

25 Code Section 27-4-5 of the Official Code of Georgia Annotated, relating to methods of
26 taking fish generally, is amended by adding a new subsection to read as follows:

27 "(d) It shall be unlawful to use or sell tilapia as live bait in this state."

28 **SECTION 3.**

29 All laws and parts of laws in conflict with this Act are repealed.