

House Bill 274

By: Representatives Burns of the 159th, Tankersley of the 160th, Parrish of the 158th, Stephens of the 164th, Smith of the 134th, and others

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 licenses, permits, and stamps for hunting, trapping, or fishing, so as to regulate the
3 practice of falconry; to repeal conflicting laws; and for other purposes.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

5 style="text-align:center">**SECTION 1.**

6 Article 1 of Chapter 2 of Title 27 of the Official Code of Georgia Annotated, relating to
7 licenses, permits, and stamps for hunting, trapping, or fishing, is amended by repealing in its
8 entirety Code Section 27-2-17, relating to falconry permits, and enacting a new Code Section
9 27-2-17 to read as follows:

10 "27-2-17.

11 (a) It shall be unlawful for any person to trap, take, transport, or possess raptors for
12 falconry purposes unless such person first procures, in addition to any licenses and permits
13 otherwise required by this title, a valid falconry permit as provided in Code Section
14 27-2-23.

15 (b) It shall be unlawful for any nonresident to transport or possess raptors in this state for
16 falconry unless such nonresident possesses:

17 (1) A valid falconry license or permit issued by his or her state, tribe, or territory,
18 provided that such state, tribe, or territory has been certified by the United States Fish and
19 Wildlife Service as compliant with applicable federal law; and

20 (2) All licenses and permits otherwise required by this title.

21 (c) It shall be unlawful for any nonresident to trap, take, or attempt to trap or take a raptor
22 from the wild in this state unless such nonresident possesses:

23 (1) A valid general or master level falconry license or permit issued by his or her state,
24 tribe, or territory, provided that such state, tribe, or territory has been certified by the
25 United States Fish and Wildlife Service as compliant with applicable federal law and

26 provided, further, that reciprocal falconry privileges are granted by such state, tribe, or
27 territory to residents of this state; and

28 (2) All licenses and permits otherwise required by this title.

29 (d) Application for a falconry permit shall be made on forms obtained from the
30 department.

31 (e) No falconry permit shall be issued until the applicant's raptor housing facilities and
32 equipment have been inspected and certified by the department.

33 (f) The department shall have the right, during reasonable times, to enter upon the
34 premises of persons subject to this Code section to inspect and certify compliance with
35 federal and state standards.

36 (g) It shall be lawful for a falconer who is in full compliance with this Code section to take
37 small game with raptors, so long as such falconer observes all other laws regulating the
38 taking of small game.

39 (h) The board shall promulgate rules and regulations to carry out the purposes of this Code
40 section and to ensure compliance with federal law. If the commissioner certifies that any
41 rule is necessary for compliance with federal law, the board may adopt such rule without
42 providing for public notice and comment, the provisions of Chapter 13 of Title 50, the
43 'Georgia Administrative Procedure Act,' notwithstanding."

44 **SECTION 2.**

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