

## House Bill 155 (COMMITTEE SUBSTITUTE)

By: Representatives Knight of the 130<sup>th</sup>, Burns of the 159<sup>th</sup>, Williams of the 119<sup>th</sup>, Roberts of the 155<sup>th</sup>, and Meadows of the 5<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Title 27 of the Official Code of Georgia Annotated, relating to game and fish, so  
2 as to revise provisions concerning the licensing and operation of shooting preserves; to revise  
3 the definition of "pen raised game birds"; to change licensing requirements for shooting  
4 preserves; to create a lifetime shooting preserve license; to grant registered boat owners a  
5 three-day hunting and fishing license as part of the registration fee; to provide for an  
6 effective date; to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Title 27 of the Official Code of Georgia Annotated, relating to game and fish, is amended by  
10 revising Article 4 of Chapter 3, relating to shooting preserves, as follows:

11 "ARTICLE 4

12 27-3-110.

13 (a) It shall be unlawful for any person to release pen raised game birds, except as provided  
14 in Code Section 27-2-14, unless the person has first obtained a commercial, ~~blanket~~  
15 ~~commercial~~, or private shooting preserve license as provided in Code Section 27-2-23.  
16 Such license shall be effective from April 1 through March 31 of the following year.

17 (b) An application for a shooting preserve license shall be submitted on a form furnished  
18 by the department and shall contain the following:

- 19 (1) The applicant's name and address;
- 20 (2) A detailed description of the proposed activities and operations on the shooting  
21 preserve;
- 22 (3) The location and description of the premises of the preserve; and
- 23 (4) Such other information as may be necessary in order for the department to evaluate  
24 the application properly.

25 (c) No shooting preserve license shall be issued unless the following conditions are met:

26 (1) The land to comprise the preserve must consist of not more than 1,000 acres and not  
 27 less than 100 contiguous acres and must be owned or leased by the applicant. If the land  
 28 is under lease to the applicant, the lease shall be for a term of not less than one year from  
 29 the date of application, and ~~the~~ such lease shall be subject to inspection and approval by  
 30 the department;

31 (2) The boundary lines of the premises must be marked by signs ~~located not more than~~  
 32 ~~400 feet apart~~, indicating that they are the boundary line signs, ~~in letters not less than two~~  
 33 ~~inches in height~~, and ~~shall further indicate~~ that the premises are posted as against  
 34 trespassing; and

35 (3) ~~If the applicant intends to allow the shooting of bobwhite quail or ducks, or both, the~~  
 36 ~~applicant must show that the preserve has or will have a minimum of 1,000 quail, if quail~~  
 37 ~~are to be shot, or 200 ducks, if ducks are to be shot, or a minimum of 1,000 quail and 200~~  
 38 ~~ducks, if both quail and ducks are to be shot. Such birds must be on the preserve at the~~  
 39 ~~time of application; or the applicant must show that he has a binding contract for such~~  
 40 ~~number of birds, which birds shall be released before or during the season for hunting on~~  
 41 ~~the proposed shooting preserve. As a condition of holding a shooting preserve license~~  
 42 ~~issued pursuant to this Code section, the owner of the shooting preserve, or his or her~~  
 43 ~~lessee or agent, shall, prior to allowing any person to hunt on such shooting preserve:~~

44 (A) Confirm that such person has either completed a hunter education course as  
 45 prescribed in Code Section 27-2-5; or

46 (B) Provide such person with hunter education instruction that, at minimum,  
 47 demonstrates techniques for proper firearm handling, unloading, and safety.

48 27-3-111.

49 (a) It shall be unlawful to remove any pen raised game bird from a shooting preserve  
 50 ~~unless the bird has a tag on it showing the date the bird was taken and the shooting preserve~~  
 51 ~~license number unless accompanied by the contact information of the preserve from which~~  
 52 ~~it was taken.~~

53 (b) It shall ~~also~~ be unlawful to release on a shooting preserve any mallard or black duck  
 54 unless ~~the~~ such duck is a pen raised mallard or black duck.

55 (c) It shall ~~also~~ be unlawful for a licensee under this article to fail to maintain a complete  
 56 record of all pen raised game birds propagated, released, or taken on the preserve or to fail  
 57 to ~~furnish to~~ allow the department a copy of the records ~~within 60 days after the end of the~~  
 58 ~~hunting season on the preserve~~ access to such records during all regular business hours.

59 (d) It shall ~~also~~ be unlawful for any such licensee to fail to notify the department within  
 60 24 hours of the diagnosis of any epizootic disease of any pen raised game bird on the  
 61 preserve, including unreleased stock.

62 27-3-112.

63 (a) It shall be unlawful to hunt pen raised game birds, other than ring-necked pheasants,  
 64 on a shooting preserve except between October 1 and March 31 of the following year, and  
 65 except from one-half hour before sunrise to sunset.

66 (b) It shall ~~also~~ be unlawful to exceed the daily or season bag limits prescribed by law or  
 67 regulation for any game bird or game animal, provided that there shall be no bag limits for  
 68 pen raised game birds.

69 (c) It shall ~~also~~ be unlawful to hunt on a shooting preserve any game bird or game animal  
 70 except during the open season for such game bird or game animal as prescribed by law or  
 71 regulation; provided, however, that it shall be lawful to hunt bobwhite quail between  
 72 October 1 and March 31 of the following year; provided, further, that it shall be lawful to  
 73 hunt any other pen raised game bird between October 1 and March 31 of the following year  
 74 when prior approval has been obtained from the department.

75 27-3-113.

76 It shall be unlawful for any person to propagate, possess, or release on any shooting  
 77 preserve any ~~bird or wildlife or wild~~ animal except ~~bobwhite quail, chukar or red-legged~~  
 78 ~~partridge, coturnix or Japanese quail, pheasant, mallard, and black duck~~ pen raised game  
 79 birds unless the person has received prior written approval from the department.  
 80 Importation of any ~~bird or wildlife or wild~~ animal for purposes of propagation, possession,  
 81 or release on a shooting preserve shall be in conformance with the requirements of Article  
 82 3 of this chapter regarding transportation of wildlife, the requirements of Code Section  
 83 27-2-11 regarding game species, and the requirements of Chapter 5 of this title regarding  
 84 wild animals.

85 27-3-114.

86 (a) Except as otherwise specifically provided, all wildlife laws and regulations shall be in  
 87 full force and effect on shooting preserves licensed pursuant to this article. Specifically,  
 88 hunting licenses shall be required of all persons hunting on such preserves; provided,  
 89 however, that it shall be lawful for any resident or nonresident to hunt pen raised game  
 90 birds ~~on~~ or fish in any private or state waters within the boundaries of such a preserve with  
 91 a shooting preserve hunting license as provided in Code Section 27-2-23; ~~and provided;~~  
 92 ~~further, that it shall be lawful for any person to hunt pen raised game birds without a~~

93 ~~hunting license on a shooting preserve which possesses a valid blanket shooting preserve~~  
 94 ~~license as provided in Code Section 27-2-23.~~

95 (b) The requirements of subsection (b) of Code Section 27-2-5 shall not apply to any  
 96 person hunting pen raised game birds on a properly licensed shooting preserve, provided  
 97 such person has received hunter education instruction that, at minimum, demonstrates  
 98 techniques for proper firearm handling, unloading, and safety.

99 27-3-115.

100 (a) The department is authorized to make and enter into agreements with properly licensed  
 101 shooting preserves for the purpose of issuance and sale of shooting preserve hunting  
 102 licenses.

103 (b) Notwithstanding the provisions of subsection (b) of Code Section 27-2-5, a shooting  
 104 preserve authorized by the department pursuant to subsection (a) of this Code section may  
 105 sell shooting preserve hunting licenses so long as such shooting preserve meets the  
 106 requirements of subsection (c) of Code Section 27-3-110.

107 (c) Notwithstanding any other law to the contrary, the department shall not disclose any  
 108 shooting preserve hunting license record which was lawfully purchased from a properly  
 109 licensed shooting preserve and which reveals the name, home address, home telephone  
 110 number, or social security number of the license holder unless written consent from the  
 111 owner or lessee of such shooting preserve is obtained."

## 112 **SECTION 2.**

113 Said title is further amended in Code Section 27-1-2, relating to definitions relative to game  
 114 and fish, by revising paragraph (48) as follows:

115 "(48) 'Pen raised game birds ~~bird~~' means ~~game birds~~ any bobwhite quail, chukar or  
 116 red-legged partridge, coturnix or Japanese quail, ring-necked pheasant, mallard duck, or  
 117 black duck which ~~are~~ is raised in captivity and ~~are~~ is more than two generations removed  
 118 from the wild."

## 119 **SECTION 3.**

120 Said title is further amended in Code Section 27-2-3.1, relating to hunting and sportsman's  
 121 licenses, by revising paragraph (1) of subsection (f) as follows:

122 "(f)(1) Lifetime sportsman's licenses and fees for residents shall be as follows:

123 (A) Type I (Infant), available only to those individuals under two years of age:  
 124 \$200.00;

125 (B) Type Y (Youth), available only to those individuals from two through 15 years of  
 126 age: \$350.00;

127 (C) Type A (Adult), available to those individuals 16 years of age or older: \$500.00;  
 128 (D) Type SD (Senior Discount), available to those individuals 60 years of age or older:  
 129 \$95.00;  
 130 (E) Type S (Senior), available to those individuals 65 years of age or older: no charge;  
 131 ~~and~~  
 132 (F) Type V (Veterans), available only to those individuals who served more than 90  
 133 days of federal active duty military service and were honorably discharged: ~~eighty~~ 80  
 134 percent of the amount of the fee specified for Type A lifetime sportsman's licenses in  
 135 subparagraph (C) of this paragraph; ~~and~~  
 136 (G) Type SP (Shooting Preserve), available to any individual, resident or nonresident,  
 137 and which entitles the holder to hunt pen raised game birds and fish in any private or  
 138 state waters within the boundaries of a properly licensed shooting preserve: \$75.00."

139 **SECTION 4.**

140 Said title is further amended in Code Section 27-2-23, relating to license, permit, tag, and  
 141 stamp fees, by repealing subparagraph (I) of paragraph (8) and designating said subparagraph  
 142 as reserved.

143 **SECTION 5.**

144 Said title is further amended in Code Section 27-2-1, relating to general license requirements  
 145 for hunting, trapping, and fishing, by revising subsection (b) as follows:

146 "(b) It shall be unlawful for any resident of this state who has attained the age of 16 years  
 147 to hunt, fish in the waters of this state, or trap without a valid hunting license, fishing  
 148 license, or trapping license, respectively, as provided in Code Section 27-2-23, except on  
 149 premises owned by him or her or his or her immediate family; ~~provided, however, that the~~  
 150 resident owner of any vessel with a valid registration in accordance with Code Section  
 151 52-7-5 shall have, as part of the registration fee for such vessel, a paid three-day resident  
 152 hunting and fishing license that begins on such owner's date of birth and extends two  
 153 consecutive days thereafter in accordance with the requirements of this title and as  
 154 otherwise specified by the department. It shall be unlawful for any resident of this state to  
 155 hunt, fish, or trap in this state without carrying such license upon his or her person, except  
 156 on premises owned by him or her or his or her immediate family and except when  
 157 otherwise specifically directed by authorized personnel of the department."

158 **SECTION 6.**

159 This Act shall become effective on July 1, 2013.

160

**SECTION 7.**

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