

House Bill 840

By: Representatives Stephens of the 164th, McCall of the 33rd, Greene of the 151st, Parrish of the 158th, and Smith of the 70th

A BILL TO BE ENTITLED
AN ACT

1 To amend Title 12 and Title 27 of the Official Code of Georgia Annotated, relating to
2 conservation and natural resources and game and fish, respectively, so as to change
3 provisions relating to rules and regulations used to establish criminal violations; to authorize
4 the grant of wildlife exhibition permits for use by the film industry; to provide for related
5 matters; to provide for an effective date and applicability; to repeal conflicting laws; and for
6 other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Title 12 of the Official Code of Georgia Annotated, relating to conservation and natural
10 resources, is amended in Code Section 12-2-2, relating to the Environmental Protection
11 Division and the Department of Natural Resources generally, by revising paragraph (5) of
12 subsection (c) as follows:

13 "(5) Notwithstanding any other law to the contrary, for purposes of establishing criminal
14 violations of the standards, rules, and regulations promulgated by the Board of Natural
15 Resources as provided in this title, the term 'standards, rules, and regulations' shall mean
16 those standards, rules, and regulations of the Board of Natural Resources in force and
17 effect on January 1, ~~2013~~ 2016."

18 **SECTION 2.**

19 Title 27 of the Official Code of Georgia Annotated, relating to game and fish, is amended by
20 revising Code Section 27-1-39, relating to rules and regulations used to establish criminal
21 violations, as follows:

22 "27-1-39.

23 Notwithstanding any other law to the contrary, for purposes of establishing criminal
24 violations of the rules and regulations promulgated by the Board of Natural Resources as

25 provided in this title, the term 'rules and regulations' means those rules and regulations of
 26 the Board of Natural Resources in force and effect on January 1, ~~2015~~ 2016."

27 **SECTION 3.**

28 Said title is further amended by adding a new Code section to read as follows:

29 "27-2-13.1.

30 (a)(1) For purposes of this subsection, the term 'film production' means the creation of
 31 film, video, or digital projects in this state, including, but not limited to, the creation of
 32 feature films, documentaries, series, pilots, movies for television, advertisements, music
 33 videos, and interactive entertainment.

34 (2) It shall be unlawful for any person to keep, hold, or possess any wildlife in captivity
 35 for film production purposes or to otherwise provide wildlife for use in film production
 36 without first procuring a film production wildlife permit as provided in Code
 37 Section 27-2-23. No wildlife may be possessed by the applicant prior to a film
 38 production wildlife permit being granted by the department, unless such wildlife was
 39 legally possessed by the applicant prior to the grant of the permit. The department may
 40 impose conditions on such permit requiring adequate sanitation facilities, housing, and
 41 feed for the animals and insuring the safety of the public in accordance with regulations
 42 promulgated by the board.

43 (3) A permit issued pursuant to this subsection shall authorize the permit holder to
 44 transport, possess, or transfer wildlife for any permitted purpose related to film
 45 production; provided, however, that possession of a permit shall not exempt the holder
 46 from any other local, state, or federal requirements.

47 (b) It shall be unlawful for any person holding any wildlife in captivity pursuant to a
 48 permit issued in accordance with this Code section to release the wildlife from captivity or
 49 to house or maintain the wildlife in such a manner as to pose a reasonable possibility that
 50 the wildlife may be released accidentally or escape from captivity."

51 **SECTION 4.**

52 Said title is further amended in Code Section 27-2-23, relating to license, permit, tag, and
 53 stamp fees, by adding two new subparagraphs to paragraph (8) to read as follows:

54	<u>"(W) Resident film production wildlife permit</u>	<u>Annual</u>	<u>300.00</u>
55	<u>(X) Nonresident film production wildlife permit</u>	<u>Annual</u>	<u>600.00"</u>

56 **SECTION 5.**

57 This Act shall become effective on July 1, 2016, and shall apply to all offenses occurring on
 58 or after such date.

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SECTION 6.

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