

The Senate Committee on Natural Resources and the Environment offered the following substitute to HB 275:

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 1 of Title 27 of the Official Code of Georgia Annotated, relating to
2 general provisions relative to game and fish, so as to remove a prohibition on hunting without
3 a wildlife management area license; to change provisions relative to rules and regulations
4 used to establish criminal violations; to amend Article 1 of Chapter 7 of Title 52 of the
5 Official Code of Georgia Annotated, relating to general provisions relative to the registration,
6 operation, and sale of watercraft, so as to regulate activities related to body surfing and wake
7 surfing; to provide for related matters; to provide for an effective date and applicability; to
8 repeal conflicting laws; and for other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

10 **SECTION 1.**

11 Chapter 1 of Title 27 of the Official Code of Georgia Annotated, relating to general
12 provisions relative to game and fish, is amended by revising subsection (a) of Code
13 Section 27-1-33, relating to noncompliance with laws while on a fishing area, fish hatchery,
14 natural area, or wildlife management area, hunting without a wildlife management area
15 license, and acts constituting criminal trespass, as follows:

16 "(a) It shall be unlawful to enter upon or to hunt, trap, or fish on any public fishing area,
17 fish hatchery, or natural area, or wildlife management area owned or operated by the
18 department except in compliance with all applicable laws and all rules and regulations
19 promulgated by the board including, but not limited to, any law, rule, or regulation relating
20 to seasons or bag limits or requiring a special permit. ~~Further, it shall be unlawful for any~~
21 ~~person except those specifically excluded by law to hunt on a wildlife management area~~
22 ~~without a valid wildlife management area license as authorized by Code Section 27-2-23."~~

23 **SECTION 2.**

24 Said chapter is further amended by revising Code Section 27-1-39, relating to rules and
25 regulations used to establish criminal violations, as follows:

26 "27-1-39.

27 Notwithstanding any other law to the contrary, for purposes of establishing criminal
 28 violations of the rules and regulations promulgated by the Board of Natural Resources as
 29 provided in this title, the term 'rules and regulations' means those rules and regulations of
 30 the Board of Natural Resources in force and effect on January 1, ~~2016~~ 2018."

31 **SECTION 3.**

32 Article 1 of Chapter 7 of Title 52 of the Official Code of Georgia Annotated, relating to
 33 general provisions relative to the registration, operation, and sale of watercraft, is amended
 34 by revising Code Section 52-7-16, relating to towing persons on water skis, aquaplanes,
 35 surfboards or similar devices, as follows:

36 "52-7-16.

37 (a) As used in this Code section, the term:

38 (1) 'Body surfing' means unassisted swimming or floating by a person on or in the wake
 39 directly behind a vessel that is underway. Such term shall not include a person who is
 40 being towed by a vessel.

41 (2) 'Wake surfing' means using a surfboard, wakeboard, or similar device to ride on or
 42 in the wake directly behind a vessel that is underway. Such term shall not include a
 43 person who is being towed by a vessel.

44 (a.1) No person shall operate a vessel on any of the waters of this state for towing a person
 45 or persons on water skis, aquaplane, surfboard, or any similar device, or for producing
 46 wake for body surfing or wake surfing, unless the vessel is equipped with a wide-angle
 47 mirror mounted in such a manner as to permit the operator of the vessel to observe at all
 48 times the person or persons being towed, body surfing, or wake surfing or unless there is
 49 in such vessel a competent person, in addition to the operator, in a position to observe at
 50 all times the person or persons being towed, body surfing, or wake surfing.

51 (b) No person shall operate any vessel on any of the waters of this state for towing a
 52 person or persons on water skis, aquaplane, surfboard, or similar devices, or for producing
 53 wake for body surfing or wake surfing, nor shall any person or persons engage in body
 54 surfing, wake surfing, water skiing, aquaplaning, surfboarding, or similar activities unless
 55 such person or persons body surfing, wake surfing, or being towed are wearing a ski belt,
 56 ski jacket, or a Type I, II, or III United States Coast Guard approved personal flotation
 57 device.

58 (c) No person shall operate a vessel on any of the waters of this state for towing a person
 59 or persons on water skis, aquaplane, surfboard, or similar devices, or for producing wake
 60 for body surfing or wake surfing, nor shall any person engage in body surfing, wake

61 surfing, water skiing, aquaplaning, surfboarding, or similar activity at any time between the
62 hours from sunset to sunrise.

63 (d) No person shall operate a vessel on any of the waters of this state for producing wake
64 for body surfing where such vessel is equipped with an outboard, stern drive, or
65 inboard/outboard engine, nor shall a person engage in body surfing using the wake from
66 a vessel equipped with an outboard, stern drive, or inboard/outboard engine.

67 ~~(d)~~(e) Subsections ~~(a)~~ (a.1), (b), ~~and~~ (c), and (d) of this Code section ~~do~~ shall not apply to
68 a performer engaged in a professional exhibition or a person or persons engaged in an
69 activity authorized under Code Section 52-7-19."

70 **SECTION 4.**

71 This Act shall become effective on July 1, 2018, and shall apply to all offenses occurring on
72 or after such date.

73 **SECTION 5.**

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