

Senate Bill 72

By: Senators Harper of the 7th, Mullis of the 53rd, Gooch of the 51st, Jones of the 25th, Ginn of the 47th and others

AS PASSED SENATE

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 on
3 wildlife management areas; to change the date of effective rules and regulations of the Board
4 of Natural Resources; to amend Part 1 of Article 1 of Chapter 3 of Title 27 of the Official
5 Code of Georgia Annotated, relating to general provisions relative to hunting, so as to
6 provide for regulation of hunting with air guns of not less than 0.30 caliber; to modify
7 seasons and bag limits for deer, opossum, and raccoon; to provide for the legalization of the
8 use of silencers and suppressors for hunting in certain circumstances; to modify certain
9 prohibitions relating to restrictions on hunting feral hogs; to amend various provisions of the
10 Official Code of Georgia Annotated, so as to make conforming changes; to provide for
11 related matters; to repeal conflicting laws; and for other purposes.

12 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

13 **SECTION 1.**

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

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

26

SECTION 2.

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

29 "27-1-39.

30 Notwithstanding any other law to the contrary, for purposes of establishing criminal
31 violations of the rules and regulations promulgated by the Board of Natural Resources as
32 provided in this title, the term 'rules and regulations' means those rules and regulations of
33 the Board of Natural Resources in force and effect on January 1, 2016 2019."

34

SECTION 3.

35 Part 1 of Article 1 of Chapter 3 of Title 27 of the Official Code of Georgia Annotated,
36 relating to general provisions relative to hunting, is amended in Code Section 27-3-4, relating
37 to legal weapons for hunting wildlife generally, prohibition of use of silencers and
38 suppressors, and penalty for violations, by revising paragraphs (8) and (9) of and adding a
39 new paragraph to subsection (a) as follows:

40 "(8) There are no firearms restrictions for taking nongame animals, nongame birds, or
41 feral hogs; and

42 ~~(9) The use of silencers or suppressors for hunting within this state is prohibited;~~
43 ~~provided, however, that a silencer or suppressor may be used for hunting on the private~~
44 ~~property of the person using such silencer or suppressor, on private property for which~~
45 ~~the owner of such property has provided verifiable permission to the person using such~~
46 ~~silencer or suppressor, and on public lands in areas designated by the department.~~

47 (9) For purposes of this paragraph, the term 'air gun' means any pistol, handgun, or
48 shoulder-held device, each of not less than 0.30 caliber, or air bow that propels a
49 projectile in the form of a slug, shot, or arrow equipped with a broadhead utilizing
50 unignited compressed air or gas. Air guns are legal weapons for hunting big game only
51 during primitive weapon hunts, primitive weapon seasons, and firearm seasons. This
52 paragraph shall stand repealed effective July 1, 2024, unless continued in effect by the
53 General Assembly prior to that date. At its 2024 regular session, the General Assembly
54 shall review this paragraph to determine whether it should be continued in effect."

55

SECTION 4.

56 Said part is further amended in Code Section 27-3-15, relating to hunting seasons and bag
57 limits, promulgation of rules and regulations by board, possession of more than the bag limit,
58 and reporting number of deer killed, by revising subsections (a) and (b) as follows:

59 "(a) It shall be unlawful to hunt the following game species at any time during the periods
60 set forth below:

<u>Game Species</u>	<u>Closed Season</u>
61 (1) Quail	March 16 — Oct. 31
62 (2) Grouse	March 1 — Oct. 14
63 (3) Turkey	
64 (A) Gobblers	May 22 — March 14
65 (B) Hens	All year
66 (4) Deer	Jan. 16 — Sept. 7; except that the 67 closed season may be Feb. 1 - 68 Sept. 7 in those counties specified as 69 having an extended archery-only 70 open season in paragraph (4) of 71 subsection (b) of this Code section 72 as may be appropriate, and based 73 solely on sound wildlife 74 management principles, the 75 department may by rule extend the 76 season by region, by county, or 77 locale to Jan. 31 for archery only.
78 (5) Bobcat	March 1 — Oct. 14
79 (6) Opossum	March 1 — Oct. 14; for that area 80 north of and including Haralson, 81 Paulding, Bartow, Cherokee, 82 Forsyth, Hall, Banks, Franklin, and 83 Hart counties
84 (7) Rabbit	March 1 — Oct. 31
85 (8) Raccoon	March 1 — Oct. 14; for that area 86 north of and including Carroll, 87 Fulton, Gwinnett, Barrow, Clarke, 88 Oglethorpe, Taliaferro, Wilkes, and 89 Lincoln counties
90 (9) Squirrel	March 1 — August 14
91 (10) Bear	Jan. 16 — Sept. 7
92 (11) Sea turtles and their eggs	All year
93 (12) Cougar (Felis <u>Puma</u> concolor)	All year
94 (13) Alligators	Nov. 1 — March 31
95 (14) Migratory game birds	March 11 — August 31

97 (b) It shall be unlawful to hunt the following game species at any time during the period
 98 set forth below, except that it shall not be unlawful to hunt the following game species
 99 during such periods or portions thereof, and in such number not to exceed the following
 100 numbers, as may be designated by the board as open seasons and bag limits for such
 101 species:

102 <u>Game Species</u>	103 <u>Maximum Open Season</u>	104 <u>Maximum Bag Limits</u>	
		105 <u>Daily</u>	106 <u>Season</u>
107 (1) Quail	108 Nov. 1 — March 15	109 12	110 No limit
111 (2) Grouse	112 Oct. 15 — Feb. 29	113 3	114 No limit
115 (3) Turkey 116 gobblers	117 March 15 — May 21	118 3	119 3
120 (4) Deer	121 Sept. 8 — Jan. 15; except that there may 122 be also an extended archery-only open 123 season Jan. 1 — Jan. 31 in the counties 124 of Clayton, Cobb, DeKalb, Forsyth, 125 Fulton, Gwinnett, and Rockdale due to 126 the extra need for herd reduction in that 127 urban and suburban area of the state as 128 may be appropriate and based solely on 129 sound wildlife management principles, 130 the department may by rule extend the 131 season by region, by county, or locale to 132 Jan. 31 for archery only	120 <u>12</u>	121 <u>12</u>
		122 The daily limit shall be 123 ten antlerless deer and 124 two antlered bucks. The 125 season limit shall be ten 126 antlerless deer and two 127 antlered bucks. 128 Only one antlered buck 129 may have less than four 130 points one inch or 131 longer on one side of 132 the antlers. Up to two deer per managed hunt may be allowed on wildlife management areas without complying with the state-wide bag limit. The department may by rule exempt deer taken on department managed lands from the state-wide bag limit.	

133	(5) Bobcat	Oct. 15 — Feb. 29	No limit	No limit
134	(6) Opossum	(A) Oct. 15 — Feb. 29, for that area	No limit	No limit
135		north of and including Haralson,		
136		Paulding, Bartow, Cherokee, Forsyth,		
137		Hall, Banks, Franklin, and Hart counties;		
138		and		
139		(B) Jan. 1 — Dec. 31 for the	No limit	No limit
140		remainder of the state		
141	(7) Rabbit	Nov. 1 — Feb. 29	12	No limit
142	(8) Raccoon	(A) Oct. 15 — Feb. 29, for that area	No limit	No limit
143		north of and including Carroll, Fulton,		
144		Gwinnett, Barrow, Clarke, Oglethorpe,		
145		Taliaferro, Wilkes, and Lincoln counties;		
146		and		
147		(B) Jan. 1 — Dec. 31 for the	No limit	No limit
148		remainder of the state		
149	(9) Squirrel	Aug. 15 — Feb. 29	12	No limit
150	(10) Fox	Jan. 1 — Dec. 31	No limit	No limit
151	(11) Migratory	Sept. 1 — March 10	Subject to limits set	
152	game		by the federal	
153	birds		government and	
154			adopted by the board	
155	(12) Bear	Sept. 8 — Jan. 15	2	2
156			<u>The department may by</u>	
157			<u>rule exempt bear taken</u>	
158			<u>on department managed</u>	
159			<u>lands from the</u>	
160			<u>state-wide bag limit.</u>	
161	(13) Alligators	April 1 — Oct. 31	Subject to limits	
162			adopted by the board"	

SECTION 5.

163 Said part is further amended in Code Section 27-3-4, relating to legal weapons for hunting
 164 wildlife generally, use of silencers and suppressors prohibited, and penalty for violations, by
 165 revising subsection (b) as follows:
 166

167 ~~"(b)(1) It shall be illegal to use a silencer or suppressor for hunting in violation of~~
 168 ~~paragraph (9) of subsection (a) of this Code section. A person who violates the provisions~~
 169 ~~of this paragraph shall be guilty of a misdemeanor.~~

170 (2) The hunting privileges of any person who has been convicted of violating the
 171 provisions of this title or any rule or regulation promulgated pursuant thereto by hunting
 172 without landowner permission, hunting in an area that is closed for hunting, or hunting
 173 big game out of season ~~or at night with a firearm equipped with a suppressor~~ shall be
 174 suspended for three years."

175 SECTION 6

176 Said part is further amended in Code Section 27-3-24, relating to restrictions on hunting
 177 feral hogs, by revising subsection (a.2) as follows:

178 "(a.2) ~~It shall be unlawful for~~ Nothing in this Code section shall prohibit any person to
 179 ~~place, expose, deposit, distribute, or scatter~~ from placing, exposing, depositing,
 180 distributing, or scattering any corn, wheat, or other grains, salts, apples, or other feed
 181 or bait so as to constitute a lure, attraction, or enticement for feral hogs ~~within 50~~
 182 ~~yards of any property ownership boundary; provided, however, that any such lure,~~
 183 ~~attraction, or enticement shall not be placed, exposed, deposited, distributed, or~~
 184 ~~scattered so as to cause hunting any species of wildlife on any adjoining property to be~~
 185 prohibited under this Code section."

186 SECTION 7.

187 The Official Code of Georgia Annotated is amended by replacing "conservation ranger"
 188 with "game warden" and "conservation rangers" with "game wardens" wherever the
 189 former terms occur in:

- 190 (1) Code Section 12-5-289, relating to inspection of marshlands;
 191 (2) Code Section 16-10-24, relating to obstructing or hindering law enforcement officers
 192 and penalties;
 193 (3) Code Section 16-11-129, relating to weapons carry license, gun safety information,
 194 temporary renewal permit, mandamus, and verification of license;
 195 (4) Code Section 27-1-6, relating to powers and duties of the Department of Natural
 196 Resources generally;
 197 (5) Code Section 27-1-16, relating to establishment of a unit for conservation rangers,
 198 qualifications, appointment, and supervisory personnel, and retention of badge and
 199 weapon upon disability retirement;
 200 (6) Code Section 27-1-17, relating to deputy conservation rangers;
 201 (7) Code Section 27-1-18, relating to powers of conservation rangers generally;

- 202 (8) Code Section 27-1-19, relating to power of conservation rangers and deputy
203 conservation rangers to arrest persons and procedure upon failure of person arrested to
204 appear to answer charges;
- 205 (9) Code Section 27-1-20, relating to additional powers of conservation rangers and
206 functions of other agencies assigned to department;
- 207 (10) Code Section 27-1-21, relating to seizure of disposal of wildlife illegally taken or
208 possessed, civil action by possessor, disposal of wildlife unable to be stored, and
209 disposition of unmarketable items;
- 210 (11) Code Section 27-1-24, relating to inspection of vessels and boats;
- 211 (12) Code Section 27-1-25, relating to interference with arrest or performance of ranger's
212 duties;
- 213 (13) Code Section 27-2-5, relating to required hunter education courses;
- 214 (14) Code Section 27-2-28, relating to refusing inspection of identification or license,
215 making false statements in obtaining a license or permit, counterfeiting or alteration, and
216 unlawful collection of funds;
- 217 (15) Code Section 27-3-9, relating to unlawful enticement of game;
- 218 (16) Code Section 27-3-49, relating to killing of dogs running deer;
- 219 (17) Code Section 27-3-63, relating to general offenses and penalties;
- 220 (18) Code Section 27-3-68, relating to confiscation and disposal of unlawful devices;
- 221 (19) Code Section 27-3-71, relating to reports and records of fur dealers and inspection
222 of premises;
- 223 (20) Code Section 27-3-92, relating to transportation of wildlife out of state;
- 224 (21) Code Section 27-4-2, relating to fishing in waters or from lands of another without
225 permission and obstruction or interference with rights of others;
- 226 (22) Code Section 27-4-5, relating to methods for taking fish generally;
- 227 (23) Code Section 27-4-7, relating to use of gill nets and seizure of illegal nets;
- 228 (24) Code Section 27-4-76, relating to licensing of wholesale and retail fish dealers and
229 sale, transportation into state, or possession of live fish and fish eggs;
- 230 (25) Code Section 27-4-92, relating to lawful baskets;
- 231 (26) Code Section 27-4-150, relating to taking, possessing, and dealing in crabs and
232 peelers and required records;
- 233 (27) Code Section 27-4-151, relating to use of crab traps, identification of boats or
234 vessels, and closure of salt waters authorized;
- 235 (28) Code Section 27-4-199, relating to evidence of intent to use as food and inspection
236 of businesses;
- 237 (29) Code Section 35-4-2, relating to definitions relative to the Georgia Police Academy;

- 238 (30) Code Section 42-8-60, relating to probation prior to adjudication of guilt, violation
239 of probation, and review of criminal record by judge;
- 240 (31) Code Section 47-2-110, relating to retirement ages, application and eligibility for a
241 retirement allowance, suspension of retirement allowance upon reemployment, and health
242 benefits;
- 243 (32) Code Section 47-2-111, relating to persons eligible to retire at age 55;
- 244 (33) Code Section 47-2-221, relating to disability allowances payable to personnel for
245 certain disabilities arising in the line of duty;
- 246 (34) Code Section 47-2-226, relating to certain law enforcement officers permitted to
247 obtain creditable service in retirement system under certain conditions, "law enforcement
248 officer" defined, and payment of full actuarial value to applicant; and
- 249 (35) Code Section 52-7-25, relating to enforcement of general provisions regarding
250 watercraft.

251

SECTION 8.

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