

The House Committee on Game, Fish and Parks offers the following substitute to SB 72:

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 amend Article 3
11 of Chapter 3 of Title 50 of the Official Code of Georgia Annotated, relating to state symbols,
12 so as to designate the shoal bass as the official Georgia state native riverine sport fish; to
13 provide for legislative findings; to provide for related matters; to repeal conflicting laws; and
14 for other purposes.

15 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

16 **SECTION 1.**

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

22 "(a) It shall be unlawful to enter upon or to hunt, trap, or fish on any public fishing area,
23 fish hatchery, or natural area, or wildlife management area owned or operated by the
24 department except in compliance with all applicable laws and all rules and regulations
25 promulgated by the board, including, but not limited to, any law, rule, or regulation relating
26 to seasons or bag limits or requiring a special permit. ~~Further, it shall be unlawful for any~~

27 ~~person except those specifically excluded by law to hunt on a wildlife management area~~
 28 ~~without a valid wildlife management area license as authorized by Code Section 27-2-23."~~

29 **SECTION 2.**

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

32 "27-1-39.

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

37 **SECTION 3.**

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

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

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

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

58

SECTION 4.

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

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

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

- 94 (9) Squirrel March 1 — August 14
- 95 (10) Bear Jan. 16 — Sept. 7
- 96 (11) Sea turtles and their eggs All year
- 97 (12) Cougar (~~Felis~~ Puma concolor) All year
- 98 (13) Alligators Nov. 1 — March 31
- 99 (14) Migratory game birds March 11 — August 31

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

	<u>Game Species</u>	<u>Maximum Open Season</u>	<u>Maximum Bag Limits</u>	
			<u>Daily</u>	<u>Season</u>
107	(1) Quail	Nov. 1 — March 15	12	No limit
108	(2) Grouse	Oct. 15 — Feb. 29	3	No limit
109	(3) Turkey	March 15 — May 21	3	3
110	gobblers			
111	(4) Deer	Sept. 8 — Jan. 15; except that there may	<u>12</u>	<u>12</u>
112		be also an extended archery-only open	The daily limit shall be	ten antlerless deer and
113		season Jan. 1 — Jan. 31 in the counties	two antlered bucks. The	season limit shall be ten
114		of Clayton, Cobb, DeKalb, Forsyth,	antlerless deer and two	antlered bucks. The
115		Fulton, Gwinnett, and Rockdale due to	season limit shall be ten	antlerless deer and two
116		the extra need for herd reduction in that	antlered bucks.	Only one antlered buck
117		urban and suburban area of the state as	may have less than four	points one inch or
118		may be appropriate and based solely on	longer on one side of	the antlers.
119		sound wildlife management principles,		
120		the department may by rule extend the		
121		season by region, by county, or locale to		
122		Jan. 31 for archery only		

123			Up to two deer per	
124			managed hunt may be	
125			allowed on wildlife	
126			management areas	
127			without complying	
128			with the state-wide bag	
129			limit.	
130			<u>The department may</u>	
131			<u>by rule exempt deer</u>	
132			<u>taken on department</u>	
133			<u>managed lands from</u>	
134			<u>the state-wide bag</u>	
135			<u>limit.</u>	
136	(5) Bobcat	Oct. 15 — Feb. 29	No limit	No limit
137	(6) Opossum	(A) Oct. 15 — Feb. 29, for that area	No limit	No limit
138		north of and including Haralson,		
139		Paulding, Bartow, Cherokee, Forsyth,		
140		Hall, Banks, Franklin, and Hart counties;		
141		and		
142		(B) Jan. 1 — Dec. 31 for the	No limit	No limit
143		remainder of the state		
144	(7) Rabbit	Nov. 1 — Feb. 29	12	No limit
145	(8) Raccoon	(A) Oct. 15 — Feb. 29, for that area	No limit	No limit
146		north of and including Carroll, Fulton,		
147		Gwinnett, Barrow, Clarke, Oglethorpe,		
148		Taliaferro, Wilkes, and Lincoln counties;		
149		and		
150		(B) Jan. 1 — Dec. 31 for the	No limit	No limit
151		remainder of the state		
152	(9) Squirrel	Aug. 15 — Feb. 29	12	No limit
153	(10) Fox	Jan. 1 — Dec. 31	No limit	No limit
154	(11) Migratory	Sept. 1 — March 10	Subject to limits set	
155	game		by the federal	
156	birds		government and	
157			adopted by the board	

158	(12) Bear	Sept. 8 — Jan. 15	2	2
159			<u>The department may by</u>	
160			<u>rule exempt bear taken</u>	
161			<u>on department managed</u>	
162			<u>lands from the</u>	
163			<u>state-wide bag limit.</u>	
164	(13) Alligators	April 1 — Oct. 31	Subject to limits	
165			adopted by the board"	

166 **SECTION 5.**

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

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

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

178 **SECTION 6.**

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

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

189 **SECTION 7.**

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

193 (1) Code Section 12-5-289, relating to inspection of marshlands;

194 (2) Code Section 16-10-24, relating to obstructing or hindering law enforcement officers and
195 penalties;

196 (3) Code Section 16-11-129, relating to weapons carry license, gun safety information,
197 temporary renewal permit, mandamus, and verification of license;

198 (4) Code Section 27-1-6, relating to powers and duties of the Department of Natural
199 Resources generally;

200 (5) Code Section 27-1-16, relating to establishment of a unit for conservation rangers,
201 qualifications, appointment, and supervisory personnel, and retention of badge and weapon
202 upon disability retirement;

203 (6) Code Section 27-1-17, relating to deputy conservation rangers;

204 (7) Code Section 27-1-18, relating to powers of conservation rangers generally;

205 (8) Code Section 27-1-19, relating to power of conservation rangers and deputy conservation
206 rangers to arrest persons and procedure upon failure of person arrested to appear to answer
207 charges;

208 (9) Code Section 27-1-20, relating to additional powers of conservation rangers and
209 functions of other agencies assigned to department;

210 (10) Code Section 27-1-21, relating to seizure of disposal of wildlife illegally taken or
211 possessed, civil action by possessor, disposal of wildlife unable to be stored, and disposition
212 of unmarketable items;

213 (11) Code Section 27-1-24, relating to inspection of vessels and boats;

214 (12) Code Section 27-1-25, relating to interference with arrest or performance of ranger's
215 duties;

216 (13) Code Section 27-2-5, relating to required hunter education courses;

217 (14) Code Section 27-2-28, relating to refusing inspection of identification or license,
218 making false statements in obtaining a license or permit, counterfeiting or alteration, and
219 unlawful collection of funds;

220 (15) Code Section 27-3-9, relating to unlawful enticement of game;

221 (16) Code Section 27-3-49, relating to killing of dogs running deer;

222 (17) Code Section 27-3-63, relating to general offenses and penalties;

223 (18) Code Section 27-3-68, relating to confiscation and disposal of unlawful devices;

224 (19) Code Section 27-3-71, relating to reports and records of fur dealers and inspection of
225 premises;

- 226 (20) Code Section 27-3-92, relating to transportation of wildlife out of state;
- 227 (21) Code Section 27-4-2, relating to fishing in waters or from lands of another without
- 228 permission and obstruction or interference with rights of others;
- 229 (22) Code Section 27-4-5, relating to methods for taking fish generally;
- 230 (23) Code Section 27-4-7, relating to use of gill nets and seizure of illegal nets;
- 231 (24) Code Section 27-4-76, relating to licensing of wholesale and retail fish dealers and sale,
- 232 transportation into state, or possession of live fish and fish eggs;
- 233 (25) Code Section 27-4-92, relating to lawful baskets;
- 234 (26) Code Section 27-4-150, relating to taking, possessing, and dealing in crabs and peelers
- 235 and required records;
- 236 (27) Code Section 27-4-151, relating to use of crab traps, identification of boats or vessels,
- 237 and closure of salt waters authorized;
- 238 (28) Code Section 27-4-199, relating to evidence of intent to use as food and inspection of
- 239 businesses;
- 240 (29) Code Section 35-4-2, relating to definitions relative to the Georgia Police Academy;
- 241 (30) Code Section 42-8-60, relating to probation prior to adjudication of guilt, violation of
- 242 probation, and review of criminal record by judge;
- 243 (31) Code Section 47-2-110, relating to retirement ages, application and eligibility for a
- 244 retirement allowance, suspension of retirement allowance upon reemployment, and health
- 245 benefits;
- 246 (32) Code Section 47-2-111, relating to persons eligible to retire at age 55;
- 247 (33) Code Section 47-2-221, relating to disability allowances payable to personnel for
- 248 certain disabilities arising in the line of duty;
- 249 (34) Code Section 47-2-226, relating to certain law enforcement officers permitted to obtain
- 250 creditable service in retirement system under certain conditions, "law enforcement officer"
- 251 defined, and payment of full actuarial value to applicant; and
- 252 (35) Code Section 52-7-25, relating to enforcement of general provisions regarding
- 253 watercraft.

254 **SECTION 8.**

255 The Georgia General Assembly finds that:

- 256 (1) The shoal bass has unique sporting qualities; occurs in abundance in the Flint,
- 257 Chattahoochee, and Ocmulgee rivers; and is dependent upon clean, flowing water;
- 258 (2) This unique native riverine sport fish moves dozens, and at times hundreds, of miles
- 259 to complete its spawning and other life stages and is therefore dependent upon long,
- 260 unobstructed segments of Georgia's rivers, in addition to high-quality shoal habitats;

261 (3) Both the hard rock formations of Georgia's piedmont region and the lime rock
262 formations of Georgia's coastal plain are important to this unique native riverine sport
263 fish, and important fishing and tourist economies are structured around this creature; and
264 (4) Georgia fishing has long been a tourism generator and internal economic engine. In
265 recent decades, Georgia's reputation for flowing water fishing has grown in national and
266 international recognition, and shoal bass are at the center of this burgeoning revenue
267 stream.

268 **SECTION 9.**

269 Article 3 of Chapter 3 of Title 50 of the Official Code of Georgia Annotated, relating to state
270 symbols, is amended by adding a new Code section to read as follows:

271 "50-3-89.

272 The shoal bass (*Micropterus cataractae*) is designated as the official Georgia state native
273 riverine sport fish."

274 **SECTION 10.**

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