

House Bill 1148

By: Representatives Rhodes of the 120th, Corbett of the 174th, LaHood of the 175th, Knight of the 130th, and Ridley of the 6th

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 27-5-2.1 of the Official Code of Georgia Annotated, relating to
2 possession of cervid carcasses, so as to remove definitions; to amend which cervid parts may
3 be brought in from outside of Georgia; to authorize the Department of Natural Resources to
4 restrict the movement or transport of cervid carcasses, or carcass parts, upon detection of
5 chronic wasting disease in certain places; to provide for enforcement of violations; to provide
6 for related matters; to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Code Section 27-5-2.1 of the Official Code of Georgia Annotated, relating to possession of
10 cervid carcasses, is amended as follows:

11 "27-5-2.1.

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

13 (1) 'Cervid' means a member of the family cervidae.

14 (2) 'Chronic wasting disease' means a fatal disease that belongs to a group of diseases
15 known as transmissible spongiform encephalopathies and that affects the brains of
16 cervids.

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17 (3) ~~'Clean' means having no meat matter or tissue attached to the carcass part.~~

18 ~~(4)~~ 'Importation' means the transportation of a cervid, cervid carcass, or carcass part into
19 this state.

20 ~~(5)~~(4) 'Whole' means the entire carcass, whether eviscerated or not, prior to the carcass
21 being processed.

22 (b)(1) It shall be unlawful for any person, firm, partnership, or association to import,
23 bring, or cause to be imported or brought into this state any live cervid, except as
24 otherwise authorized by rule or regulation of the board in effect as of January 1, 2007, or
25 such later date as may be provided by Code Section 27-1-39.

26 (2)(A) Any person who violates paragraph (1) of this subsection shall be guilty of a
27 misdemeanor of a high and aggravated nature and upon conviction shall be punished
28 by a fine of not less than \$1,500.00 nor more than \$5,000.00, imprisonment for a period
29 not exceeding 12 months, or both such fine and imprisonment.

30 (B) The hunting and fishing privileges of any person convicted of violating
31 paragraph (1) of this subsection shall be suspended for not less than three years from
32 the date of conviction.

33 (c) It shall be unlawful for any person to import or possess a whole cervid carcass or
34 cervid carcass part from any state ~~having a documented case of a cervid infected with~~
35 ~~chronic wasting disease~~ place outside of Georgia, except for any one or more of the
36 following cervid carcass parts:

37 (1) ~~Boned-out meat and commercially processed cuts of meat or products thereof;~~

38 (2) ~~Portions of meat with no part of the spinal column or head attached~~ Antlers, skulls,
39 skull plates, teeth, or jawbones with no soft tissue attached;

40 (3) Hides with no heads attached; and

41 (4) ~~Clean skull plates with antlers attached;~~

42 (5) ~~Clean antlers;~~

43 (6) ~~Finished taxidermy heads; and~~

44 ~~(7) Clean upper canine teeth (buglers, whistlers, ivories) mounts.~~

45 (d) Upon the detection of chronic wasting disease in this state or any county adjacent to
46 the borders of this state, the department shall have the authority to restrict the movement
47 or transport of cervid carcasses, or carcass parts within this state. A violation of any such
48 restriction shall be treated as a violation of this Code section."

49 **SECTION 2.**

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