

House Bill 274 (AS PASSED HOUSE AND SENATE)

By: Representatives Burns of the 159th, Tankersley of the 160th, Parrish of the 158th, Stephens of the 164th, Smith of the 134th, and others

A BILL TO BE ENTITLED
AN ACT

To amend Article 1 of Chapter 2 of Title 27 of the Official Code of Georgia Annotated, relating to licenses, permits, and stamps for hunting, trapping, or fishing, so as to regulate the practice of falconry; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article 1 of Chapter 2 of Title 27 of the Official Code of Georgia Annotated, relating to licenses, permits, and stamps for hunting, trapping, or fishing, is amended by repealing in its entirety Code Section 27-2-17, relating to falconry permits, and enacting a new Code Section 27-2-17 to read as follows:

"27-2-17.

(a) It shall be unlawful for any person to trap, take, transport, or possess raptors for falconry purposes unless such person possesses, in addition to any licenses and permits otherwise required by this title, a valid falconry permit as provided in Code Section 27-2-23.

(b) It shall be unlawful for any nonresident to trap, take, or attempt to trap or take a raptor from the wild in this state or to transport or possess any raptor in this state unless such nonresident possesses:

(1) A valid falconry license or permit issued by his or her state, tribe, or territory, provided that such state, tribe, or territory has been certified by the United States Fish and Wildlife Service as compliant with applicable federal falconry law; and

(2) All licenses and permits otherwise required by this title.

(c) Application for a falconry permit shall be made on forms obtained from the department.

(d) No falconry permit shall be issued until the applicant's raptor housing facilities and equipment have been inspected and certified by the department.

26 (e) The department shall have the right, during reasonable times, to enter upon the
27 premises of persons subject to this Code section to inspect and certify compliance with
28 federal and state standards.

29 (f) It shall be lawful for a falconer who is in full compliance with this Code section to take
30 small game with raptors, so long as such falconer observes all other laws regulating the
31 taking of small game.

32 (g) The board shall promulgate rules and regulations necessary to carry out the purposes
33 of this Code section and to ensure compliance with federal law. If the commissioner
34 certifies that any rule is necessary for compliance with federal law, the board may adopt
35 such rule without complying with Chapter 13 of Title 50, the 'Georgia Administrative
36 Procedure Act.'

37 **SECTION 2.**

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