

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

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 modify certain prohibitions
8 relating to restrictions on hunting feral hogs; to amend various provisions of the Official
9 Code of Georgia Annotated, so as to make conforming changes; to provide for related
10 matters; to repeal conflicting laws; and for other purposes.

11 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

12 **SECTION 1.**

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

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

SECTION 2.

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

"27-1-39.

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

SECTION 3.

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

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

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

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

SECTION 4.

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

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

| <u>Game Species</u> | <u>Closed Season</u> |
|---|---|
| (1) Quail | March 16 — Oct. 31 |
| (2) Grouse | March 1 — Oct. 14 |
| (3) Turkey | |
| (A) Gobblers | May 22 — March 14 |
| (B) Hens | All year |
| (4) Deer | Jan. 16 — Sept. 7; except that the closed season may be Feb. 1 — Sept. 7 in those counties specified as having an extended archery-only open season in paragraph (4) of subsection (b) of this Code section <u>as may be appropriate, and based</u> <u>solely on sound wildlife</u> <u>management principles, the</u> <u>department may by rule extend the</u> <u>season by region, by county, or</u> <u>locale to Jan. 31 for archery only.</u> |
| (5) Bobcat | March 1 — Oct. 14 |
| (6) Opossum | March 1 — Oct. 14; for that area north of and including Haralson, Paulding, Bartow, Cherokee, Forsyth, Hall, Banks, Franklin, and Hart counties |
| (7) Rabbit | March 1 — Oct. 31 |
| (8) Raccoon | March 1 — Oct. 14; for that area north of and including Carroll, Fulton, Gwinnett, Barrow, Clarke, Oglethorpe, Taliaferro, Wilkes, and Lincoln counties |
| (9) Squirrel | March 1 — August 14 |
| (10) Bear | Jan. 16 — Sept. 7 |
| (11) Sea turtles and their eggs | All year |
| (12) Cougar (Felis <u>Puma</u> concolor) | All year |
| (13) Alligators | Nov. 1 — March 31 |
| (14) Migratory game birds | March 11 — August 31 |

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

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

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| 132 | (5) Bobcat | Oct. 15 — Feb. 29 | No limit | No limit |
| 133 | (6) Opossum | (A) Oct. 15 — Feb. 29, for that area | No limit | No limit |
| 134 | | north of and including Haralson, | | |
| 135 | | Paulding, Bartow, Cherokee, Forsyth, | | |
| 136 | | Hall, Banks, Franklin, and Hart counties; | | |
| 137 | | and | | |
| 138 | | (B) Jan. 1 — Dec. 31 for the | No limit | No limit |
| 139 | | remainder of the state | | |
| 140 | (7) Rabbit | Nov. 1 — Feb. 29 | 12 | No limit |
| 141 | (8) Raccoon | (A) Oct. 15 — Feb. 29, for that area | No limit | No limit |
| 142 | | north of and including Carroll, Fulton, | | |
| 143 | | Gwinnett, Barrow, Clarke, Oglethorpe, | | |
| 144 | | Taliaferro, Wilkes, and Lincoln counties; | | |
| 145 | | and | | |
| 146 | | (B) Jan. 1 — Dec. 31 for the | No limit | No limit |
| 147 | | remainder of the state | | |
| 148 | (9) Squirrel | Aug. 15 — Feb. 29 | 12 | No limit |
| 149 | (10) Fox | Jan. 1 — Dec. 31 | No limit | No limit |
| 150 | (11) Migratory | Sept. 1 — March 10 | Subject to limits set by the federal government and adopted by the board | |
| 151 | game | | | |
| 152 | birds | | | |
| 153 | | | | |
| 154 | (12) Bear | Sept. 8 — Jan. 15 | 2 | 2 |
| 155 | | | <u>The department may by</u> <u>rule exempt bear taken</u> <u>on department managed</u> <u>lands from the</u> <u>state-wide bag limit.</u> | |
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| 160 | (13) Alligators | April 1 — Oct. 31 | Subject to limits adopted by the board" | |
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SECTION 5.

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

"(a.2) ~~It shall be unlawful for~~ Nothing in this Code section shall prohibit any person to ~~place, expose, deposit, distribute, or scatter~~ from placing, exposing, depositing,

distributing, or scattering any corn, wheat, or other grains, salts, apples, or other feed or bait so as to constitute a lure, attraction, or enticement for feral hogs ~~within 50 yards of any property ownership boundary~~; provided, however, that any such lure, attraction, or enticement shall not be placed, exposed, deposited, distributed, or scattered so as to cause hunting any species of wildlife on any adjoining property to be prohibited under this Code section."

SECTION 6.

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

- (1) Code Section 12-5-289, relating to inspection of marshlands;
- (2) Code Section 16-10-24, relating to obstructing or hindering law enforcement officers and penalties;
- (3) Code Section 16-11-129, relating to weapons carry license, gun safety information, temporary renewal permit, mandamus, and verification of license;
- (4) Code Section 27-1-6, relating to powers and duties of the Department of Natural Resources generally;
- (5) Code Section 27-1-16, relating to establishment of a unit for conservation rangers, qualifications, appointment, and supervisory personnel, and retention of badge and weapon upon disability retirement;
- (6) Code Section 27-1-17, relating to deputy conservation rangers;
- (7) Code Section 27-1-18, relating to powers of conservation rangers generally;
- (8) Code Section 27-1-19, relating to power of conservation rangers and deputy conservation rangers to arrest persons and procedure upon failure of person arrested to appear to answer charges;
- (9) Code Section 27-1-20, relating to additional powers of conservation rangers and functions of other agencies assigned to department;
- (10) Code Section 27-1-21, relating to seizure of disposal of wildlife illegally taken or possessed, civil action by possessor, disposal of wildlife unable to be stored, and disposition of unmarketable items;
- (11) Code Section 27-1-24, relating to inspection of vessels and boats;
- (12) Code Section 27-1-25, relating to interference with arrest or performance of ranger's duties;
- (13) Code Section 27-2-5, relating to required hunter education courses;

201 (14) Code Section 27-2-28, relating to refusing inspection of identification or license,
202 making false statements in obtaining a license or permit, counterfeiting or alteration, and
203 unlawful collection of funds;
204 (15) Code Section 27-3-9, relating to unlawful enticement of game;
205 (16) Code Section 27-3-49, relating to killing of dogs running deer;
206 (17) Code Section 27-3-63, relating to general offenses and penalties;
207 (18) Code Section 27-3-68, relating to confiscation and disposal of unlawful devices;
208 (19) Code Section 27-3-71, relating to reports and records of fur dealers and inspection of
209 premises;
210 (20) Code Section 27-3-92, relating to transportation of wildlife out of state;
211 (21) Code Section 27-4-2, relating to fishing in waters or from lands of another without
212 permission and obstruction or interference with rights of others;
213 (22) Code Section 27-4-5, relating to methods for taking fish generally;
214 (23) Code Section 27-4-7, relating to use of gill nets and seizure of illegal nets;
215 (24) Code Section 27-4-76, relating to licensing of wholesale and retail fish dealers and sale,
216 transportation into state, or possession of live fish and fish eggs;
217 (25) Code Section 27-4-92, relating to lawful baskets;
218 (26) Code Section 27-4-150, relating to taking, possessing, and dealing in crabs and peelers
219 and required records;
220 (27) Code Section 27-4-151, relating to use of crab traps, identification of boats or vessels,
221 and closure of salt waters authorized;
222 (28) Code Section 27-4-199, relating to evidence of intent to use as food and inspection of
223 businesses;
224 (29) Code Section 35-4-2, relating to definitions relative to the Georgia Police Academy;
225 (30) Code Section 42-8-60, relating to probation prior to adjudication of guilt, violation of
226 probation, and review of criminal record by judge;
227 (31) Code Section 47-2-110, relating to retirement ages, application and eligibility for a
228 retirement allowance, suspension of retirement allowance upon reemployment, and health
229 benefits;
230 (32) Code Section 47-2-111, relating to persons eligible to retire at age 55;
231 (33) Code Section 47-2-221, relating to disability allowances payable to personnel for
232 certain disabilities arising in the line of duty;
233 (34) Code Section 47-2-226, relating to certain law enforcement officers permitted to obtain
234 creditable service in retirement system under certain conditions, "law enforcement officer"
235 defined, and payment of full actuarial value to applicant; and
236 (35) Code Section 52-7-25, relating to enforcement of general provisions regarding
237 watercraft.

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SECTION 7.

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