

Senate Bill 93

By: Senators Heath of the 31st, Gooch of the 51st, Tolleson of the 20th, Shafer of the 48th,
Mullis of the 53rd and others

AS PASSED SENATE

**A BILL TO BE ENTITLED
AN ACT**

1 To amend Part 1 of Article 1 of Chapter 3 of Title 27 of the Official Code of Georgia
2 Annotated, relating to general provisions regarding hunting, so as to authorize the use of
3 suppressors on hunting firearms under certain circumstances; to provide for suspension of
4 hunting privileges for persons who are convicted of hunting without landowner permission,
5 hunting in an area that is closed to hunting, or hunting big game out of season or at night with
6 a suppressor equipped firearm; to provide for criminal sanctions; to provide for related
7 matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

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

9 **SECTION 1.**

10 Part 1 of Article 1 of Chapter 3 of Title 27 of the Official Code of Georgia Annotated,
11 relating to general provisions regarding hunting, is amended by revising Code Section
12 27-3-4, relating to legal weapons for hunting wildlife generally, as follows:

13 "27-3-4.

14 (a) It shall be unlawful to hunt wildlife with any weapon, except that:

15 (1) Longbows, recurve bows, crossbows, and compound bows may be used for taking
16 small game, feral hogs, or big game. Arrows for hunting deer, bear, and feral hogs must
17 be broadhead type;

18 (2) During primitive weapon hunts or primitive weapons seasons:

19 (A) Longbows, recurve bows, crossbows, compound bows, muzzleloading firearms of
20 .44 caliber or larger, and muzzleloading shotguns of 20 gauge or larger loaded with
21 single shot may be used; and

22 (B) Youth under 16 years of age may hunt deer with any firearm legal for hunting deer;

23 (3) Firearms for hunting deer, bear, and feral hogs are limited to 20 gauge shotguns or
24 larger shotguns loaded with slugs or buckshot (except that no buckshot is permitted on
25 state wildlife management areas unless otherwise specified), muzzleloading firearms of
26 .44 caliber or larger, and center-fire firearms .22 caliber or larger; provided, however, that

27 firearms for hunting feral hogs, other than those weapons specified in this paragraph, may
28 be authorized by rule or regulation of the board. Bullets used in all center-fire rifles and
29 handguns must be of the expanding type;

30 (4) Weapons for hunting small game shall be limited to shotguns with shot shell size of
31 no greater than 3 1/2 inches in length with No. 2 lead shot or smaller or federally
32 approved nontoxic shot size of F or smaller shot, .22 caliber or smaller rimfire firearms,
33 air rifles, muzzleloading firearms, longbows, recurve bows, crossbows, and compound
34 bows; provided, however, that in addition to the weapons listed in this paragraph, any
35 center-fire firearm of .17 caliber or larger may be used for hunting fox and bobcat.
36 Nothing contained in this paragraph shall permit the taking of protected species;

37 (5)(A) For hunting deer, feral hogs, and bear, shotguns shall be limited to a capacity of
38 not more than five shells in the magazine and chamber combined. If a plug is necessary
39 to so limit the capacity, the plug shall be of one piece, incapable of being removed
40 through the loading end of the magazine.

41 (B) For hunting all other game animals, shotguns shall be limited to a capacity of not
42 more than three shells in the magazine and chamber combined. If a plug is necessary to
43 so limit the capacity, the plug shall be of one piece, incapable of being removed through
44 the loading end of the magazine;

45 (6) It shall be unlawful to hunt turkey with any weapons except shotguns using No. 2
46 shot or smaller, muzzleloading firearms, longbows, crossbows, recurve bows, or
47 compound bows. Any person taking turkey in violation of this paragraph shall be guilty
48 of a misdemeanor and, upon conviction thereof, shall be punished as for a misdemeanor,
49 except that a fine imposed for such violation shall not be less than \$250.00;

50 (7) Weapons for hunting alligators shall be limited to hand-held ropes or snares, snatch
51 hooks, harpoons, gigs, or arrows with restraining lines attached. Lawfully restrained
52 alligators may be killed with any caliber handgun or bangstick and shall be killed
53 immediately before transporting;

54 (8) There are no firearms restrictions for taking nongame animals or nongame birds; and

55 (9) ~~The use of silencers for hunting within this state is prohibited~~ Any firearm otherwise
56 authorized for use in the hunting or taking of game may be equipped with a suppressor,
57 provided that the user is authorized to possess such suppressor and he or she has
58 registered the suppressor in accordance with the dictates of the National Firearms Act,
59 68A Stat. 725 (26 U.S.C. Sections 5841-5862). For the purposes of this paragraph, the
60 term 'suppressor' means any device for quieting or diminishing the report of any portable
61 weapon such as a rifle, carbine, pistol, revolver, machine gun, shotgun, fowling piece, or
62 other device from which a shot, bullet, or projectile may be discharged by an explosive.

63 (b) It shall be illegal to hunt with a firearm equipped with a suppressor on property without
64 landowner permission or in an area that is closed for hunting, or to hunt big game out of
65 season or at night with a firearm equipped with a suppressor. A violation of this subsection
66 shall be a misdemeanor.

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

72 **SECTION 2.**

73 This Act shall become effective upon its approval by the Governor or upon its becoming law
74 without such approval.

75 **SECTION 3.**

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