

The Senate Committee on Natural Resources and the Environment offered the following substitute to HB 271:

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 prohibitions relating to unlawful enticement of game and hunting in the vicinity of feed or
8 bait; to modify seasons and bag limits for deer, opossum, and raccoon; to remove formal
9 report requirements; to modify certain prohibitions relating to restrictions on hunting feral
10 hogs; to provide for related matters; to repeal conflicting laws; and for other purposes.

11 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

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

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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."~~

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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~~ 2018."

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) to read 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 shall be 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, 2021, unless continued in effect by the General Assembly prior to that date. At its 2021 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 27-3-9, relating to unlawful enticement of game, by deleting subsection (a), by redesignating subsection (a.1) as subsection (a), by deleting paragraph (2) of subsection (b), by redesignating paragraph (3) of subsection (b) as

59 paragraph (2), by redesignating paragraph (4) of subsection (b) as paragraph (3), and by
60 revising subsection (a.2) as follows:

61 ~~"(a.2)(a.1)~~ Nothing in ~~subsection (a.1)~~ of this Code section shall prohibit any person from
62 placing, exposing, depositing, distributing, or scattering any corn, wheat, or other grains,
63 salts, apples, or other feeds or bait so as to constitute a lure or attraction or enticement for
64 deer on lands that are not under the ownership or control and management of the state or
65 federal government; provided, however, that any such lure or attraction or enticement shall
66 not be placed, exposed, deposited, distributed, or scattered so as to cause hunting any
67 species of wildlife on any adjoining property to be prohibited under subsection (b) of this
68 Code section."

69 **SECTION 5.**

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

73 "(a) It shall be unlawful to hunt the following game species at any time during the periods
74 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 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>

- 94 (5) Bobcat March 1 — Oct. 14
- 95 (6) Opossum March 1 — Oct. 14, ~~for that area~~
- 96 ~~north of and including Haralson,~~
- 97 ~~Paulding, Bartow, Cherokee,~~
- 98 ~~Forsyth, Hall, Banks, Franklin, and~~
- 99 ~~Hart counties~~
- 100 (7) Rabbit March 1 — Oct. 31
- 101 (8) Raccoon March 1 — Oct. 14, ~~for that area~~
- 102 ~~north of and including Carroll,~~
- 103 ~~Fulton, Gwinnett, Barrow, Clarke,~~
- 104 ~~Oglethorpe, Taliaferro, Wilkes, and~~
- 105 ~~Lincoln counties~~
- 106 (9) Squirrel March 1 — August 14
- 107 (10) Bear Jan. 16 — Sept. 7
- 108 (11) Sea turtles and their eggs All year
- 109 (12) Cougar (*Felis concolor*) All year
- 110 (13) Alligators Nov. 1 — March 31
- 111 (14) Migratory game birds March 11 — August 31

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

<u>Game Species</u>	<u>Maximum Open Season</u>	<u>Maximum Bag Limits</u>	
		<u>Daily</u>	<u>Season</u>
119 (1) Quail	Nov. 1 — March 15	12	No limit
120 (2) Grouse	Oct. 15 — Feb. 29	3	No limit
121 (3) Turkey	March 15 — May 21	3	3
122 gobblers			

123	(4) Deer	Sept. 8 — Jan. 15; except that there may	12	12
124		be also an extended archery-only open	The daily limit shall be	
125		season Jan. 1 — <u>through</u> Jan. 31 in the	ten antlerless deer and	
126		counties of <u>Bibb, Chatham, Clarke,</u>	two antlered bucks. The	
127		Clayton, Cobb, DeKalb, Forsyth, Fulton,	season limit shall be ten	
128		Gwinnett, <u>Henry,</u> and Rockdale due to	antlerless deer and two	
129		the extra need for herd reduction in that	antlered bucks.	
130		urban and suburban area of the state; <u>as</u>	Only one antlered buck	
131		<u>may be appropriate and based solely on</u>	may have less than four	
132		<u>sound wildlife management principles,</u>	points one inch or	
133		<u>the department may by rule extend the</u>	longer on one side of	
134		<u>season by region, by county, or locale to</u>	the antlers.	
135		<u>Jan. 31 for archery only</u>	Up to two deer per	
136		<u>As may be appropriate and based solely</u>	managed hunt may be	
137		<u>on sound wildlife management</u>	allowed on wildlife	
138		<u>principles, the department may by rule</u>	management areas	
139		<u>adjust the bag limit by region, by county,</u>	without complying with	
140		<u>or locale.</u>	the state-wide bag limit.	
141	(5) Bobcat	Oct. 15 — Feb. 29	No limit	No limit
142	(6) Opossum	(A) Oct. 15 — Feb. 29, for that area	No limit	No limit
143		north of and including Haralson,		
144		Paulding, Bartow, Cherokee, Forsyth,		
145		Hall, Banks, Franklin, and Hart counties;		
146		and		
147		(B) Jan. 1 — Dec. 31 for the	No limit	No limit
148		remainder of the state		
149	(7) Rabbit	Nov. 1 — Feb. 29	12	No limit
150	(8) Raccoon	(A) Oct. 15 — Feb. 29, for that area	No limit	No limit
151		north of and including Carroll, Fulton,		
152		Gwinnett, Barrow, Clarke, Oglethorpe,		
153		Taliaferro, Wilkes, and Lincoln counties;		
154		and		
155		(B) Jan. 1 — Dec. 31 for the	No limit	No limit
156		remainder of the state		
157	(9) Squirrel	Aug. 15 — Feb. 29	12	No limit
158	(10) Fox	Jan. 1 — Dec. 31	No limit	No limit

159	(11) Migratory	Sept. 1 — March 10	Subject to limits set
160	game		by the federal
161	birds		government and
162			adopted by the board
163	(12) Bear	Sept. 8 — Jan. 15	2 2
164	(13) Alligators	April 1 — Oct. 31	Subject to limits
165			adopted by the board"

166 ~~"(g)(1) The department shall report to the General Assembly on or before the fifth day~~
 167 ~~of February of each year the estimated number of deer killed, by sex, in the immediately~~
 168 ~~preceding season.~~

169 ~~(2) Upon completion of its annual analysis of data from the immediately preceding~~
 170 ~~season, the department shall report to the General Assembly on the same day that it~~
 171 ~~reports to the Board of Natural Resources each year the actual number of deer killed, by~~
 172 ~~sex, in the immediately preceding season Reserved."~~

173 **SECTION 6.**

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

176 ~~"(a.2)(1) It shall be unlawful for Nothing in this Code section shall prohibit any person~~
 177 ~~to place, expose, deposit, distribute, or scatter from placing, exposing, depositing,~~
 178 ~~distributing, or scattering any corn, wheat, or other grains, salts, apples, or other feed or~~
 179 ~~bait so as to constitute a lure, attraction, or enticement for feral hogs within 50 yards of~~
 180 ~~any property ownership boundary; provided, however, that any such lure, attraction, or~~
 181 ~~enticement shall not be placed, exposed, deposited, distributed, or scattered so as to cause~~
 182 ~~hunting any species of wildlife on any adjoining property to be prohibited under this~~
 183 ~~Code section."~~

184 **SECTION 7.**

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