

House Bill 155 (AS PASSED HOUSE AND SENATE)

By: Representatives Knight of the 130th, Burns of the 159th, Williams of the 119th, Roberts of the 155th, and Meadows of the 5th

A BILL TO BE ENTITLED
AN ACT

1 To amend Title 27 of the Official Code of Georgia Annotated, relating to game and fish, so
2 as to revise provisions concerning the licensing and operation of shooting preserves; to revise
3 the definition of "pen raised game birds"; to change licensing requirements for shooting
4 preserves; to create a lifetime shooting preserve license; to grant registered boat owners a
5 three-day hunting and fishing license as part of the registration fee; to provide for an
6 effective date; to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Title 27 of the Official Code of Georgia Annotated, relating to game and fish, is amended by
10 revising Article 4 of Chapter 3, relating to shooting preserves, as follows:

11 "ARTICLE 4

12 27-3-110.

13 (a) It shall be unlawful for any person to release pen raised game birds, except as provided
14 in Code Section 27-2-14, unless the person has first obtained a commercial, ~~blanket~~
15 ~~commercial~~, or private shooting preserve license as provided in Code Section 27-2-23.
16 Such license shall be effective from April 1 through March 31 of the following year.

17 (b) An application for a shooting preserve license shall be submitted on a form furnished
18 by the department and shall contain the following:

- 19 (1) The applicant's name and address;
- 20 (2) A detailed description of the proposed activities and operations on the shooting
21 preserve;
- 22 (3) The location and description of the premises of the preserve; and
- 23 (4) Such other information as may be necessary in order for the department to evaluate
24 the application properly.

- 25 (c) No shooting preserve license shall be issued unless the following conditions are met:
- 26 (1) The land to comprise the preserve must consist of not more than 1,000 acres and not
- 27 less than 100 contiguous acres and must be owned or leased by the applicant. If the land
- 28 is under lease to the applicant, the lease shall be for a term of not less than one year from
- 29 the date of application, and ~~the~~ such lease shall be subject to inspection and approval by
- 30 the department;
- 31 (2) The boundary lines of the premises must be marked by signs ~~located not more than~~
- 32 ~~400 feet apart~~, indicating that they are the boundary line signs, ~~in letters not less than two~~
- 33 ~~inches in height~~, and ~~shall further indicate~~ that the premises are posted as against
- 34 trespassing; and
- 35 (3) ~~If the applicant intends to allow the shooting of bobwhite quail or ducks, or both, the~~
- 36 ~~applicant must show that the preserve has or will have a minimum of 1,000 quail, if quail~~
- 37 ~~are to be shot, or 200 ducks, if ducks are to be shot, or a minimum of 1,000 quail and 200~~
- 38 ~~ducks, if both quail and ducks are to be shot. Such birds must be on the preserve at the~~
- 39 ~~time of application; or the applicant must show that he has a binding contract for such~~
- 40 ~~number of birds, which birds shall be released before or during the season for hunting on~~
- 41 ~~the proposed shooting preserve. As a condition of holding a shooting preserve license~~
- 42 ~~issued pursuant to this Code section, the owner of the shooting preserve, or his or her~~
- 43 ~~lessee or agent, shall, prior to allowing any person to hunt on such shooting preserve:~~
- 44 (A) Confirm that such person has either completed a hunter education course as
- 45 prescribed in Code Section 27-2-5; or
- 46 (B) Provide such person with hunter education instruction that, at minimum,
- 47 demonstrates techniques for proper firearm handling, unloading, and safety.
- 48 27-3-111.
- 49 (a) It shall be unlawful to remove any pen raised game bird from a shooting preserve
- 50 ~~unless the bird has a tag on it showing the date the bird was taken and the shooting preserve~~
- 51 ~~license number unless accompanied by the contact information of the preserve from which~~
- 52 ~~it was taken.~~
- 53 (b) It shall ~~also~~ be unlawful to release on a shooting preserve any mallard or black duck
- 54 unless ~~the~~ such duck is a pen raised mallard or black duck.
- 55 (c) It shall ~~also~~ be unlawful for a licensee under this article to fail to maintain a complete
- 56 record of all pen raised game birds propagated, released, or taken on the preserve or to fail
- 57 to ~~furnish to~~ allow the department a copy of the records ~~within 60 days after the end of the~~
- 58 ~~hunting season on the preserve~~ access to such records during all regular business hours.

59 (d) It shall ~~also~~ be unlawful for any such licensee to fail to notify the department within
 60 24 hours of the diagnosis of any epizootic disease of any pen raised game bird on the
 61 preserve, including unreleased stock.

62 27-3-112.

63 (a) It shall be unlawful to hunt pen raised game birds, other than ring-necked pheasants,
 64 on a shooting preserve except between October 1 and March 31 of the following year, and
 65 except from one-half hour before sunrise to sunset.

66 (b) It shall ~~also~~ be unlawful to exceed the daily or season bag limits prescribed by law or
 67 regulation for any game bird or game animal, provided that there shall be no bag limits for
 68 pen raised game birds.

69 (c) It shall ~~also~~ be unlawful to hunt on a shooting preserve any game bird or game animal
 70 except during the open season for such game bird or game animal as prescribed by law or
 71 regulation; provided, however, that it shall be lawful to hunt bobwhite quail between
 72 October 1 and March 31 of the following year; provided, further, that it shall be lawful to
 73 hunt any other pen raised game bird between October 1 and March 31 of the following year
 74 when prior approval has been obtained from the department.

75 27-3-113.

76 It shall be unlawful for any person to propagate, possess, or release on any shooting
 77 preserve any ~~bird or wildlife or wild~~ animal except ~~bobwhite quail, chukar or red-legged~~
 78 ~~partridge, coturnix or Japanese quail, pheasant, mallard, and black duck~~ pen raised game
 79 birds unless the person has received prior written approval from the department.
 80 Importation of any ~~bird or wildlife or wild~~ animal for purposes of propagation, possession,
 81 or release on a shooting preserve shall be in conformance with the requirements of Article
 82 3 of this chapter regarding transportation of wildlife, the requirements of Code Section
 83 27-2-11 regarding game species, and the requirements of Chapter 5 of this title regarding
 84 wild animals.

85 27-3-114.

86 (a) Except as otherwise specifically provided, all wildlife laws and regulations shall be in
 87 full force and effect on shooting preserves licensed pursuant to this article. Specifically,
 88 hunting licenses shall be required of all persons hunting on such preserves; provided,
 89 however, that it shall be lawful for any resident or nonresident to hunt pen raised game
 90 birds ~~on~~ or fish in any private or state waters within the boundaries of such a preserve with
 91 a shooting preserve hunting license as provided in Code Section 27-2-23; ~~and provided;~~
 92 ~~further, that it shall be lawful for any person to hunt pen raised game birds without a~~

93 ~~hunting license on a shooting preserve which possesses a valid blanket shooting preserve~~
 94 ~~license as provided in Code Section 27-2-23.~~

95 (b) The requirements of subsection (b) of Code Section 27-2-5 shall not apply to any
 96 person hunting pen raised game birds on a properly licensed shooting preserve, provided
 97 such person has received hunter education instruction that, at minimum, demonstrates
 98 techniques for proper firearm handling, unloading, and safety.

99 27-3-115.

100 (a) The department is authorized to make and enter into agreements with properly licensed
 101 shooting preserves for the purpose of issuance and sale of shooting preserve hunting
 102 licenses.

103 (b) Notwithstanding the provisions of subsection (b) of Code Section 27-2-5, a shooting
 104 preserve authorized by the department pursuant to subsection (a) of this Code section may
 105 sell shooting preserve hunting licenses so long as such shooting preserve meets the
 106 requirements of subsection (c) of Code Section 27-3-110. The department may authorize
 107 a shooting preserve to issue temporary paper copies of shooting preserve hunting licenses
 108 to be used on such shooting preserve for one hunting season. Such paper copy shall satisfy
 109 the requirements of Code Section 27-2-1.

110 (c) Notwithstanding any other law to the contrary, the department shall not disclose any
 111 shooting preserve hunting license record which was lawfully purchased from a properly
 112 licensed shooting preserve and which reveals the name, home address, home telephone
 113 number, or social security number of the license holder unless written consent from the
 114 owner or lessee of such shooting preserve is obtained."

115 SECTION 3.

116 Said title is further amended in Code Section 27-1-2, relating to definitions relative to game
 117 and fish, by revising paragraph (48) as follows:

118 "(48) 'Pen raised game birds bird' means ~~game birds~~ any bobwhite quail, chukar or
 119 red-legged partridge, coturnix or Japanese quail, ring-necked pheasant, mallard duck, or
 120 black duck which ~~are~~ is raised in captivity and ~~are~~ is more than two generations removed
 121 from the wild."

122 SECTION 4.

123 Said title is further amended in Code Section 27-2-3.1, relating to hunting and sportsman's
 124 licenses, by revising paragraph (1) of subsection (f) as follows:

125 "(f)(1) Lifetime sportsman's licenses and fees for residents shall be as follows:

- 126 (A) Type I (Infant), available only to those individuals under two years of age:
 127 \$200.00;
- 128 (B) Type Y (Youth), available only to those individuals from two through 15 years of
 129 age: \$350.00;
- 130 (C) Type A (Adult), available to those individuals 16 years of age or older: \$500.00;
- 131 (D) Type SD (Senior Discount), available to those individuals 60 years of age or older:
 132 \$95.00;
- 133 (E) Type S (Senior), available to those individuals 65 years of age or older: no charge;
 134 ~~and~~
- 135 (F) Type V (Veterans), available only to those individuals who served more than 90
 136 days of federal active duty military service and were honorably discharged: ~~eighty~~ 80
 137 percent of the amount of the fee specified for Type A lifetime sportsman's licenses in
 138 subparagraph (C) of this paragraph; ~~and~~
- 139 (G) Type SP (Shooting Preserve), available to any individual, resident or nonresident,
 140 and which entitles the holder to hunt pen raised game birds and fish in any private or
 141 state waters within the boundaries of a properly licensed shooting preserve: \$75.00."

142 **SECTION 5.**

143 Said title is further amended in Code Section 27-2-23, relating to license, permit, tag, and
 144 stamp fees, by repealing subparagraph (I) of paragraph (8) and designating said subparagraph
 145 as reserved.

146 **SECTION 6.**

147 Said title is further amended in Code Section 27-2-1, relating to general license requirements
 148 for hunting, trapping, and fishing, by revising subsection (b) as follows:

149 "(b) It shall be unlawful for any resident of this state who has attained the age of 16 years
 150 to hunt, fish in the waters of this state, or trap without a valid hunting license, fishing
 151 license, or trapping license, respectively, as provided in Code Section 27-2-23, except on
 152 premises owned by him or her or his or her immediate family; provided, however, that the
 153 resident owner of any vessel with a valid registration in accordance with Code Section
 154 52-7-5 shall have, as part of the registration fee for such vessel, a paid three-day resident
 155 hunting and fishing license that begins on such owner's date of birth and extends two
 156 consecutive days thereafter in accordance with the requirements of this title and as
 157 otherwise specified by the department. It shall be unlawful for any resident of this state to
 158 hunt, fish, or trap in this state without carrying such license upon his or her person, except
 159 on premises owned by him or her or his or her immediate family and except when
 160 otherwise specifically directed by authorized personnel of the department."

161 **SECTION 7.**

162 This Act shall become effective on July 1, 2013.

163 **SECTION 8.**

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