

House Bill 1233

By: Representatives Rhodes of the 120<sup>th</sup>, LaRiccia of the 169<sup>th</sup>, and Corbett of the 174<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Article 1 of Chapter 2 of Title 12, Title 27, and Article 1 of Chapter 7 of Title 52  
2 of the Official Code of Georgia Annotated, relating to general provisions of the Department  
3 of Natural Resources, game and fish, and general provisions of the registration, operation,  
4 and sale of watercraft, respectively, so as to delay the earliest effective date for certain rules  
5 and regulations for which criminal violations may be established; to set certain requirements  
6 for weapons used for hunting migratory game birds; to provide for related matters; to repeal  
7 conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 Article 1 of Chapter 2 of Title 12 of the Official Code of Georgia Annotated, relating to  
11 general provisions of the Department of Natural Resources, is amended by revising  
12 paragraph (5) of subsection (c) of Code Section 12-2-2, relating to the Environmental  
13 Protection Division, as follows:

14 "(5) Notwithstanding any other law to the contrary, for purposes of establishing criminal  
15 violations of the standards, rules, and regulations promulgated by the Board of Natural  
16 Resources as provided in this title, the term 'standards, rules, and regulations' shall mean

17 those standards, rules, and regulations of the Board of Natural Resources in force and  
18 effect on January 1, ~~2021~~ 2022."

19 **SECTION 2.**

20 Title 27 of the Official Code of Georgia Annotated, relating to game and fish, is amended in  
21 Chapter 1, relating to general provisions, by revising Code Section 27-1-39, relating to the  
22 rules and regulations used to establish criminal violations, as follows:

23 "27-1-39.

24 Notwithstanding any other law to the contrary, for purposes of establishing criminal  
25 violations of the rules and regulations promulgated by the Board of Natural Resources as  
26 provided in this title, the term 'rules and regulations' means those rules and regulations of  
27 the Board of Natural Resources in force and effect on January 1, ~~2021~~ 2022."

28 **SECTION 3.**

29 Said title is further amended in Article 1 of Chapter 2, relating to hunting, trapping, or  
30 fishing, by revising subsection (c) of Code Section 27-2-6, relating to Georgia waterfowl and  
31 migratory bird stamps, as follows:

32 "(c) It shall be unlawful for any person who has attained the age of 16 years to hunt ~~ducks,~~  
33 ~~geese, or swans~~ migratory game birds unless such person has in his or her possession a  
34 Georgia waterfowl and migratory bird stamp in addition to the required hunting license;  
35 provided, however, that a Georgia waterfowl and migratory bird stamp or a landowner  
36 Georgia waterfowl and migratory bird stamp shall be required for any resident of this state  
37 to hunt migratory birds on premises owned by him or her or his or her immediate family."

38 **SECTION 4.**

39 Said title is further amended in Part 1 of Article 1 of Chapter 3, relating to general provisions  
40 of hunting, by revising paragraph (4) of subsection (a) of Code Section 27-3-4, relating to  
41 legal weapons for hunting wildlife generally, as follows:

42 "(4) Weapons for hunting small game shall be limited to shotguns with shot shell size of  
43 no greater than 3 1/2 inches in length with No. 2 lead shot or smaller or federally  
44 approved nontoxic shot size of F or smaller shot, .22 caliber or smaller rimfire firearms,  
45 air rifles, muzzleloading firearms, longbows, recurve bows, crossbows, and compound  
46 bows; provided, however, that in addition to the weapons listed in this paragraph, any  
47 center-fire firearm of .17 caliber or larger may be used for hunting fox and bobcat. For  
48 hunting migratory game birds, shotguns are limited to a capacity of not more than three  
49 shells in the magazine and chamber combined. Further, the plug shall be of a single piece  
50 incapable of being removed through the loading end of the magazine. Nothing contained  
51 in this paragraph shall permit the taking of protected species;"

52 **SECTION 5.**

53 Article 1 of Chapter 7 of Title 52 of the Official Code of Georgia Annotated, relating to  
54 general provisions of the registration, operation, and sale of watercraft, is amended by  
55 revising subsection (a) of Code Section 52-7-26, relating to penalties, as follows:

56 "(a) Except as otherwise provided in this article, any person who violates this article or any  
57 rule or regulation promulgated hereunder shall be guilty of a misdemeanor. For purposes  
58 of establishing criminal violations of the rules and regulations promulgated by the board  
59 as provided in this article, the term 'rules and regulations' means those rules and regulations  
60 of the board in force and effect on January 1, ~~2021~~ 2022."

61 **SECTION 6.**

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