

House Bill 275

By: Representatives Dubnik of the 29th, Hawkins of the 27th, Knight of the 130th, Powell of the 32nd, Smith of the 70th, 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 change provisions relative to rules and
3 regulations used to establish criminal violations; to amend Article 1 of Chapter 7 of Title 52
4 of the Official Code of Georgia Annotated, relating to general provisions relative to the
5 registration, operation, and sale of watercraft, so as to regulate activities related to body
6 surfing and wake surfing; to provide for related matters; to provide for an effective date and
7 applicability; to repeal conflicting laws; and for other purposes.

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

9 **SECTION 1.**

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

13 "27-1-39.

14 Notwithstanding any other law to the contrary, for purposes of establishing criminal
15 violations of the rules and regulations promulgated by the Board of Natural Resources as
16 provided in this title, the term 'rules and regulations' means those rules and regulations of
17 the Board of Natural Resources in force and effect on January 1, ~~2016~~ 2017."

18 **SECTION 2.**

19 Article 1 of Chapter 7 of Title 52 of the Official Code of Georgia Annotated, relating to
20 general provisions relative to the registration, operation, and sale of watercraft, is amended
21 by revising Code Section 52-7-16, relating to towing persons on water skis, aquaplanes,
22 surfboards or similar devices, as follows:

23 "52-7-16.

24 (a) As used in this Code section, the term:

25 (1) 'Body surfing' means unassisted swimming or floating by a person on or in the wake
 26 directly behind a vessel that is underway. Such term shall not include a person who is
 27 being towed by a vessel.

28 (2) 'Wake surfing' means using a surfboard, wakeboard, or similar device to ride on or
 29 in the wake directly behind a vessel that is underway. Such term shall not include a
 30 person who is being towed by a vessel.

31 (a.1) No person shall operate a vessel on any of the waters of this state for towing a person
 32 or persons on water skis, aquaplane, surfboard, or any similar device, or for producing
 33 wake for body surfing or wake surfing, unless the vessel is equipped with a wide-angle
 34 mirror mounted in such a manner as to permit the operator of the vessel to observe at all
 35 times the person or persons being towed, body surfing, or wake surfing or unless there is
 36 in such vessel a competent person, in addition to the operator, in a position to observe at
 37 all times the person or persons being towed, body surfing, or wake surfing.

38 (b) No person shall operate any vessel on any of the waters of this state for towing a
 39 person or persons on water skis, aquaplane, surfboard, or similar devices, or for producing
 40 wake for body surfing or wake surfing, nor shall any person or persons engage in body
 41 surfing, wake surfing, water skiing, aquaplaning, surfboarding, or similar activities unless
 42 such person or persons body surfing, wake surfing, or being towed are wearing a ski belt,
 43 ski jacket, or a Type I, II, or III United States Coast Guard approved personal flotation
 44 device.

45 (c) No person shall operate a vessel on any of the waters of this state for towing a person
 46 or persons on water skis, aquaplane, surfboard, or similar devices, or for producing wake
 47 for body surfing or wake surfing, nor shall any person engage in body surfing, wake
 48 surfing, water skiing, aquaplaning, surfboarding, or similar activity at any time between the
 49 hours from sunset to sunrise.

50 (d) No person shall operate a vessel on any of the waters of this state for producing wake
 51 for body surfing where such vessel is equipped with an outboard, stern drive, or
 52 inboard/outboard engine, nor shall a person engage in body surfing using the wake from
 53 a vessel equipped with an outboard, stern drive, or inboard/outboard engine.

54 ~~(d)~~(e) Subsections ~~(a)~~ (a.1), (b), ~~and~~ (c), ~~and~~ (d) of this Code section ~~do~~ shall not apply to
 55 a performer engaged in a professional exhibition or a person or persons engaged in an
 56 activity authorized under Code Section 52-7-19."

57 **SECTION 3.**

58 This Act shall become effective on July 1, 2017, and shall apply to all offenses occurring on
 59 or after such date.

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SECTION 4.

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