

House Bill 1147 (AS PASSED HOUSE AND SENATE)

By: Representatives Rhodes of the 120<sup>th</sup>, Corbett of the 174<sup>th</sup>, LaHood of the 175<sup>th</sup>, Ridley of the 6<sup>th</sup>, Smith of the 18<sup>th</sup>, and others

A BILL TO BE ENTITLED  
AN ACT

1 To amend Chapter 3 of Title 27 of the Official Code of Georgia Annotated, relating to  
2 wildlife generally, so as to authorize, at the discretion of the Board of Natural Resources, the  
3 trapping on private land and hunting of raccoons and opossum year round; to provide for  
4 related matters; to provide an effective date; to repeal conflicting laws; and for other  
5 purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Chapter 3 of Title 27 of the Official Code of Georgia Annotated, relating to wildlife  
9 generally, is amended by revising Code Section 27-3-15, relating to seasons and bag limits,  
10 as follows:

11 "27-3-15.

12 (a) It shall be unlawful to hunt the following game species at any time during the periods  
13 set forth below:

<u>Game Species</u>	<u>Closed Season</u>
14 (1) Quail	March 16 — Oct. 31
15 (2) Grouse	March 1 — Oct. 14

- 17 (3) Turkey  
 18 (A) Gobblers May 22 — March 14  
 19 (B) Hens All year  
 20 (4) Deer Jan. 16 — Sept. 7; except that as  
 21 may be appropriate, and based solely  
 22 on sound wildlife management  
 23 principles, the department may by  
 24 rule extend the season by region, by  
 25 county, or locale to Jan. 31 for  
 26 archery only.  
 27 (5) Bobcat March 1 — Oct. 14  
 28 (6) Opossum ~~March 1 — Oct. 14~~ No closed  
 29 season, except as may be adopted by  
 30 the board  
 31 (7) Rabbit March 1 — Oct. 31  
 32 (8) Raccoon ~~March 1 — Oct. 14~~ No closed  
 33 season, except as may be adopted by  
 34 the board  
 35 (9) Squirrel March 1 — August 14  
 36 (10) Bear Jan. 16 — Sept. 7  
 37 (11) Sea turtles and their eggs All year  
 38 (12) Cougar (Puma concolor) All year  
 39 (13) Alligators Nov. 1 — March 31  
 40 (14) Migratory game birds March 11 — August 31  
 41 (b) It shall be unlawful to hunt the following game species at any time during the period  
 42 set forth below, except that it shall not be unlawful to hunt the following game species

43 during such periods or portions thereof, and in such number not to exceed the following  
 44 numbers, as may be designated by the board as open seasons and bag limits for such  
 45 species:

46	<u>Game Species</u>	<u>Maximum Open Season</u>	<u>Maximum Bag Limits</u>	
			<u>Daily</u>	<u>Season</u>
47				
48	(1) Quail	Nov. 1 — March 15	12	No limit
49	(2) Grouse	Oct. 15 — Feb. 29	3	No limit
50	(3) Turkey	March 15 — May 21	3	3
51	gobblers			
52	(4) Deer	Sept. 8 — Jan. 15; except that as may be	12	12
53		appropriate and based solely on sound	The department may by	
54		wildlife management principles, the	rule exempt deer taken	
55		department may by rule extend the	on department managed	
56		season by region, by county, or locale to	lands from the	
57		Jan. 31 for archery only	state-wide bag limit.	
58	(5) Bobcat	Oct. 15 — Feb. 29	No limit	No limit
59	(6) Opossum	<del>Oct. 15 — Feb. 29</del> <u>Jan. 1 — Dec. 31</u>	No limit	No limit
60	(7) Rabbit	Nov. 1 — Feb. 29	12	No limit
61	(8) Raccoon	<del>Oct. 15 — Feb. 29</del> <u>Jan. 1 — Dec. 31</u>	No limit	No limit
62	(9) Squirrel	Aug. 15 — Feb. 29	12	No limit
63	(10) Fox	Jan. 1 — Dec. 31	No limit	No limit
64	(11) Migratory	Sept. 1 — March 10	Subject to limits set by	
65	game		the federal government	
66	birds		and adopted by the	
67			board	

68 (12) Bear Sept. 8 — Jan. 15 2 2

69 The department may by  
70 rule exempt bear taken  
71 on department managed  
72 lands from the  
73 state-wide bag limit.

74 (13) Alligators April 1 — Oct. 31 Subject to limits  
75 adopted by the board

76 (c) In accordance with subsection (b) of this Code section and as may be appropriate,  
77 based on sound wildlife management principles, the board is authorized to promulgate rules  
78 and regulations establishing open seasons on a state-wide, regional, or local basis and  
79 establishing daily and season bag limits.

80 (d) In accordance with subsection (b) of this Code section and in accordance with the  
81 framework of open hunting season dates for migratory game birds established by the  
82 United States Fish and Wildlife Service and as may be appropriate based on sound wildlife  
83 management principles, the board is authorized to promulgate rules and regulations  
84 establishing methods of taking, daily and season bag limits, and open seasons for migratory  
85 game birds on a state-wide, regional, or local basis. The board is specifically authorized  
86 to promulgate such rules and regulations without complying with Chapter 13 of Title 50,  
87 the 'Georgia Administrative Procedure Act'; and all rules and regulations promulgated by  
88 the board pursuant to this subsection shall be effective immediately upon adoption by the  
89 board.

90 (e) It shall be unlawful for any person to possess more than the daily bag limit or more  
91 than the aggregate of the daily bag limits while in the field or while returning from the field  
92 to one's automobile or principal means of land transportation or to one's permanent abode  
93 or temporary or transient place of lodging or to a commercial storage facility or to a post  
94 office or to a common carrier facility.

95 (f) Notwithstanding the provisions of subsections (a) and (b) of this Code section, it shall  
 96 be unlawful to take the species designated below, except squirrels, by means of falconry  
 97 at any time during the period March 16 through September 30; but it shall not be unlawful  
 98 to take the species designated below, except squirrels, by means of falconry during the  
 99 period October 1 through March 15. It shall be unlawful to take squirrels by means of  
 100 falconry at any time during the period March 16 through August 14, but it shall not be  
 101 unlawful to take squirrels by means of falconry at any time during the period August 15  
 102 through March 15 in such number not exceeding the bag limits for each such species as  
 103 follows:

<u>Game Species</u>	<u>Maximum Bag Limits</u>	
	<u>Daily</u>	<u>Season</u>
106 (1) Quail	12	No limit
107 (2) Grouse	3	No limit
108 (3) Rabbit	12	No limit
109 (4) Squirrel	12	No limit

110 (g) As may be appropriate based on sound principles of wildlife management, the  
 111 department is authorized to establish a deer management assistance program, which may  
 112 include fees and may prescribe property-specific bag limits without complying with the  
 113 state-wide bag limit specified in subsection (b) of this Code section."

## 114 **SECTION 2.**

115 Said chapter is further amended by revising Code Section 27-3-62, relating to open seasons,  
 116 as follows:

117 "27-3-62.

118 (a) Except as otherwise specifically provided in this Code section, it shall be unlawful to  
 119 trap any wildlife in this state between March 1 and November 19.

120 (b) It shall be unlawful to trap any wildlife during the period between November 20 and  
121 February 29, except as otherwise provided in this Code section and except that it shall not  
122 be unlawful to trap a fur-bearing animal during that period or a portion thereof if that  
123 period or portion thereof is designated by the board as an open trapping season for such  
124 fur-bearing animal.

125 (c) In accordance with subsection (b) of this Code section and as may be appropriate in  
126 accordance with sound wildlife management principles, the board is authorized to  
127 promulgate rules and regulations establishing open seasons for the trapping of fur-bearing  
128 animals on a state-wide, regional, or local basis.

129 (d) Notwithstanding subsection (a) or (b) of this Code section, it shall be lawful to trap on  
130 private land not operated by the department beaver, raccoons, opossum, rats, and mice at  
131 any time during the year. It shall also be lawful for any person to set steel traps within 200  
132 yards of the residence or dwelling of any such person for the protection of livestock, ratites,  
133 poultry, or other fowl or domestic animals from any predatory bird or animal.

134 (e) Any person who violates any provision of this Code section shall be guilty of a  
135 misdemeanor."

136 **SECTION 3.**

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

139 **SECTION 4.**

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