

House Bill 1233 (AS PASSED HOUSE AND SENATE)

By: Representatives Rhodes of the 120th, LaRiccia of the 169th, and Corbett of the 174th

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 repeal creel and possession limits of
7 certain bass species; to provide for related matters; to repeal conflicting laws; and for other
8 purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

10 **SECTION 1.**

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

15 "(5) Notwithstanding any other law to the contrary, for purposes of establishing criminal
16 violations of the standards, rules, and regulations promulgated by the Board of Natural

17 Resources as provided in this title, the term 'standards, rules, and regulations' shall mean
18 those standards, rules, and regulations of the Board of Natural Resources in force and
19 effect on January 1, ~~2021~~ 2022."

20 **SECTION 2.**

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

24 "27-1-39.

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

29 **SECTION 3.**

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

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

39 **SECTION 4.**

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

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

53 **SECTION 5.**

54 Said title is further amended by revising subsection (a) of Code Section 27-4-10, relating to
55 creel and possession limits and size restrictions, as follows:

56 "(a) It shall be unlawful to take in one day or to possess at any one time, except at a
57 commercial storage facility or at one's place of abode, more than the creel and possession
58 limits established by the board for that fish species; provided, however, that it shall be
59 illegal to possess more than a total of 50 individuals of all fresh water species named in this
60 Code section. It shall be unlawful to take from the waters of this state or to possess any
61 fish species larger or smaller or in numbers greater than the limits established by the board
62 in accordance with this Code section. The board shall establish creel and possession limits
63 which shall be no greater than the following limits and shall establish sizes of fish species
64 within the following ranges which may not be taken:

65	Species	Ranges of Sizes	Maximum Daily
66		Within Which Fish	Creel And
67		May Not Be Taken	Possession Limit
68	(1) Genus micropterus (black	0 — 24 inches	10
69	bass)		
70	(2) Smallmouth bass	0 — 18 inches	10
71	(3) Shoal bass	0 — 18 inches	10
72	(4) Suwannee bass	0 — 18 inches	10
73	(5) Spotted bass or	0 — 18 inches	10
74	Kentucky bass		
75	(6) Redeye bass or Coosa bass	0 — 12 inches	10
76	(7) <u>(2)</u> Mountain trout	0 — 24 inches	8
77	(8) <u>(3)</u> White bass	0 — 36 inches	15
78	(9) <u>(4)</u> Striped bass	0 — 36 inches	15
79	(10) <u>(5)</u> Striped white bass	0 — 36 inches	15
80	hybrids		
81	(11) <u>(6)</u> Any one or	0 — 10 inches	50
82	combination		
83	of the species of bream		
84	or sunfish		
85	(12) <u>(7)</u> Walleye	0 — 24 inches	15
86	(13) <u>(8)</u> Sauger	0 — 24 inches	15
87	(14) <u>(9)</u> Chain pickerel	0 — 24 inches	15
88	(15) <u>(10)</u> Grass pickerel	0 — 12 inches	15
89	(16) <u>(11)</u> Redfin pickerel	0 — 12 inches	15
90	(17) <u>(12)</u> Black crappie	0 — 14 inches	30

91	(18) <u>(13)</u> White crappie	0 — 14 inches	30
92	(19) <u>(14)</u> American shad	0 — 30 inches	8
93	(20) <u>(15)</u> Hickory shad	0 — 24 inches	8
94	(21) <u>(16)</u> Amberjack	0 — 50 inches	5
95	(22) <u>(17)</u> Atlantic croaker	0 — 10 inches	25
96	(23) <u>(18)</u> Atlantic sturgeon	0 — 86 inches	1
97	(24) <u>(19)</u> Black drum	0 — 36 inches	15
98	(25) <u>(20)</u> Black sea bass	0 — 15 inches	15
99	(26) <u>(21)</u> Blue marlin		3
100	(27) <u>(22)</u> Bluefish	0 — 20 inches	15
101	(28) <u>(23)</u> Cobia	0 — 40 inches	5
102	(29) <u>(24)</u> Dolphin	0 — 24 inches	15
103	(30) <u>(25)</u> Flounder (Paralichthys	0 — 15 inches	15
104	spp.)		
105	(31) <u>(26)</u> Gag grouper	0 — 25 inches	5
106	(32) <u>(27)</u> King mackerel	0 — 36 inches	5
107	(33) <u>(28)</u> Red drum	0 — 36 inches	5
108	(34) <u>(29)</u> Red porgy	0 — 20 inches	10
109	(35) <u>(30)</u> Red snapper	0 — 25 inches	5
110	(36) <u>(31)</u> Sailfish		3
111	(37) <u>(32)</u> Sand tiger shark	0 — 140 inches	1
112	(38) <u>(33)</u> Sharks	0 — 120 inches	2
113	(39) <u>(34)</u> Sheepshead	0 — 20 inches	15

114	(40) (35) Small sharks	0 — 54 inches	4
115	composite		
116	(Atlantic sharpnose,		
117	bonnethead, and spiny		
118	dogfish)		
119	(41) (36) Spanish mackerel	0 — 20 inches	20
120	(42) (37) Spot	0 — 10 inches	25
121	(43) (38) Spotted sea trout	0 — 25 inches	15
122	(44) (39) Tarpon	0 — 90 inches	1
123	(45) (40) Tripletail	0 — 25 inches	5
124	(46) (41) Weakfish	0 — 15 inches	15
125	(47) (42) White marlin		3 "

126 **SECTION 6.**

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

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

135 **SECTION 7.**

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