

House Bill 840 (AS PASSED HOUSE AND SENATE)

By: Representatives Stephens of the 164th, McCall of the 33rd, Greene of the 151st, Parrish of the 158th, and Smith of the 70th

A BILL TO BE ENTITLED
AN ACT

1 To amend Title 12 and Title 27 of the Official Code of Georgia Annotated, relating to
2 conservation and natural resources and game and fish, respectively, so as to change
3 provisions relating to rules and regulations used to establish criminal violations; to revise a
4 definition relating to feral hogs; to authorize the grant of wildlife exhibition permits for use
5 by the film industry; to provide for related matters; to provide for an effective date and
6 applicability; to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Title 12 of the Official Code of Georgia Annotated, relating to conservation and natural
10 resources, is amended in Code Section 12-2-2, relating to the Environmental Protection
11 Division and the Department of Natural Resources generally, by revising paragraph (5) of
12 subsection (c) as follows:

13 "(5) Notwithstanding any other law to the contrary, for purposes of establishing criminal
14 violations of the standards, rules, and regulations promulgated by the Board of Natural
15 Resources as provided in this title, the term 'standards, rules, and regulations' shall mean
16 those standards, rules, and regulations of the Board of Natural Resources in force and
17 effect on January 1, ~~2013~~ 2016."

18 **SECTION 2.**

19 Title 27 of the Official Code of Georgia Annotated, relating to game and fish, is amended in
20 Code Section 27-1-2, relating to definitions relative to game and fish, by revising paragraph
21 (28) as follows:

22 "(28) 'Feral hog' means any hog which is ~~normally considered domestic but which is~~
23 ~~living in a wild state and cannot be claimed in private ownership~~ has lived any part of its
24 life in a wild, free-ranging state and is currently in such state or has been taken."

25 **SECTION 3.**

26 Said title is further amended by revising Code Section 27-1-39, relating to rules and
27 regulations used to establish criminal violations, as follows:

28 "27-1-39.

29 Notwithstanding any other law to the contrary, for purposes of establishing criminal
30 violations of the rules and regulations promulgated by the Board of Natural Resources as
31 provided in this title, the term 'rules and regulations' means those rules and regulations of
32 the Board of Natural Resources in force and effect on January 1, ~~2015~~ 2016."

33 **SECTION 4.**

34 Said title is further amended by adding a new Code section to read as follows:

35 "27-2-13.1.

36 (a)(1) For purposes of this subsection, the term 'film production' means the creation of
37 film, video, or digital projects in this state, including, but not limited to, the creation of
38 feature films, documentaries, series, pilots, movies for television, advertisements, music
39 videos, and interactive entertainment.

40 (2) It shall be unlawful for any person to keep, hold, or possess any wildlife in captivity
41 for film production purposes or to otherwise provide wildlife for use in film production
42 without first procuring a film production wildlife permit as provided in Code
43 Section 27-2-23. No wildlife may be possessed by the applicant prior to a film
44 production wildlife permit being granted by the department, unless such wildlife was
45 legally possessed by the applicant prior to the grant of the permit. The department may
46 impose conditions on such permit requiring adequate sanitation facilities, housing, and
47 feed for the animals and insuring the safety of the public in accordance with regulations
48 promulgated by the board.

49 (3) A permit issued pursuant to this subsection shall authorize the permit holder to
50 transport, possess, or transfer wildlife for any permitted purpose related to film
51 production; provided, however, that possession of a permit shall not exempt the holder
52 from any other local, state, or federal requirements.

53 (b) It shall be unlawful for any person holding any wildlife in captivity pursuant to a
54 permit issued in accordance with this Code section to release the wildlife from captivity or
55 to house or maintain the wildlife in such a manner as to pose a reasonable possibility that
56 the wildlife may be released accidentally or escape from captivity."

57 **SECTION 5.**

58 Said title is further amended in Code Section 27-2-23, relating to license, permit, tag, and
59 stamp fees, by adding two new subparagraphs to paragraph (8) to read as follows:

60	<u>"(W) Resident film production wildlife permit</u>	<u>Annual</u>	<u>300.00</u>
61	<u>(X) Nonresident film production wildlife permit</u>	<u>Annual</u>	<u>600.00"</u>

62 **SECTION 6.**

63 This Act shall become effective on July 1, 2016, and shall apply to all offenses occurring on
64 or after such date.

65 **SECTION 7.**

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