

**ADOPTED**

Representatives Dubnik of the 29<sup>th</sup>, Knight of the 130<sup>th</sup>, and Meadows of the 5<sup>th</sup> offer the following amendment:

1 *Amend the Senate substitute to HB 275 (HB 275/SCSFA) by replacing lines 4 through 11*  
 2 *with the following:*

3 used to establish criminal violations; to amend Part 1 of Article 1 of Chapter 3 of Title 27 of  
 4 the Official Code of Georgia Annotated, relating to general provisions related to hunting, so  
 5 as to provide for regulation of hunting with air guns; to modify seasons and bag limits for  
 6 deer, opossum, and raccoon; to remove formal report requirements; to authorize the  
 7 Department of Natural Resources to implement a deer management assistance program; to  
 8 amend Article 3 of Chapter 7 of Title 52 of the Official Code of Georgia Annotated, relating  
 9 to abandoned vessels, so as to revise notice requirements regarding abandoned vessels; to  
 10 eliminate duplication of notices to the Department of Natural Resources and the Georgia  
 11 Bureau of Investigation; to provide that such notice shall only be made to the Department of  
 12 Natural Resources; to provide for related matters; to provide for an effective date and  
 13 applicability; to provide for automatic repeal; to repeal conflicting laws; and for other  
 14 purposes.

15 *By replacing lines 35 through 47 with the following:*

16 Part 1 of Article 1 of Chapter 3 of Title 27 of the Official Code of Georgia Annotated,  
 17 relating to general provisions related to hunting, is amended in Code Section 27-3-4, relating  
 18 to legal weapons for hunting wildlife generally, prohibition of use of silencers and  
 19 suppressors, and penalty for violations, by revising paragraphs (8) and (9) of and adding a  
 20 new paragraph to subsection (a) to read as follows:

21 "(8) There are no firearms or air gun, as that term is defined in paragraph (10) of this  
 22 subsection, restrictions for taking nongame animals, nongame birds, or feral hogs; and

23 (9) The use of silencers or suppressors for hunting within this state is prohibited;  
 24 provided, however, that a silencer or suppressor may be used for hunting on the private  
 25 property of the person using such silencer or suppressor, on private property for which  
 26 the owner of such property has provided verifiable permission to the person using such  
 27 silencer or suppressor, and on public lands in areas designated by the department; and

28 (10)(A) For purposes of this paragraph, the term 'air gun' means:

29 (i) Any pistol, handgun, or shoulder-held device, each of not less than 0.30 caliber,  
 30 that utilizes unignited compressed air or gas to propel a projectile in the form of a slug  
 31 or shot; or

32 (ii) Any device that utilizes unignited compressed air or gas to propel an arrow  
 33 equipped with a broadhead.

34 (B) Air guns shall be legal weapons for hunting big game only during primitive  
 35 weapon hunts, primitive weapon seasons, and firearm seasons.

36 (C) This paragraph shall stand repealed effective July 1, 2021, unless continued in  
 37 effect by the General Assembly prior to that date. At its 2021 regular session, the  
 38 General Assembly shall review this paragraph to determine whether it should be  
 39 continued in effect."

#### 40 SECTION 4.

41 Said part is further amended in Code Section 27-3-15, relating to hunting seasons and bag  
 42 limits, promulgation of rules and regulations by board, possession of more than the bag limit,  
 43 and reporting number of deer killed, is amended by revising subsections (a), (b), and (g), as  
 44 follows:

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

47 <u>Game Species</u>	<u>Closed Season</u>
48 (1) Quail	March 16 — Oct. 31
49 (2) Grouse	March 1 — Oct. 14
50 (3) Turkey	
51 (A) Gobblers	May 22 — March 14
52 (B) Hens	All year
53 (4) Deer	Jan. 16 — Sept. 7; except that the
54	closed season may be Feb. 1 - Sept.
55	7 in those counties specified as
56	having an extended archery-only
57	open season in paragraph (4) of
58	subsection (b) of this Code section
59 (5) Bobcat	March 1 — Oct. 14
60 (6) Opossum	March 1 — Oct. 14; <del>for that area</del>
61	<del>north of and including Haralson,</del>
62	<del>Paulding, Bartow, Cherokee,</del>
63	<del>Forsyth, Hall, Banks, Franklin, and</del>
64	<del>Hart counties</del>
65 (7) Rabbit	March 1 — Oct. 31

- 66 (8) Raccoon March 1 — Oct. 14, ~~for that area~~
- 67 ~~north of and including Carroll,~~
- 68 ~~Fulton, Gwinnett, Barrow, Clarke,~~
- 69 ~~Oglethorpe, Taliaferro, Wilkes, and~~
- 70 ~~Lincoln counties~~
- 71 (9) Squirrel March 1 — August 14
- 72 (10) Bear Jan. 16 — Sept. 7
- 73 (11) Sea turtles and their eggs All year
- 74 (12) Cougar (Felis concolor) All year
- 75 (13) Alligators Nov. 1 — March 31
- 76 (14) Migratory game birds March 11 — August 31

77 (b) It shall be unlawful to hunt the following game species at any time during the period  
 78 set forth below, except that it shall not be unlawful to hunt the following game species  
 79 during such periods or portions thereof, and in such number not to exceed the following  
 80 numbers, as may be designated by the board as open seasons and bag limits for such  
 81 species:

<u>Game Species</u>	<u>Maximum Open Season</u>	<u>Maximum Bag Limits</u>	
		<u>Daily</u>	<u>Season</u>
(1) Quail	Nov. 1 — March 15	12	No limit
(2) Grouse	Oct. 15 — Feb. 29	3	No limit
(3) Turkey gobblers	March 15 — May 21	3	3
(4) Deer	Sept. 8 — Jan. 15; except that there may be also an extended archery-only open season Jan. 1– Jan. 31 in the counties of <u>Bibb, Chatham, Clarke, Clayton, Cobb,</u> <u>DeKalb, Forsyth, Fulton, Gwinnett,</u> <u>Henry,</u> and Rockdale due to the extra need for herd reduction in that urban and suburban area of the state	<u>12</u>	<u>12</u>

96 As may be appropriate and based solely  
 97 on sound wildlife management  
 98 principles, the department is authorized  
 99 to develop a deer management assistance  
 100 program that may include applicable fees  
 101 and may prescribe property-specific deer  
 102 harvest seasons without complying with  
 103 the state-wide bag limit as part of such  
 104 program as follows:

~~The daily limit shall be  
 ten antlerless deer and  
 two antlered bucks. The  
 season limit shall be ten  
 antlerless deer and two  
 antlered bucks.~~

~~Only one antlered buck  
 may have less than four  
 points one inch or  
 longer on one side of  
 the antlers.~~

Up to two deer per  
 managed hunt may be  
 allowed on wildlife  
 management areas  
 without complying with  
 the state-wide bag limit.

105 (1) The closed season for deer under  
 106 a deer management assistance  
 107 program shall be February  
 108 1–September 7; and

109 (2) The maximum open season for  
 110 deer under a deer management  
 111 assistance program shall be  
 112 September 8–January 15; except that  
 113 there may be also an extended  
 114 archery-only open season Jan. 1–Jan.  
 115 31 statewide.

116 (5) Bobcat Oct. 15 — Feb. 29

No limit No limit

117 (6) Opossum ~~(A) Oct. 15 — Feb. 29, for that area~~  
 118 ~~north of and including Haralson,~~  
 119 ~~Paulding, Bartow, Cherokee, Forsyth,~~  
 120 ~~Hall, Banks, Franklin, and Hart counties;~~  
 121 ~~and~~

No limit No limit

122 (B) Jan. 1 — Dec. 31 for the  
 123 ~~remainder of the state~~

No limit No limit

124 (7) Rabbit Nov. 1 — Feb. 29

12 12 No limit

125 (8) Raccoon ~~(A) Oct. 15 — Feb. 29, for that area~~  
 126 ~~north of and including Carroll, Fulton,~~  
 127 ~~Gwinnett, Barrow, Clarke, Oglethorpe,~~  
 128 ~~Taliaferro, Wilkes, and Lincoln counties;~~  
 129 ~~and~~

No limit No limit

130 (B) Jan. 1 — Dec. 31 for the  
 131 remainder of the state

No limit No limit

132	(9) Squirrel	Aug. 15 — Feb. 29	12	No limit
133	(10) Fox	Jan. 1 — Dec. 31	No limit	No limit
134	(11) Migratory	Sept. 1 — March 10	Subject to limits set	
135	game		by the federal	
136	birds		government and	
137			adopted by the board	
138	(12) Bear	Sept. 8 — Jan. 15	2	2
139	(13) Alligators	April 1 — Oct. 31	Subject to limits	
140			adopted by the board"	

141 ~~"(g)(1) The department shall report to the General Assembly on or before the fifth day~~  
 142 ~~of February of each year the estimated number of deer killed, by sex, in the immediately~~  
 143 ~~preceding season.~~  
 144 ~~(2) Upon completion of its annual analysis of data from the immediately preceding~~  
 145 ~~season, the department shall report to the General Assembly on the same day that it~~  
 146 ~~reports to the Board of Natural Resources each year the actual number of deer killed, by~~  
 147 ~~sex, in the immediately preceding season Reserved."~~

148 **SECTION 5.**

149 Article 3 of Chapter 7 of Title 52 of the Official Code of Georgia Annotated, relating to  
 150 abandoned vessels, is amended by revising Code Section 52-7-71, relating to removal and  
 151 storage of vessels and procedure, as follows:

152 "52-7-71.

153 (a) Any person who removes a vessel from public property or public water at the request  
 154 of a law enforcement officer or stores such vessel shall, if the owner of the vessel is  
 155 unknown, seek the identity of and address of the last known registered owner of such  
 156 vessel from the law enforcement officer requesting removal of such vessel or such officer's  
 157 agency within 72 hours of removal.

158 (b) Any person who removes a vessel from private property or private waters at the request  
 159 of the property owner or stores such vessel shall, if the owner of the vessel is unknown,  
 160 notify in writing a local law enforcement agency of the location of the vessel, the vessel  
 161 certificate of number, and the hull identification number, model, year, and make of the  
 162 vessel, if known or if readily ascertainable, within 72 hours of the removal of such vessel  
 163 and shall seek from the local law enforcement agency the identity and address of the last  
 164 known registered owner of such vessel and any information indicating that such vessel is  
 165 a stolen vessel.

166 (c) If any vessel removed under conditions set forth in subsection (a) or (b) of this Code  
 167 section is determined to be a stolen vessel, the local law enforcement officer or agency  
 168 shall notify the ~~Georgia Crime Information Center~~ Department of Natural Resources and  
 169 the owner, if known, of the location of such vessel within 72 hours after receiving notice  
 170 that such vessel is a stolen vessel.

171 (d) If any vessel removed under conditions set forth in subsection (a) or (b) of this Code  
 172 section is determined not to be a stolen vessel or is not a vessel being repaired by a repair  
 173 facility or is not being stored by an insurance company providing insurance to cover  
 174 damages to the vessel, the person removing or storing such vessel shall, within seven  
 175 calendar days of the day such vessel was removed, notify the owner, if known, by certified  
 176 or registered mail or statutory overnight delivery of the location of such vessel, the fees  
 177 connected with removal and storage of such vessel, and the fact that such vessel will be  
 178 deemed abandoned under this article unless the owner redeems such vessel within 30 days  
 179 of the date such vessel was removed.

180 (e) If the person identified as the owner fails to redeem such vessel as described in  
 181 subsection (d) of this Code section, or if a vessel being repaired by a repair facility or being  
 182 stored by an insurance company providing insurance to cover damages to the vessel  
 183 becomes abandoned, the person removing or storing such vessel shall, within seven  
 184 calendar days of the day such vessel became an abandoned vessel, give notice in writing,  
 185 by sworn statement, to the Department of Natural Resources ~~and the Georgia Bureau of~~  
 186 ~~Investigation~~, stating the vessel certificate of number; the hull identification number; the  
 187 fact that such vessel is an abandoned vessel; the model, year, and make of the vessel, if  
 188 known or if readily ascertainable; the date the vessel became an abandoned vessel; the  
 189 date the vessel was removed; and the present location of such vessel; and requesting the  
 190 name and address of all owners, lessors, lessees, security interest holders, and lienholders  
 191 of such vessel. If a person removing or storing the vessel has knowledge of facts which  
 192 reasonably indicate that the vessel is registered or titled in a certain other state, such person  
 193 shall check the vessel records of that other state in the attempt to ascertain the identity of  
 194 the owner of the vessel.

195 (e.1)(1)(A) Upon notice to the Department of Natural Resources as described in  
 196 subsection (e) of this Code section, then the commissioner may revoke, suspend, deny,  
 197 or refuse to renew any vessel certificate of number or commercial fishing boat license  
 198 required by this title or Title 27 which is held by or has been applied for by the person,  
 199 until all fees connected with removal and storage of the vessel have been paid and any  
 200 lien acquired under Code Section 52-7-73 for such fees has been satisfied. The person  
 201 shall be notified of the proposed order for revocation, suspension, denial, or nonrenewal  
 202 personally or by a letter sent by certified mail or statutory overnight delivery to the

203 name and address indicated on the application for the certificate of number or license,  
204 or both. The proposed order for revocation, suspension, denial, or nonrenewal shall  
205 become final 30 days after issuance if not appealed as provided in this paragraph.

206 (B) Any person whose vessel certificate of number or commercial fishing boat license  
207 is proposed for revocation, suspension, denial, or nonrenewal under this paragraph shall  
208 have the right to enter an appeal in the superior court of the county of his or her  
209 residence or in the Superior Court of Fulton County. Such appeal shall name the  
210 commissioner as defendant and must be filed within 30 days from the date the notice  
211 of the proposed order was sent. The person filing the appeal shall neither be required  
212 to post any bond nor to pay the costs in advance. If the person so desires, the appeal  
213 may be heard by the judge at term or in chambers or by a jury at the first term. The  
214 hearing on the appeal shall be de novo, but no appeal shall act as a supersedeas of any  
215 orders or acts of the department.

216 (2)(A) Upon notice to the Department of Natural Resources as described in  
217 subsection (e) of this Code section and delivery of a copy of such notice to the state  
218 revenue commissioner, then the state revenue commissioner may revoke, suspend,  
219 deny, or refuse to renew any motor vehicle registration required by Title 40 which is  
220 held by or has been applied for by the person, until all fees connected with removal and  
221 storage of the vessel have been paid and any lien acquired under Code Section 52-7-73  
222 for such fees has been satisfied. The person shall be notified of the proposed order for  
223 revocation, suspension, denial, or nonrenewal personally or by a letter sent by certified  
224 mail or statutory overnight delivery to the name and address indicated on the  
225 application for the registration. The proposed order for revocation, suspension, denial,  
226 or nonrenewal shall become final 30 days after issuance if not appealed as provided in  
227 this paragraph.

228 (B) Any person whose motor vehicle registration is proposed for revocation,  
229 suspension, denial, or nonrenewal under this paragraph shall have the right to enter an  
230 appeal in the superior court of the county of his or her residence or in the Superior  
231 Court of Fulton County. Such appeal shall name the state revenue commissioner as  
232 defendant and must be filed within 30 days from the date the notice of the proposed  
233 order was sent. The person filing the appeal shall neither be required to post any bond  
234 nor to pay the costs in advance. If the person so desires, the appeal may be heard by  
235 the judge at term or in chambers or by a jury at the first term. The hearing on the  
236 appeal shall be de novo, but no appeal shall act as a supersedeas of any orders or acts  
237 of the department.

238 (f) Upon ascertaining the owner of such vessel, the person removing or storing such vessel  
239 shall, within five calendar days, by certified or registered mail or statutory overnight

240 delivery, notify the owner, lessors, lessees, security interest holders, and lienholders of the  
 241 vessel of the location of such vessel and of the fact that such vessel is deemed abandoned  
 242 and shall be disposed of if not redeemed.

243 (g) If the identity of the owner of such vessel cannot be ascertained, the person removing  
 244 or storing such vessel shall place an advertisement in a newspaper of general circulation  
 245 in the county where such vessel was obtained or, if there is no newspaper in such county,  
 246 shall post such advertisement at the county courthouse in such place where other public  
 247 notices are posted. Such advertisement shall run in the newspaper once a week for two  
 248 consecutive weeks or shall remain posted at the courthouse for two consecutive weeks.  
 249 The advertisement shall contain a complete description of the vessel, its certificate of  
 250 number and hull identification number, the location from where such vessel was initially  
 251 removed, the present location of such vessel, and the fact that such vessel is deemed  
 252 abandoned and shall be disposed of if not redeemed.

253 ~~(h) Information forwarded to the Georgia Bureau of Investigation as required by this Code~~  
 254 ~~section shall be placed by the bureau on the National Crime Information Center Network.~~

255 ~~(i)~~ Any person storing a vessel under the provisions of this Code section shall notify the  
 256 Department of Natural Resources ~~and the Georgia Bureau of Investigation~~ if the vessel is  
 257 recovered, is claimed by the owner, is determined to be stolen, or is for any reason no  
 258 longer an abandoned vessel. Such notice shall be provided within seven calendar days of  
 259 such event.

260 ~~(j)~~(i) If vessel information on the abandoned vessel is not in the files of the Department  
 261 of Natural Resources, the department may require such other information or confirmation  
 262 as it determines is necessary or appropriate to determine the identity of the vessel.

263 ~~(k)~~(j) Any person who does not provide the notice and information required by this Code  
 264 section shall not be entitled to any storage fees.

265 ~~(l)~~(k) Any person who knowingly provides false or misleading information when  
 266 providing any notice or information as required by this Code section shall be guilty of a  
 267 misdemeanor and, upon conviction thereof, shall be punished as for a misdemeanor."

268 **SECTION 6.**

269 Said article is further amended by revising subparagraph (d)(1)(A) of Code Section 52-7-72,  
 270 relating to authority of peace officer to cause removal of unattended vessels, notifications,  
 271 and duties, as follows:

272 "(A) Notify the Department of Natural Resources ~~and the Georgia Crime Information~~  
 273 ~~Center~~ of the description of the vessel, whether the vessel has been removed or not,  
 274 and, if removed, the location to which such vessel has been removed; and"

275  
276  
277  
278  
279  
280  
281  
282  
283  
284  
285  
286  
287  
288  
289  
290  
291  
292  
293  
294  
295  
296  
297  
298  
299  
300  
301  
302  
303  
304  
305  
306  
307  
308  
309  
310  
311

**SECTION 7.**

Said article is further amended by revising Code Section 52-7-72.1, relating to penalty for failing to remove unattended vessel, as follows:

"52-7-72.1.

(a)(1) If any vessel for which the Department of Natural Resources ~~and the Georgia Crime Information Center~~ have has received notice pursuant to subsection (d) of Code Section 52-7-72 has not been removed and is determined not to be a stolen vessel, the ~~commissioner~~ Commissioner of Natural Resources may proceed to take action against the owner as provided by this Code section.

(2) If any vessel for which the Department of Natural Resources ~~and the Georgia Crime Information Center~~ have has received notice pursuant to subsection (d) of Code Section 52-7-72 has been removed, the provisions of this Code section shall not apply and the provisions of Code Section 52-7-71 shall apply instead.

(b)(1)(A) Upon notice to the Department of Natural Resources as described in subsection (d) of Code Section 52-7-72, then the ~~commissioner~~ Commissioner of Natural Resources may revoke, suspend, deny, or refuse to renew any vessel certificate of number or commercial fishing boat license required by this title or Title 27 which is held by or has been applied for by a person who owns the vessel, until the owner restores and resumes operation of the vessel or removes it from public waters or public property. The person shall be notified of the proposed order for revocation, suspension, denial, or nonrenewal personally or by a letter sent by certified mail or statutory overnight delivery to the name and address indicated on the application for the certificate of number or license, or both. The proposed order for revocation, suspension, denial, or nonrenewal shall become final 30 days after issuance if not appealed as provided in this paragraph.

(B) Any person whose vessel certificate of number or commercial fishing boat license is proposed for revocation, suspension, denial, or nonrenewal under this paragraph shall have the right to enter an appeal in the superior court of the county of his or her residence or in the Superior Court of Fulton County. Such appeal shall name the commissioner as defendant and must be filed within 30 days from the date the notice of the proposed order was sent. The person filing the appeal shall neither be required to post any bond nor to pay the costs in advance. If the person so desires, the appeal may be heard by the judge at term or in chambers or by a jury at the first term. The hearing on the appeal shall be de novo, but no appeal shall act as a supersedeas of any orders or acts of the department.

(2)(A) Upon notice to the Department of Natural Resources as described in subsection (d) of Code Section 52-7-72 and delivery of a copy of such notice to the

312 state revenue commissioner, then the state revenue commissioner may revoke, suspend,  
313 deny, or refuse to renew any motor vehicle registration required by Title 40 which is  
314 held by or has been applied for by a person who owns the vessel, until the owner  
315 restores and resumes operation of the vessel or removes it from public waters or public  
316 property. The person shall be notified of the proposed order for revocation, suspension,  
317 denial, or nonrenewal personally or by a letter sent by certified mail or statutory  
318 overnight delivery to the name and address indicated on the application for the  
319 registration. The proposed order for revocation, suspension, denial, or nonrenewal shall  
320 become final 30 days after issuance if not appealed as provided in this paragraph.  
321 (B) Any person whose motor vehicle registration is proposed for revocation,  
322 suspension, denial, or nonrenewal under this paragraph shall have the right to enter an  
323 appeal in the superior court of the county of his or her residence or in the Superior  
324 Court of Fulton County. Such appeal shall name the state revenue commissioner as  
325 defendant and must be filed within 30 days from the date the notice of the proposed  
326 order was sent. The person filing the appeal shall neither be required to post any bond  
327 nor to pay the costs in advance. If the person so desires, the appeal may be heard by  
328 the judge at term or in chambers or by a jury at the first term. The hearing on the  
329 appeal shall be de novo, but no appeal shall act as a supersedeas of any orders or acts  
330 of the department."

331 **SECTION 8.**

332 *By replacing "SECTION 5." with "SECTION 9." in line 50.*