

# O.C.G.A. § 4-10-1

Current through the 2022 Regular Session of the General Assembly.

***Official Code of Georgia Annotated > TITLE 4 Animals (Chs. 1 — 15) > CHAPTER 10 Dealers in Exotic Birds and Pet Birds (§§ 4-10-1 — 4-10-12)***

## **4-10-1. Short title.**

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This chapter may be cited as the “Bird Dealers Licensing Act.”

## **History**

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Ga. L. 1981, p. 510, § 1.

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## O.C.G.A. § 4-10-2

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### **4-10-2. Legislative findings.**

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The General Assembly finds that the sale of exotic and pet birds presents a serious potential hazard to the health of livestock and humans due to the potential of transmission of disease by birds. The General Assembly further finds that regulation of bird dealers is a necessary means of minimizing this hazard.

### **History**

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Ga. L. 1981, p. 510, § 2.

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## O.C.G.A. § 4-10-3

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### 4-10-3. Definitions.

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As used in this chapter, the term:

- (1) “Bird dealer” means any person engaged in the business of dealing in, purchasing, breeding, or offering for sale, whether at wholesale or retail, any exotic birds, pet birds, or birds customarily kept as pets.
- (2) “Person” means any individual, firm, partnership, corporation, estate, trust, fiduciary, or other group or combination acting as a unit.

### History

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Ga. L. 1981, p. 510, § 3.

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## O.C.G.A. § 4-10-4

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### **4-10-4. License — Requirement.**

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It shall be unlawful for any person to act as a bird dealer unless such person has a valid bird dealer's license.

### **History**

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Ga. L. 1981, p. 510, § 4.

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## O.C.G.A. § 4-10-5

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### **4-10-5. License — Issuance; duration; renewal; fees.**

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- (a) The department shall license bird dealers under the applicable provisions of Chapter 5 of Title 2, the “Department of Agriculture Registration, License, and Permit Act.”
- (b) Bird dealers’ licenses shall be issued for a period of one year and shall be annually renewable. The department may establish separate classes of licenses, including wholesale and retail licenses. The department shall fix fees for licenses so that the revenue derived from licenses shall approximate the total direct and indirect costs of administering this chapter; but the annual fee for any such license shall be at least \$50.00 but shall not exceed \$400.00. Any fees collected pursuant to this Code section shall be retained pursuant to the provisions of Code Section 45-12-92.1.

### **History**

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Ga. L. 1981, p. 510, § 4; Ga. L. 1992, p. 993, § 1; Ga. L. 2010, p. 9, § 1-16/HB 1055.

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## O.C.G.A. § 4-10-6

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### **4-10-6. Dealer's duty to maintain records; contents; periodic reports; failure to keep records as grounds for revocation of license; term of preservation.**

- (a) Every bird dealer shall keep records sufficient to identify:
- (1) Each exotic or pet bird in his possession or sold by him, by species and physical description;
  - (2) The name, address, and telephone number of the person from whom each such bird was acquired and, if that person is a licensed bird dealer, then his license number or, if that person is not a licensed dealer, then his driver's license number, social security number, federal tax identification number, or such other identification as may be available;
  - (3) The name, address, and telephone number of the person to whom each such bird is transferred and, if that person is a licensed bird dealer, then his license number or, if that person is not a licensed bird dealer, then his driver's license number, social security number, or such other identification as may be available; and
  - (4) Any such bird which the dealer knows to be or have been sick or diseased or to have died.
- (b) The department may require periodic reports of any or all of the records required by subsection (a) of this Code section. The department may require the keeping of additional records; and all required records shall be made available for inspection by the department.
- (c) Failure to keep or make available any required records shall be grounds for revocation of a license.
- (d) Every bird dealer shall keep all of such records for at least one year.

### **History**

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Ga. L. 1981, p. 510, § 5.

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## O.C.G.A. § 4-10-7

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### **4-10-7. Seizure, quarantine, and destruction of birds.**

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The department may quarantine, seize, and destroy any birds which present a hazard of carrying exotic or untreatable disease, as determined by rules and regulations promulgated by the Commissioner. The department shall pay an indemnity to the owner of any seized or destroyed birds from any federal funds made available for that purpose or any state funds appropriated for that purpose.

### **History**

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Ga. L. 1981, p. 510, § 6.

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## O.C.G.A. § 4-10-7.1

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### **4-10-7.1. Importing birds detrimental to agriculture; list of birds; restrictions; permits; quarantine; violations.**

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(a) The Commissioner of Agriculture shall by rule determine and establish a listing of all types of birds not native to this state which if introduced into this state would be capable of breeding in the wild and would, if established in the wild, present a threat of being detrimental to the agricultural industry of this state.

(b) Except as provided in subsection (c) of this Code section, it shall be unlawful to bring into this state any bird identified in the listing of birds established pursuant to subsection (a) of this Code section.

(c) The department may issue a permit to bring into this state a bird identified in the listing of birds established pursuant to subsection (a) of this Code section if the person applying for such a permit establishes to the satisfaction of the department that adequate precautions will be taken to ensure that neither the bird for which the permit is issued nor any offspring of such bird will be allowed to escape captivity.

(d) The department may quarantine, seize, and destroy any bird brought into this state in violation of this Code section.

(e) Any person convicted of violating the provisions of subsection (b) of this Code section shall be guilty of a misdemeanor.

### **History**

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Code 1981, § 4-10-7.1, enacted by Ga. L. 1984, p. 1216, § 1.

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## O.C.G.A. § 4-10-7.2

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### **4-10-7.2. Importing psittacine or exotic birds deemed potential carriers of disease; list of birds; restrictions; quarantine; violations.**

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- (a) As used in this Code section, the term “psittacine birds” includes birds commonly known as parrots, Amazons, African grays, cockatoos, macaws, parrotlets, beebees, parakeets, lovebirds, lories, lorikeets, and all other birds of the order Psittaciformes.
- (b) It shall be unlawful to bring into this state any psittacine bird or other exotic bird designated by rule by the Commissioner of Agriculture as a potential carrier of disease coming directly or indirectly from outside the United States unless the bird was brought into the United States in conformity with the quarantine regulations of the United States Department of Agriculture.
- (c) The department may quarantine, seize, and destroy any bird brought into this state in violation of this Code section and any bird exposed to a bird brought into the state in violation of this Code section.
- (d) Any person convicted of violating the provisions of subsection (b) of this Code section shall be guilty of a misdemeanor.

### **History**

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Code 1981, § 4-10-7.2, enacted by Ga. L. 1984, p. 1216, § 1; Ga. L. 1985, p. 149, § 4.

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