

TITLE 2. AGRICULTURE  
CHAPTER 14. SALE OF AGRICULTURAL AND FOREST PRODUCTS  
ARTICLE 3. HONEYBEES

O.C.G.A. § 2-14-40 (2014)

- § 2-14-40. License required for sale of bees; fee; revocation of license.
- § 2-14-41. Powers of the Commissioner generally; promulgation and enforcement of rules, ordinances, and regulations.
  - § 2-14-41.1. Prohibition against restriction of honeybee production or maintenance.
  - § 2-14-42. Inspections authorized generally.
  - § 2-14-43. Inspection of honeybee colonies; assistance in inspection
  - § 2-14-44. Disposition of infected bees or fixtures.
  - § 2-14-45. Compensation for destroyed property authorized; appraisal.
  - § 2-14-46. Importation of honeybees or secondhand equipment prohibited without special permit.
  - § 2-14-47. Penalty for violation of article or rules or regulations.

**§ 2-14-40. License required for sale of bees; fee; revocation of license.**

(a) All persons, firms, or corporations desiring to carry on as a business the sale of bees, queens, nuclei, etc., shall apply to the Commissioner of Agriculture as ex officio state entomologist for a license to do so. The application shall be accompanied by a fee of \$25.00. All fees so collected shall be turned over to the Office of Treasury and Fiscal Services.

(b) The Commissioner, upon investigation of the party so applying and at his discretion, shall issue a license to the same. Such license shall be revoked by the Commissioner if the licensee fails to comply with this article or to carry out the rules and regulations established by the Commissioner.

(c) Any person, firm, or corporation attempting to carry on as a business the sale of bees, queens, nuclei, etc., without the license required by subsection (a) of this Code section or after such license has been revoked shall be guilty of a misdemeanor and upon conviction shall be punished as provided in Code Section § 2-14-47.

**HISTORY:** Ga. L. 1921, p. 260, § 1; Ga. L. 1931, p. 7, § 98A; Code 1933, §§ 5-901, 5-9929; Ga. L. 1993, p. 1402, § 18; Ga. L. 2010, p. 863, § 2/SB 296.

**§ 2-14-41. Powers of the Commissioner generally; promulgation and enforcement of rules, ordinances, and regulations.**

The Commissioner shall have full and plenary power to deal with the American and European foul brood, all other contagious and infectious honeybee diseases, Africanized bees, or any other threat to honeybees. He shall have full power and authority to make, promulgate, and enforce such rules, ordinances, and regulations and to do and perform such acts, through his agents or otherwise, as in his judgment may be necessary to curtail, eradicate, or prevent the introduction,

spread, or dissemination of any and all contagious diseases, Africanized bees, or any other threat to honeybees. All such rules, ordinances, and regulations shall have the force and effect of law.

**HISTORY:** Ga. L. 1920, p. 160, § 2; Ga. L. 1931, p. 7, § 98; Code 1933, § 5-902; Ga. L. 1990, p. 373, § 1.

**§ 2-14-41.1. Prohibition against restriction of honeybee production or maintenance.**

No county, municipal corporation, consolidated government, or other political subdivision of this state shall adopt or continue in effect any ordinance, rule, regulation, or resolution prohibiting, impeding, or restricting the establishment or maintenance of honeybees in hives. This Code section shall not be construed to restrict the zoning authority of county or municipal governments.

**HISTORY:** Code 1981, § § 2-14-41.1, enacted by Ga. L. 1994, p. 1716, § 1; Ga. L. 1995, p. 10, § 2.

**§ 2-14-42. Inspections authorized generally.**

The Commissioner and his agents and employees shall have the authority to enter any depot, express office, storeroom, warehouse, or other premises for the purpose of inspecting any honeybees or beekeeping fixtures or appliances therein in order to ascertain whether such bees or fixtures are infected with any contagious or infectious diseases, have become Africanized, or pose any other threat to honeybees. They may also make such inspections when they have reason to believe that any honeybees or beekeeping fixtures or appliances on the premises have been or are being transported in violation of this article.

**HISTORY:** Ga. L. 1920, p. 160, § 3; Code 1933, § 5-904; Ga. L. 1990, p. 373, § 2.

**§ 2-14-43. Inspection of honeybee colonies; assistance in inspection**

The Commissioner may require the registration and inspection of honeybee colonies as needed. Such inspections shall be made for the primary purpose of combating the spread of bee diseases, Africanized bees, or any other threat to honeybees in this state. All persons subject to this article shall be provided a reasonable opportunity to assist the inspectors in the inspection of such colonies.

**HISTORY:** Ga. L. 1966, p. 192, § 1; Code 1933, § 5-907, enacted by Ga. L. 1970, p. 197, § 1; Ga. L. 1990, p. 373, § 3; Ga. L. 2003, p. 794, § 1.

**§ 2-14-44. Disposition of infected bees or fixtures.**

The Commissioner, through his agents or employees, may require the removal from this state of any honeybees or beekeeping fixtures which have been brought into the state in violation of this article. If he finds that any bees or fixtures are infected with any contagious or infectious disease or that such bees or fixtures have been exposed to danger of infection by such diseases, that any honeybees have become Africanized, or that honeybees are confronted with any other threat in this state, the Commissioner may require the destruction, treatment, or disinfection of any such infected or exposed bees, hives, fixtures, or appliances.

**HISTORY:** Ga. L. 1920, p. 160, § 3; Code 1933, § 5-905; Ga. L. 1990, p. 373, § 4.

**§ 2-14-45. Compensation for destroyed property authorized; appraisal.**

Whenever bees, hives, or other equipment are ordered destroyed pursuant to Code Section § 2-14-44, the Commissioner shall appraise the property to be destroyed. If the Commissioner and the owner are unable to agree on the value, the Commissioner and the owner shall each appoint one disinterested appraiser. These two appraisers shall appoint a third disinterested appraiser. The three appraisers thus appointed shall appraise the property. When the property is destroyed, the Commissioner shall pay any Georgia resident beekeeper whose property is destroyed a sum equal to 50 percent of the appraised value of the property destroyed from any funds appropriated for that specific purpose, provided that in no event shall the compensation paid to any such owner exceed \$25.00 per colony. For the purposes of this Code section, the term "property" shall include bees, hives, frames, and other equipment.

**HISTORY:** Code 1933, § 5-908, enacted by Ga. L. 1970, p. 197, § 1; Ga. L. 1975, p. 705, § 1; Ga. L. 1980, p. 713, § 1; Ga. L. 1990, p. 373, § 5; Ga. L. 1992, p. 1121, § 1; Ga. L. 1996, p. 797, § 1.

**§ 2-14-46. Importation of honeybees or secondhand equipment prohibited without special permit.**

The shipment or movement into this state of any honeybees on comb, honeybees in hives, secondhand beehives, honeycomb, frames, used bee shipping cages, secondhand honey containers, or other used beekeeping fixtures is prohibited, except under special permit issued by the Commissioner under such rules and regulations as may be prescribed by him in accordance with Code Section § 2-14-41.

**HISTORY:** Ga. L. 1920, p. 160, § 4; Code 1933, § 5-906; Ga. L. 1947, p. 1158, § 3.

**§ 2-14-47. Penalty for violation of article or rules or regulations.**

Any person, firm, or corporation violating any of the provisions of this article or any of the rules or regulations of the Commissioner adopted in accordance with this article shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not more than \$500.00 or by imprisonment for not more than six months in the county jail.

**HISTORY:** Ga. L. 1920, p. 160, § 5; Code 1933, § 5-9930.