

1 TRIAL HUNTING AUTHORIZATION

2 2014 GENERAL SESSION

3 STATE OF UTAH

4 Chief Sponsor: Ralph Okerlund

5 House Sponsor: Stephen G. Handy

7 LONG TITLE

8 General Description:

9 This bill amends the Wildlife Resources Code.

10 Highlighted Provisions:

11 This bill:

- 12 ▶ allows a person to obtain certain hunting licenses or permits without complying
- 13 with hunter education requirements under certain circumstances;
- 14 ▶ provides rulemaking authority; and
- 15 ▶ makes technical changes.

16 Money Appropriated in this Bill:

17 None

18 Other Special Clauses:

19 None

20 Utah Code Sections Affected:

21 AMENDS:

22 **23-19-11**, as last amended by Laws of Utah 2001, Chapter 75

23 ENACTS:

24 **23-19-14.6**, Utah Code Annotated 1953

26 *Be it enacted by the Legislature of the state of Utah:*

27 Section 1. Section **23-19-11** is amended to read:

28 **23-19-11. Age restriction -- Proof of hunter education required.**

29 (1) [A] Except as provided in Section **23-19-14.6**, a person born after December 31,

30 1965, may not purchase a hunting license or permit unless the individual presents proof [is
31 presented] to the division or one of its authorized wildlife license agents that the person has
32 passed a division-approved hunter education course offered by a state, province, or country.

33 (2) For purposes of this section, "proof" means:

34 (a) a certificate of completion of a hunter education course;

35 (b) a preceding year's hunting license or permit issued by a state, province, or country
36 with the applicant's hunter education number noted on the hunting license or permit; or

37 (c) verification of completion of a hunter education course pursuant to Subsections (3)
38 and (4).

39 (3) If an applicant for a nonresident hunting license or permit is not able to present a
40 hunting license, permit, or a certificate of completion as provided in Subsections (1) and (2),
41 the division may contact another state, province, or country to verify the completion of a hunter
42 education course so that a nonresident hunting license or permit may be issued.

43 (4) If an applicant for a resident or nonresident hunting license or permit has completed
44 a hunter education course in Utah but is not able to present a hunting license, permit, or a
45 certificate of completion as provided in Subsections (1) and (2), the division may research the
46 division's hunter education records to verify that the applicant has completed the hunter
47 education course.

48 (5) (a) If an applicant for a resident or nonresident hunting license has completed a
49 hunter education course and is applying for a hunting permit or license through the division's
50 drawings, Internet site, or other electronic means authorized by the division, the applicant's
51 hunter education number and the name of the state, province, or country that issued the number
52 may constitute proof of completion of a hunter education course under this section.

53 (b) The division may research the hunter education number to verify that the applicant
54 has completed a division-approved hunter education course.

55 (6) Upon issuance of the hunting license or permit, the division shall indicate the
56 applicant's hunter education number on the face of the hunting license or permit.

57 (7) The division may charge a fee for [any] a service provided in Subsection (3) or (4).

58 Section 2. Section **23-19-14.6** is enacted to read:

59 **23-19-14.6. Trial hunting authorization.**

60 (1) Upon application, the division may issue a trial hunting authorization to an
61 individual who:

62 (a) is 11 years of age or older at the time of application;

63 (b) is eligible under state and federal law to possess a firearm and archery equipment;

64 and

65 (c) (i) was born after 1965; and

66 (ii) has not completed a division approved hunter education course.

67 (2) Notwithstanding the requirements of Section [23-19-11](#), an individual who has
68 obtained a trial hunting authorization under Subsection (1) may obtain:

69 (a) a hunting license under Sections [23-19-17](#), [23-19-24](#), and [23-19-26](#); or

70 (b) a hunting permit authorized by the Wildlife Board under Subsection (4).

71 (3) An individual who has obtained a hunting license or permit with a trial hunting
72 authorization under Subsection (2) may use the license or permit if the individual is:

73 (a) 12 years of age or older, except as required in Subsection [23-19-22](#)(3); and

74 (b) accompanied, as defined in Subsection [23-20-20](#)(1), in the field while hunting by
75 an individual who:

76 (i) is 21 years of age or older;

77 (ii) is eligible under state and federal law to possess a firearm and archery equipment;

78 (iii) possesses a current Utah hunting or combination license;

79 (iv) has satisfied applicable hunter education requirements under this chapter; and

80 (v) possesses the written consent of the holder's parent or legal guardian, if

81 accompanying a holder of a trial hunting authorization who is under 18 years of age.

82 (4) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
83 Wildlife Board may make rules to:

84 (a) designate the types of hunting permits under Subsection (2) that may be obtained
85 with a trial hunting authorization;

- 86 (b) establish the term of a trial hunting authorization;
- 87 (c) establish the number of years a person may obtain a trial hunting authorization;
- 88 (d) prescribe the number of individuals using a trial hunting authorization that an
89 individual may accompany in the field under Subsection (3) at a single time;
- 90 (e) establish the application process for an individual to obtain a trial hunting
91 authorization; and
- 92 (f) administer and enforce the provisions of this section.