

28 **Utah Code Sections Affected:**

29 AMENDS:

30 **4-25-1**, as last amended by Laws of Utah 1988, Chapter 139

31 **4-25-12.1**, as enacted by Laws of Utah 2012, Chapter 331

32 ENACTS:

33 **4-25-12.3**, Utah Code Annotated 1953



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

36 Section 1. Section **4-25-1** is amended to read:

37 **4-25-1. Definitions.**

38 For the purpose of this chapter:

39 ["estrays"] (1) (a) "Estray" means [any]:

40 (i) an unbranded sheep, [cattle, horses, mules, or asses] cow, horse, mule, ~~H~~ ~~→~~ [or] ~~←~~ H

40a ass ~~H~~ ~~→~~ , or domestic mink ~~←~~ H found

41 running at large[~~, or any~~];

42 (ii) a branded sheep, [cattle, horses, mules, or asses] cow, horse, mule, ~~H~~ ~~→~~ [or] ~~←~~ H

42a ass ~~H~~ ~~→~~ , or domestic mink ~~←~~ H found

43 running at large whose owner cannot be found after reasonable search[~~, or any~~]; or

44 (iii) a swine found running at large whose owner cannot be found after reasonable
45 search[~~, but it~~].

46 (b) "Estray" does not mean [~~nor include~~] any unweaned animal specified in this section
47 that is running with its mother.

48 (2) "Feral swine" means any species, or hybrid species:

49 (a) of the family ~~H~~ ~~→~~ [;

50 ~~—— (i) ~~←~~ H Suidae, including the European boar, the Eurasian boar, the Russian boar, a feral~~
51 ~~hog, or a domestic pig; ~~H~~ ~~→~~ [or~~

52 ~~—— (ii) ~~Tayassuidae, including the Javelina and peccary;~~ ~~←~~ H~~

53 (b) that is not conspicuously identified by an ear tag or other form of visual
54 identification; and

55 (c) that is roaming freely upon public land or private land without the permission of the
56 landowner.

57 (3) "Swine" means any domesticated species of the family Suidae that is conspicuously
58 identified by an ear tag or other form of visible identification.

59 Section 2. Section 4-25-12.1 is amended to read:

60 **4-25-12.1. Release of swine or feral swine for any purpose.**

61 A person may not release a:

62 (1) swine on public or private property for hunting purposes[-]; or

63 (2) feral swine on public or private property for any purpose.

64 Section 3. Section 4-25-12.3 is enacted to read:

65 **4-25-12.3. Feral swine detrimental to state's interests -- Seizure, capture, or**
66 **destruction of feral swine.**

67 (1) Feral swine are detrimental to the state's interests in agriculture and wildlife.

68 (2) Feral swine may be seized, captured, or destroyed at any time, in any place, and in
69 any manner by:

70 (a) the department and its authorized agents;

71 (b) the Division of Wildlife Resources and its authorized agents; or

72 (c) a certified peace officer.

73 (3) (a) Notwithstanding Section 76-9-301, and subject to the requirements of this
74 section, an individual may kill a feral swine roaming on private or public land.

75 (b) An individual shall obtain the consent of the landowner before killing a feral swine
76 on private land.

77 (c) Feral swine may be killed:

78 (i) year-round;

79 (ii) in any number; and

80 (iii) with a firearm, bow and arrow, or crossbow.

81 (4) Feral swine may not be hunted or killed ~~with~~ **under Subsection (3)(c)** ~~;~~ :

82 (a) with the use of artificial light or night vision equipment ~~with~~ , **except as authorized by**
82a **county ordinance** ~~with~~ ; ~~with~~ **or** ~~with~~

83 (b) from or with any airborne vehicle or device ~~with~~ , **except as provided in**

83a **Section 4-23-6.** ~~with~~ ;

84 ~~with~~ [(c) with explosives; or

85 ~~with~~ (d) with poison.] ~~with~~

86 (5) An individual may not receive compensation, or attempt to receive compensation,
87 from hunting feral swine.

88 (6) An individual who kills a swine under this section is not liable to the owner for the
89 loss of the swine, unless:

90 (a) the swine is conspicuously identified by an ear tag or other form of visual
91 identification; and

92 (b) the individual who killed the swine knew the swine was identified by an ear tag or
93 other form of usual identification.

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