

HB0202

~~{Omitted text}~~ shows text that was in HB0202 but was omitted in HB0202S04

inserted text shows text that was not in HB0202 but was inserted into HB0202S04

DISCLAIMER: This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will NOT be completely accurate. Therefore, you need to read the actual bills. This automatically generated document could contain inaccuracies caused by: limitations of the compare program; bad input data; or other causes.

Private Landowner Big Game Revisions

2025 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Carl R. Albrecht

Senate Sponsor:Evan J. Vickers

LONG TITLE

General Description:

This bill addresses the hunting of big game.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ establishes the criteria for a landowner draw;
- ▶ provides procedures to become an applicant for a landowner draw;
- ▶ **addresses receipt of other vouchers;**
- ▶ addresses the redeeming of a voucher;
- ▶ {~~guarantees vouchers under certain circumstances;~~}
- ▶ requires compliance with other laws; {and}
- ▶ addresses rulemaking{.} **; and**
- ▶ **addresses landowners associations.**

Money Appropriated in this Bill:

None

HB0202 compared with HB0202S04

Other Special Clauses:

None

ENACTS:

23A-4-711 , Utah Code Annotated 1953 , Utah Code Annotated 1953

23A-4-712 , Utah Code Annotated 1953 , Utah Code Annotated 1953

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

Section 1. Section 1 is enacted to read:

23A-4-711. Private landowner vouchers.

(1) As used in this section:

(a) "Applicant" means a person who:

(i) holds a fee simple ownership interest in at least 640 contiguous acres but not more than 8,999 contiguous acres of private land in Utah within a limited entry elk unit; and

(ii) has submitted an application ~~{and proof of huntable}~~ to the division to participate in a landowner draw to hunt bull elk ~~{approved under Subsection (4)}~~.

(b) "Block" means 640 contiguous acres that are not excluded under Subsection (2).

~~{(c) {"Region" means one of the regions with boundaries established for administrative purposes by the division under Section 23A-2-303.}}~~

~~{(d)}~~ (c) "Voucher" means ~~{a right to hunt}~~ an authorization issued by the division that entitles a person to purchase a bull elk ~~{that is obtained pursuant to this section and redeemed for one permit to hunt bull elk on}~~ permit valid for the ~~{contiguous private property used to qualify as an applicant}~~ private land submitted in the application.

(2)

(a) An applicant may enter an annual landowner draw for ~~{one}~~ a bull elk voucher for every complete block owned by the applicant.

(b) The private land that is the basis for determining whether there is a block for an application to qualify for a landowner draw shall have at least one common owner throughout the private land.

(c) In order for an applicant to qualify for a landowner draw, all the owners of the private land described in Subsection (2)(b) shall agree to the applicant applying for a landowner draw.

(d) Multiple applicants may not submit an application for the same block and the division may reject all applications for a block if more than one application is received for a single block.

HB0202 compared with HB0202S04

- 46 ~~{(d)}~~ (e) The following private land is not eligible for purposes of determining a block:
- 47 (i) private land within a cooperative wildlife management unit under Chapter 7, Cooperative Wildlife
Management Units; or
- 49 (ii) private land within a ~~{landowner}~~ landowners association program established by the Wildlife
Board ~~{by rule made}~~ in accordance with ~~{Title 63G, Chapter 3, Utah Administrative Rulemaking
Act}~~ Section 23A-4-712.
- 54 (3)
- 52 ~~{(3)}~~ (a) The division shall determine the number of vouchers in a bull elk landowner draw under this
section by allocating an additional 5% of the total number of limited entry bull permits available in
the public draw within a limited entry elk unit.
- 57 (b) The division shall allocate:
- 58 (i) 50% of the vouchers in a landowner draw to applicants with at least 4,000 contiguous acres but not
more than 8,999 contiguous acres; and
- 60 (ii) 50% of the vouchers in the landowner draw to applicants with at least 640 contiguous acres but less
than 4,000 contiguous acres.
- 62 (c) If there is an odd number of vouchers in a landowner draw, the division shall allocate the one extra
voucher to:
- 64 (i) applicants described in Subsection (3)(b)(i) in years ending in odd numbers; and
- 65 (ii) applicants described in Subsection (3)(b)(ii) in years ending in even numbers.
- 66 (d) If a limited entry elk unit only has only one voucher available for the bull elk landowner draw
described in Subsection (3)(a), the division shall allocate that voucher to an applicant with acreage
of at least 640 contiguous acres but not more than 3,999 contiguous acres of private land.
- 55 (4)
- (a) To qualify as an applicant under Subsection (2), a person shall obtain approval of the information
described in Subsection (4)(b) by the ~~{biologist of the region in which a block used in an application
is located}~~ division.
- 58 (b) To seek approval, a person shall file an application with the division that includes:
- 59 ~~{(i) {an application to a division office located in the region in which the block used in an application is
located that includes:} }~~
- 61 ~~{(A)}~~ (i) the name of the person;
- 62 ~~{(B)}~~ (ii) the date of the application;

HB0202 compared with HB0202S04

- 63 ~~{(C)}~~ (iii) the number of blocks in which the person holds an ownership interest;
- 64 ~~{(D)}~~ (iv) proof of the ownership interest in the private land for which the person is seeking a voucher;
- 66 ~~{(E)}~~ (v) proof of the number of contiguous acres owned by the person within a limited entry elk unit;
and
- 68 ~~{(F)}~~ (vi) the location of the private land for which the person is seeking a voucher~~{; and}~~.
- 81 (c) The division shall:
- 82 (i) review an application; and
- 69 (ii) ~~{proof}~~ verify that ~~{the biologist of the region in which a block used}~~ property submitted in ~~{the}~~ an application is ~~{located has determined that there are huntable}~~ capable of harboring bull elk ~~{in the private land}~~ during the ~~{bull elk}~~ hunting seasondescribed in Subsection (5)(b).
- 72 ~~{(e)}~~ (d) Once a person is approved as an applicant for a landowner draw, the applicant is automatically approved each year and does not need to reapply unless there is a change in land ownership ~~{or}~~ , acreage, or habitat quality that would affect the person's level of participation in the landowner draw. If there is a change in ownership or acreage, the person shall file the information required under Subsection (4)(b) to be eligible for the next landowner draw.
- 78 (5)
- (a) An individual may redeem a voucher to obtain a permit to hunt bull elk:
- 79 ~~{(i) {for use by one of the following:} }~~
- 80 ~~{(A) {if the applicant is an individual, the applicant or an immediate family member of the applicant; } }~~
- 82 ~~{(B) {if the applicant is an entity that is not a trust, an individual holding an ownership interest in the entity or an immediate family member of that individual; } }~~
- 85 ~~{(C) {if the applicant is a trust, an individual who is an original trustee or beneficiary of the trust or an immediate family member of that individual; or } }~~
- 87 ~~{(D)}~~ (i) if the individual is the applicant or is an individual to whom the applicant sells, donates, or otherwise transfers the voucher; and
- 89 (ii) conditioned on the individual:
- 90 (A) being otherwise authorized to hunt big game under this title; and
- 91 (B) only hunting under that permit on the contiguous acres of private land owned by the applicant within a limited entry elk unit.

93

HB0202 compared with HB0202S04

- (b) ~~{ Notwithstanding a season for hunting bull elk designated by the Wildlife Board, an }~~ An individual who hunts on the applicant's private land pursuant to a voucher redeemed under Subsection (5)(a) may:
- 100 (i) hunt with one type of legal weapon, as defined by the Wildlife Board by rule made in accordance
with Title 63G, Chapter 3, Utah Administrative Rulemaking Act; and
- 96 ~~{(i)}~~ (ii) {use archery equipment from the start date} hunt during one of the corresponding season
dates for the type of {the archery} legal weapon used by the individual that is established by the
Wildlife Board for a bull elk hunt on the corresponding limited entry elk unit{;and}.
- 98 ~~{(ii) {convert to any weapon starting on September 1 and ending on October 31.}}~~
- 99 (6)
- (a) Except as provided in Subsection (6)(f), an applicant that qualifies for a landowner draw under Subsections (2) through (5) and who owns at least 4,000 contiguous acres of private land but not more than 8,999 contiguous acres of private land within a limited entry elk unit ~~{ shall annually receive }~~ may qualify for up to an additional two bull elk vouchers annually that are determined by the division based on Subsection (4)(c)(ii) and rules for criteria made by the Wildlife Board in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.
- 103 (b) An individual may redeem a voucher obtained under this Subsection (6) in accordance with Subsection (5).
- 105 (c) An applicant described in Subsection (6)(a) may sell, donate, or otherwise transfer a voucher received under Subsection (6)(a).
- 107 (d) A voucher under this Subsection (6) is in addition to and not taken from the 5% additional bull elk permits that are designated for the landowner draw under Subsection (3).
- 110 (e) An applicant that receives a voucher under this Subsection (6) may also enter a landowner draw for a bull elk voucher in accordance with Subsection (2).
- 112 (f) ~~{An applicant}~~ The division may ~~{receive only one voucher}~~ eliminate or reduce the number of vouchers issued to an applicant under ~~{this}~~ Subsection ~~{(6)}~~ (6)(a) for any year in which the average age of the harvested bull elk ~~{population}~~ in the limited entry elk unit where the voucher applies is lower than the age objective in the applicable elk management plan. The ~~{limitation}~~ elimination or reduction of ~~{only one voucher}~~ vouchers under this Subsection (6)(f) applies until the average age of the harvested bull elk ~~{population}~~ for that limited entry elk unit in a year equals or exceeds the age objective in the applicable elk management plan.

HB0202 compared with HB0202S04

- 129 (g) The division shall review a voucher issued under Subsection (6)(a) every three years to determine if
the correct number of vouchers are being issued based on Subsection (4)(c)(ii) and rules described
in Subsection (6)(a).
- 132 (h) This Subsection (6) does not apply to land or a landowner within a limited entry elk unit that has a
landowners association on May 7, 2025, or that is a member of a landowners association on May 7,
2025.
- 135 (i) This Subsection (6) does not apply to land or a landowner that has the option of joining a cooperative
wildlife management unit or who is in a cooperative wildlife management unit that is issued a
certificate of registration before May 7, 2025.
- 118 (7) ~~{An applicant who participates}~~ During the fiscal year in ~~{a landowner draw}~~ which an applicant
receives a bull elk voucher, the applicant may not receive a depredation bull elk permit or submit
a claim for compensation for wildlife damage to the applicant's private land ~~{used to qualify for}~~
within the {landowner draw} limited entry elk unit.
- 121 (8) An individual who redeems a voucher under this section shall comply with the other applicable
provisions of this title and rules or proclamations of the Wildlife Board.
- 143 (9)
- 123 ~~{(9)}~~ (a) The Wildlife Board may {not} make rules {under this section but may enforce rules}, in
accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, that {otherwise would
be applicable to hunting bull elk} are necessary to administer this section.
- 145 (b) Notwithstanding Subsection (9)(a), a rule made by the Wildlife Board shall be consistent with this
section.
- 147 Section 2. Section 2 is enacted to read:
- 148 **23A-4-712. Landowners association program.**
- 149 (1) As used in this section:
- 150 (a) "Landowners association" means an organization consisting of private landowners working with the
division to implement this section and whose land:
- 152 (i) provides habitat for deer, elk, or pronghorn as determined by the division; and
- 153 (ii) is not enrolled in another private lands permit program.
- 154 (b) "Voucher" means an authorization issued by the division to a landowner that entitles the landowner
or a permitted transferee of the landowner to purchase a permit from the division.
- 157 (2) The landowners association program under this section:

HB0202 compared with HB0202S04

- 158 (a) provides an incentive for a private landowner to manage the private landowner's land as quality
habitat for public wildlife;
- 160 (b) assists and supports the division in managing big game populations;
- 161 (c) increases private landowner tolerance of big game on the private landowner's private land;
- 163 (d) increases big game hunting opportunities;
- 164 (e) increases and secures public hunting access on a participating landowner's private land;
- 166 (f) reduces the division's obligations in responding to and compensating for depredation events
occurring on private lands;
- 168 (g) uses objective criteria to determine how hunting opportunities are allocated to the landowners
association program; and
- 170 (h) allocates hunting opportunities in a manner that fluctuates in proportion to variations in public draw
permits.
- 172 (3) A landowners association may not be established or operate without first obtaining a certificate of
registration from the Wildlife Board.
- 174 (4)
- (a) The division shall establish the number of limited entry landowners association program vouchers
available on an annual basis by:
- 176 (i) identifying the total number of public draw permits in a limited entry unit for the previous hunt
year;
- 178 (ii) identifying the total acreage of private land in a limited entry unit enrolled in the landowners
association;
- 180 (iii) calculating the percentage of habitat of a big game species in the landowners association by
dividing the habitat acreage represented by the landowners association by the habitat acreage in
the whole limited entry unit; and
- 183 (iv) applying the percentage described in Subsection (4)(a)(iii) to the total number of available
public draw permits from the previous year to determine the number of limited entry
landowners association program vouchers to be allocated to the landowners association.
- 187 (b) The division shall round numbers when determining permit numbers by rounding down when the
number is .49 or less and rounding up when the number is .50 or greater.
- 190

HB0202 compared with HB0202S04

(c) An approved landowners association that qualifies for less than one voucher under Subsection (4)(a) does not receive a voucher under Subsection (4)(a), but shall annually receive one voucher in accordance with Subsection (4)(d).

193 (d) The division shall annually allocate one additional voucher to each landowners association described in Subsection (4)(a) or (c).

195 (5) A landowner participating in the landowners association program may not submit a claim for compensation for wildlife damage under Chapter 8, Part 4, Damage by Big Game, to the landowner's private land that is enrolled in the landowners association program.

199 (6) The Wildlife Board may make rules, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, and enforce rules applicable to the landowners association program organized for the hunting of big game that in the Wildlife Board's judgment are necessary to administer and enforce this section.

203 Section 3. **Effective date.**

This bill takes effect on May 7, 2025.

2-26-25 5:00 PM