

HB0309S02 compared with HB0309

~~{Omitted text}~~ shows text that was in HB0309 but was omitted in HB0309S02

inserted text shows text that was not in HB0309 but was inserted into HB0309S02

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Wildlife Amendments

2025 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Casey Snider

Senate Sponsor:

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3 LONG TITLE

4 General Description:

5 This bill addresses state activities related to wildlife.

6 Highlighted Provisions:

7 This bill:

8 ▶ modifies definitions;

9 ▶ addresses night hunting of nonprotected wildlife;

10 ▶ ~~{provides limits on a political subdivision or conservation easement prohibiting or restricting hunting;}~~

12 ▶ imposes requirements for holding a hunting or combination license for service on the Wildlife Board or a regional advisory council;

14 ▶ ~~{addresses target shooting on wildlife management areas;}~~

15 ▶ addresses definition of and access to wildlife management areas;

16 ▶ modifies provisions ~~{related to}~~ concerning the Department of Agriculture and Food's activities related to livestock depredation and big game protection;

15 ▶ addresses compensation for damage to livestock;

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- 18 ▶ corrects a definition of "big game"; and
- 19 ▶ ~~{addresses feeding of big game; and}~~
- 20 ▶ makes technical and conforming changes.

18 Money Appropriated in this Bill:

19 None

20 Other Special Clauses:

21 None

23 AMENDS:

24 **23A-1-101** , as last amended by Laws of Utah 2024, Chapter 80 , as last amended by Laws of Utah
2024, Chapter 80

25 **23A-1-103** , as last amended by Laws of Utah 2024, Chapter 347 , as last amended by Laws of Utah
2024, Chapter 347

26 **23A-1-204** , as renumbered and amended by Laws of Utah 2023, Chapter 103 , as renumbered and
amended by Laws of Utah 2023, Chapter 103

30 ~~{23A-2-201, as last amended by Laws of Utah 2024, Chapter 347, as last amended by Laws
of Utah 2024, Chapter 347}~~

27 **23A-2-301** , as last amended by Laws of Utah 2024, Chapter 529 , as last amended by Laws of Utah
2024, Chapter 529

28 **23A-2-302** , as last amended by Laws of Utah 2023, Chapter 211 and renumbered and amended
by Laws of Utah 2023, Chapter 103 , as last amended by Laws of Utah 2023, Chapter 211 and
renumbered and amended by Laws of Utah 2023, Chapter 103

30 **23A-2-303** , as last amended by Laws of Utah 2024, Chapter 529 , as last amended by Laws of Utah
2024, Chapter 529

31 **23A-6-101** , as renumbered and amended by Laws of Utah 2023, Chapter 103 , as renumbered and
amended by Laws of Utah 2023, Chapter 103

36 ~~{23A-6-401, as renumbered and amended by Laws of Utah 2023, Chapter 103, as
renumbered and amended by Laws of Utah 2023, Chapter 103}~~

32 **23A-6-402** , as last amended by Laws of Utah 2024, Chapter 347 , as last amended by Laws of Utah
2024, Chapter 347

33 **23A-8-101** , as enacted by Laws of Utah 2023, Chapter 103 , as enacted by Laws of Utah 2023,
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34 **23A-8-201 , as renumbered and amended by Laws of Utah 2023, Chapter 103 , as**
35 **renumbered and amended by Laws of Utah 2023, Chapter 103**

35 **23A-8-202** , as renumbered and amended by Laws of Utah 2023, Chapter 103 , as renumbered and
amended by Laws of Utah 2023, Chapter 103

36 **23A-11-101** , as last amended by Laws of Utah 2024, Chapter 347 , as last amended by Laws of
Utah 2024, Chapter 347

37 **23A-11-302** , as renumbered and amended by Laws of Utah 2023, Chapter 103 , as renumbered and
amended by Laws of Utah 2023, Chapter 103

42 ~~{57-18-4, as last amended by Laws of Utah 2011, Chapter 157, as last amended by Laws of~~
~~Utah 2011, Chapter 157}~~

ENACTS:

44 ~~{23A-11-203.5, Utah Code Annotated 1953, Utah Code Annotated 1953}~~

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

40 Section 1. Section **23A-1-101** is amended to read:

41 **23A-1-101. Definitions.**

As used in this title:

50 (1) "Activity regulated under this title" means an act, attempted act, or activity prohibited or regulated
under this title or the rules and proclamations promulgated under this title pertaining to protected
wildlife including:

53 (a) fishing;

54 (b) hunting;

55 (c) trapping;

56 (d) taking;

57 (e) permitting a dog, falcon, or other domesticated animal to take;

58 (f) transporting;

59 (g) possessing;

60 (h) selling;

61 (i) wasting;

62 (j) importing;

63 (k) exporting;

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- 64 (l) rearing;
- 65 (m) keeping;
- 66 (n) using as a commercial venture; and
- 67 (o) releasing to the wild.
- 68 (2) "Aquaculture facility" means the same as that term is defined in Section 4-37-103.
- 69 (3) "Aquatic animal" means the same as that term is defined in Section 4-37-103.
- 70 (4) "Aquatic wildlife" means species of fish, mollusks, crustaceans, aquatic insects, or amphibians.
- 72 (5) "Bag limit" means the maximum limit, in number or amount, of protected wildlife that one person may legally take during one day.
- 74 (6) "Big game" means species of hoofed protected wildlife.
- 75 (7) "Carcass" means the dead body of an animal or the animal's parts.
- 76 (8) "Certificate of registration" means a paper-based or electronic document issued under this title, or a rule or proclamation of the Wildlife Board granting authority to engage in activities not covered by a license, permit, or tag.
- 79 (9) "Closed season" means the period of time during which the taking of protected wildlife is prohibited.
- 81 (10) "Dedicated hunter program" means a program that provides:
- 82 (a) expanded hunting opportunities;
- 83 (b) opportunities to participate in projects that are beneficial to wildlife; and
- 84 (c) education in hunter ethics and wildlife management principles.
- 85 (11) "Department" means the Department of Natural Resources.
- 86 (12) "Director" means the director of the division appointed under Section 23A-2-202.
- 87 (13) "Division" means the Division of Wildlife Resources.
- 88 (14) "Division of Law Enforcement" means the division within the Department of Natural Resources created under Title 79, Chapter 2, Part 7, Division of Law Enforcement.
- 90 (15) Subject to Section 23A-1-103, "domicile" means the place:
- 91 (a) where an individual has a fixed permanent home and principal establishment;
- 92 (b) to which the individual if absent, intends to return and has an actual plan, method, and means to return to the individual's domicile within six months;
- 94 (c) in which the individual, and the individual's family voluntarily reside, not for a special or temporary purpose, but with the intention of making a permanent home; and

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- 97 (d) is a place where the individual resides for the majority of the individual's time.
- 98 (16) "Endangered" means wildlife designated as endangered according to Section 3 of the federal
Endangered Species Act of 1973.
- 100 (17) "Executive director" means the executive director of the Department of Natural Resources.
- 102 (18) "Fee fishing facility" means the same as that term is defined in Section 4-37-103.
- 103 (19) "Feral" means an animal that is normally domesticated but has reverted to the wild.
- 104 (20) "Fishing" means to take fish or crayfish by any means.
- 105 (21) "Furbearer" means species of the Bassariscidae, Canidae, Felidae, Mustelidae, and Castoridae
families, except coyote and cougar.
- 107 (22) "Game" means wildlife normally pursued, caught, or taken by sporting means for human use.
- 109 (23) "Hunting" means to take or pursue a reptile, amphibian, bird, or mammal by any means.
- 111 (24) "Hunting guide" means the same as that term is defined in Section 58-79-102.
- 112 (25) "Intimidate or harass" means to physically interfere with or impede, hinder, or diminish the efforts
of an officer in the performance of the officer's duty.
- 114 (26)
- (a) "Light enhancement device" means a device or other technology that allows an individual to see in
the dark.
- 116 (b) "Light enhancement device" includes a spotlight, thermal vision, and night vision.
- 117 [~~26~~] (27)
- (a) "Natural flowing stream" means a topographic low where water collects and perennially or
intermittently flows with a perceptible current in a channel formed exclusively by forces of nature.
- 120 (b) "Natural flowing stream" includes perennial or intermittent water flows in a:
- 121 (i) realigned or modified channel that replaces the historic, natural flowing stream channel; and
- 123 (ii) dredged natural flowing stream channel.
- 124 (c) "Natural flowing stream" does not include a human-made ditch, canal, pipeline, or other water
delivery system that diverts and conveys water to an approved place of use pursuant to a certificated
water right.
- 127 [~~27~~] (28)
- (a) "Natural lake" means a perennial or intermittent body of water that collects on the surface of the
earth exclusively through the forces of nature and without human assistance.

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- (b) "Natural lake" does not mean a lake where the surface water sources supplying the body of water originate from groundwater springs no more than 100 yards upstream.
- 132 [~~(28)~~] (29) "Natural resources officer" means the same as that term is defined in Section 79-2-701.
- 134 (30) "Night hunting" means the practice of using a light enhancement device to aid in seeing in the dark while hunting wildlife between sunset and sunrise that is not protected wildlife.
- 137 [~~(29)~~] (31) "Nominating committee" means the Wildlife Board Nominating Committee created in Section 23A-2-302.
- 139 [~~(30)~~] (32) "Nonresident" means a person who does not qualify as a resident.
- 140 [~~(31)~~] (33) "Open season" means the period of time during which protected wildlife may be legally taken.
- 142 [~~(32)~~] (34) "Outfitter" means the same as that term is defined in Section 58-79-102.
- 143 [~~(33)~~] (35) "Pecuniary gain" means the acquisition of money or something of monetary value.
- 145 [~~(34)~~] (36) "Permit" means a paper-based or electronic document that grants authority to engage in specified activities under this title or a rule or proclamation of the Wildlife Board.
- 148 [~~(35)~~] (37) "Person" means an individual, association, partnership, government agency, corporation, or an agent of the individual, association, partnership, government agency, or corporation.
- 151 [~~(36)~~] (38) "Pollute water" means to introduce into waters within the state matter or thermal energy that:
- 153 (a) exceeds state water quality standards; or
- 154 (b) could harm protected wildlife.
- 155 [~~(37)~~] (39) "Possession" means actual or constructive possession.
- 156 [~~(38)~~] (40) "Possession limit" means the number of bag limits one individual may legally possess.
- 158 [~~(39)~~] (41)
- (a) "Private fish pond" means a pond, reservoir, or other body of water, including a fish culture system, located on privately owned land where privately owned fish:
- 161 (i) are propagated or kept for a private noncommercial purpose; and
- 162 (ii) may be taken without a fishing license.
- 163 (b) "Private fish pond" does not include:
- 164 (i) an aquaculture facility;
- 165 (ii) a fee fishing facility;
- 166 (iii) a short-term fishing event; or
- 167 (iv) private stocking.

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- 168 [~~(40)~~] (42) "Private stocking" means an authorized release of privately owned, live fish in the waters of
the state not eligible as:
- 170 (a) a private fish pond under Section 23A-9-203; or
- 171 (b) an aquaculture facility or fee fishing facility under Title 4, Chapter 37, Aquaculture Act.
- 173 [~~(41)~~] (43) "Private wildlife farm" means an enclosed place where privately owned birds or furbearers
are propagated or kept and that restricts the birds or furbearers from:
- 175 (a) commingling with wild birds or furbearers; and
- 176 (b) escaping into the wild.
- 177 [~~(42)~~] (44) "Proclamation" means the publication that is:
- 178 (a) used to convey a statute, rule, policy, or pertinent information related to wildlife; and
- 179 (b) issued in accordance with a rule made by the Wildlife Board under this title.
- 180 [~~(43)~~] (45)
- (a) "Protected aquatic wildlife" means aquatic wildlife except as provided in Subsection [~~(43)~~] (45)(b).
- 182 (b) "Protected aquatic wildlife" does not include aquatic insects.
- 183 [~~(44)~~] (46)
- (a) "Protected wildlife" means wildlife, except as provided in Subsection [~~(44)~~] (46)(b).
- 185 (b) "Protected wildlife" does not include:
- 186 (i) coyote;
- 187 (ii) feral swine;
- 188 [~~(ii)~~] (iii) field mouse;
- 189 [~~(iii)~~] (iv) gopher;
- 190 [~~(iv)~~] (v) ground squirrel;
- 191 [~~(v)~~] (vi) jack rabbit;
- 192 [~~(vi)~~] (vii) muskrat;[-~~or~~]
- 193 (viii) striped skunk;
- 194 [~~(vii)~~] (ix) raccoon[-] ; or
- 195 (x) red fox.
- 196 [~~(45)~~] (47) "Regional advisory council" means a council created under Section 23A-2-303.
- 197 [~~(46)~~] (48) "Released to the wild" means to be turned loose from confinement.
- 198 [~~(47)~~] (49)

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- (a) "Reservoir constructed on a natural stream channel" means a body of water collected and stored on the course of a natural flowing stream by impounding the stream through excavation or diking.
- 201 (b) "Reservoir constructed on a natural stream channel" does not mean an impoundment on a natural flowing stream where all surface water sources supplying the impoundment originate from groundwater springs no more than 100 yards upstream.
- 204 [(48)] (50) Subject to Section 23A-1-103, "resident" means a person who:
- 205 (a) has been domiciled in the state for six consecutive months immediately preceding the purchase of a license; and
- 207 (b) does not claim residency for hunting, fishing, or trapping in another state or country.
- 208 [(49)] (51) "Sell" means to offer or possess for sale, barter, exchange, or trade, or the act of selling, bartering, exchanging, or trading.
- 210 [(50)] (52) "Short-term fishing event" means an event when:
- 211 (a) privately acquired fish are held or confined for a period not to exceed 10 days for the purpose of providing fishing or recreational opportunity; and
- 213 (b) no fee is charged as a requirement to fish.
- 214 [(51)] (53) "Small game" means species of protected wildlife:
- 215 (a) commonly pursued for sporting purposes;
- 216 (b) not classified as big game, aquatic wildlife, or furbearers; and
- 217 (c) excluding turkey, cougar, and bear.
- 218 [(52)] (54) "Spoiled" means impairment of the flesh of wildlife that renders the flesh unfit for human consumption.
- 220 [(53)] (55) "Spotlighting" means throwing or casting the rays of a spotlight, headlight, or other artificial light on a highway or in a field, woodland, or forest while having in possession a weapon by which protected wildlife may be killed.
- 223 [(54)] (56) "Tag" means a card, label, or other paper-based or electronic means of identification used to document harvest of protected wildlife.
- 225 [(55)] (57) "Take" means to:
- 226 (a) hunt, pursue, harass, catch, capture, possess, gather, angle, seine, trap, or kill protected wildlife; or
- 228 (b) attempt an action referred to in Subsection [(55)] (57)(a).
- 229 (58) "Thermal vision" means the ability of a biological or artificial system to detect infrared radiation by detecting temperature to capture and recognize diverse levels of infrared illumination.

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- 232 [~~(56)~~] (59) "Threatened" means wildlife designated as threatened pursuant to Section 3 of the federal
Endangered Species Act of 1973.
- 234 [~~(57)~~] (60) "Trapping" means taking protected wildlife with a trapping device.
- 235 [~~(58)~~] (61) "Trophy animal" means an animal described as follows:
- 236 (a) deer - a buck with an outside antler measurement of 24 inches or greater;
- 237 (b) elk - a bull with six points on at least one side;
- 238 (c) bighorn, desert, or rocky mountain sheep - a ram with a curl exceeding half curl;
- 239 (d) moose - a bull with at least one antler exceeding five inches in length;
- 240 (e) mountain goat - a male or female;
- 241 (f) pronghorn antelope - a buck with horns exceeding 14 inches; or
- 242 (g) bison - a bull.
- 243 [~~(59)~~] (62) "Upland game" means pheasant, quail, partridge, grouse, ptarmigan, mourning dove, band-
tailed pigeon, turkey, cottontail rabbit, or snowshoe hare.
- 245 [~~(60)~~] (63) "Waste" means to:
- 246 (a) abandon protected wildlife; or
- 247 (b) allow protected wildlife to spoil or to be used in a manner not normally associated with the
protected wildlife's beneficial use.
- 249 [~~(61)~~] (64) "Wild" means the natural environment, including a private pond or private property.
- 251 [~~(62)~~] (65) "Wildlife" means:
- 252 (a) crustaceans, including brine shrimp and crayfish;
- 253 (b) mollusks; and
- 254 (c) vertebrate animals living in nature, except feral animals.
- 255 [~~(63)~~] (66) "Wildlife Board" means the board created in Section 23A-2-301.
- 256 [~~(64)~~] (67) "Wildlife parts" means biological material derived from the body or anatomy of wildlife,
including:
- 258 (a) an antler or horn;
- 259 (b) a hide;
- 260 (c) a bone; or
- 261 (d) meat.
- 255 Section 2. Section **23A-1-103** is amended to read:
- 256 **23A-1-103. Domicile or residency.**

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- 264 (1)
- (a) Subject to Subsections 23A-1-101(15) and 23A-1-101[~~(47)~~] (50), an individual is considered a resident who:
- 266 (i) has been domiciled in the state for six consecutive months immediately preceding the purchase of a license or application of a license, permit, or tag; and
- 268 (ii) does not claim residency for hunting, fishing, or trapping in another state or country.
- 270 (b) To create a new domicile an individual shall:
- 271 (i) abandon the old domicile; and
- 272 (ii) be able to prove that a new domicile has been established.
- 273 (2) A Utah resident retains Utah residency if that individual leaves this state:
- 274 (a) to serve in the armed forces of the United States or for religious or educational purposes; and
- 276 (b) the individual complies with Subsection 23A-1-101[~~(47)~~(b)] (50)(b).
- 277 (3)
- (a) A member of the armed forces of the United States and dependents are residents for the purposes of this title as of the date the member reports for duty under assigned orders in the state if the member:
- 280 (i) is not on temporary duty in this state; and
- 281 (ii) complies with Subsection 23A-1-101[~~(47)~~(b)] (50)(b).
- 282 (b) A member shall present a copy of the assignment orders to a division office to verify the member's qualification as a resident.
- 284 (4) A nonresident attending an institution of higher learning in this state as a full-time student may qualify as a resident for purposes of this title if the student:
- 286 (a) has been present in this state for 60 consecutive days immediately preceding the purchase of the license; and
- 288 (b) complies with Subsection 23A-1-101[~~(47)~~(b)] (50)(b).
- 289 (5) A Utah resident license is invalid if a resident license for hunting, fishing, or trapping is purchased in another state or country.
- 291 (6) An absentee landowner paying property tax on land in Utah does not qualify as a resident.
- 286 Section 3. Section **23A-1-204** is amended to read:
- 287 **23A-1-204. Night hunting of nonprotected wildlife -- County ordinances -- Permits.**
- 296 (1)

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- (a) For purposes of a county ordinance enacted pursuant to this section, "motor vehicle" means the same as that term is defined in Section 41-6a-102.
- 298 (b) For purposes of this section, "nonprotected wildlife" means the wildlife that is excluded from the definition of protected wildlife under Section 23A-1-101.
- 300 (2) [~~Spotlighting may be used to hunt coyote, red fox, striped skunk, or raccoon~~] A person may engage in night hunting of nonprotected wildlife when allowed by a county ordinance enacted pursuant to this section.
- 303 (3) The county ordinance shall provide that:
- 304 (a) a hunter shall carry [~~the artificial light used to spotlight coyote, red fox, striped skunk, or raccoon~~] a light enhancement device used to locate nonprotected wildlife;
- 306 (b) a motor vehicle headlight or light attached to or powered by a motor vehicle may not be used to [~~spotlight the coyote, red fox, striped skunk, or raccoon~~] locate nonprotected wildlife; and
- 309 (c) while hunting with the use of [~~an artificial light~~] a light enhancement device, the hunter may not occupy or operate a motor vehicle.
- 311 (4) The county ordinance may specify:
- 312 (a) the time of day and seasons when [~~spotlighting~~] night hunting is permitted;
- 313 (b) areas closed or open to [~~spotlighting~~] night hunting within the unincorporated area of the county;
- 315 (c) safety zones within which [~~spotlighting~~] night hunting is prohibited;
- 316 (d) the weapons permitted; and
- 317 (e) penalties for violation of the county ordinance.
- 318 (5)
- (a) A county may restrict the number of hunters engaging in [~~spotlighting~~] night hunting by requiring a permit to [~~spotlight~~] night hunt and issuing a limited number of permits.
- 321 (b)
- (i) A county may charge a fee for a [~~spotlighting~~] night hunting permit.
- 322 (ii) A county ordinance shall establish the permit fee.
- 323 (iii) A county shall remit revenue generated by the permit fee to the division for deposit into the Wildlife Resources Account, except the Wildlife Board may allow a county that enacts an ordinance pursuant to this section to retain a reasonable amount to pay for the costs of administering and enforcing the county ordinance if the use of the permit revenues does not affect federal funds

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received by the state under Wildlife Restoration Act, 16 U.S.C. Sec. 669 et seq., and Sport Fish Restoration Act, 16 U.S.C. Sec. 777 et seq.

- 330 (6) A county may require a hunter to notify the county sheriff of the time and place the hunter will be engaged in [~~spotlighting~~] night hunting.
- 332 (7) The requirement that a county enact an ordinance before a person may [~~use spotlighting to hunt coyote, red fox, striped skunk, or raccoon~~] engage in night hunting to hunt nonprotected wildlife does not apply to:
- 335 (a) a person or the person's agent who is lawfully acting to protect the person's crops or domestic animals from predation by those animals; or
- 337 (b) an animal damage control agent acting in the agent's official capacity under a memorandum of agreement with the division.

339 ~~{Section 4. Section 23A-2-201 is amended to read: }~~

340 **23A-2-201. Division of Wildlife Resources -- Limits on authority of political subdivisions --**
Adjudicative proceedings -- Official seal.

- 342 (1)
- (a) There is created the Division of Wildlife Resources within the Department of Natural Resources under the administration and general supervision of the executive director.
- 345 (b) The division is the wildlife authority for Utah and is vested with the functions, powers, duties, rights, and responsibilities provided in this title and other law.
- 347 (2)
- (a) Subject to the broad policymaking authority of the Wildlife Board, the division shall protect, propagate, manage, conserve, and distribute protected wildlife throughout the state.
- 350 (b) The division is the trustee and custodian of protected wildlife and may initiate civil proceedings, in addition to criminal proceedings provided for in this title, to:
- 352 (i) recover damages;
- 353 (ii) compel performance;
- 354 (iii) compel substitution;
- 355 (iv) restrain or enjoin;
- 356 (v) initiate any other appropriate action; and
- 357 (vi) seek appropriate remedies in the division's capacity as trustee and custodian.
- 358 (3)

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- (a) If a political subdivision of the state adopts an ordinance or regulation concerning hunting, fishing, or trapping that conflicts with this title or rules made pursuant to this title, state law prevails.
- 361 (b) A community may close areas to hunting for safety reasons after confirmation by the Wildlife Board.
- 363 (4)
- (a) As used in this Subsection (4), "claim involving wildlife" means:
- 364 (i) a depredation claim;
- 365 (ii) a wildlife damage claim; or
- 366 (iii) a nuisance complaint involving wildlife.
- 367 (b) Subject to Subsection (4)(c), a political subdivision of the state shall respond to and pay for a claim involving wildlife within the boundaries of the political subdivision, if the political subdivision:
- 370 (i) owns or purchases an aggregate amount of more than 500 contiguous acres of land in fee simple on which the political subdivision restricts the division's ability to manage wildlife populations; or
- 373 (ii) enacts an ordinance or takes other action that restricts the division's ability to manage wildlife populations within any portion of the political subdivision's boundary.
- 376 (c) A political subdivision of the state may not be required to respond to or pay for a claim involving wildlife under Subsection (4)(b) because the political subdivision has enacted a law, rule, or ordinance or taken an action to prohibit the use ~~[of firing]~~ or firing of a firearm within the boundaries of the political subdivision.
- 380 (d) The division may not expend state money for a claim listed in Subsection (4)(b) when a political subdivision limits the division's ability to manage wildlife populations on more than 500 contiguous acres of land.
- 383 (5)
- (a) Subject to Subsection (3), a political subdivision of the state that owns or purchases an aggregate amount of more than 500 contiguous acres of land in fee simple may not prohibit or otherwise restrict hunting within the boundaries of the political subdivision, except that the political subdivision may prohibit the use or firing of a firearm within the boundaries of the political subdivision.
- 388 (b) The state or a political subdivision described in Subsection (5)(a) may not enforce a conservation easement that is recorded before May 7, 2025, and held by the state or political subdivision to the

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extent that the conservation easement prohibits or otherwise restricts hunting within the boundaries of the land subject to the conservation easement.

393 [(5)] (6) The division shall comply with Title 63G, Chapter 4, Administrative Procedures Act, in the
division's adjudicative proceedings.

395 [(6)] (7) The division shall adopt an official seal and file an impression and a description of the official
seal with the Division of Archives.

332 Section 4. Section **23A-2-301** is amended to read:

333 **23A-2-301. Wildlife Board created.**

399 (1) There is created a Wildlife Board that consists of seven members appointed by the governor with the
advice and consent of the Senate in accordance with Title 63G, Chapter 24, Part 2, Vacancies.

402 (2)

(a) In addition to the requirements of Section 79-2-203, the members of the Wildlife Board shall have
expertise or experience in at least one of the following areas:

404 (i) wildlife management or biology;

405 (ii) habitat management, including range or aquatic;

406 (iii) business, including knowledge of private land issues; and

407 (iv) economics, including knowledge of recreational wildlife uses.

408 (b) At least one member of the Wildlife Board shall represent each of the areas of expertise under
Subsection (2)(a).

410 (c)

(i) ~~{As}~~ Except as provided in Subsection (2)(c)(iv), as a qualification for service on the Wildlife
Board, a member of the Wildlife Board shall:

412 (A) have obtained a hunting or combination license for use by the member that is issued under
Chapter 4, Licenses, Permits, Certificates of Registration, and Tags, at least three times during
the five years before the day on which the individual is nominated by the nominating committee
for appointment to the Wildlife Board; and

417 (B) possess a hunting or combination license issued under Chapter 4, Licenses, Permits, Certificates
of Registration, and Tags, while serving on the Wildlife Board.

420 (ii) ~~{An}~~ The director shall remove an individual {is removed} from the Wildlife Board {as of July 1,
2025,} if the director determines that the individual {as} does not meet the requirement of {June
30, 2025;} Subsection (2)(c)(i)(A).

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- 422 ~~{(A) {is a member of the Wildlife Board; and}}~~
- 423 ~~{(B) {fails to meet the qualification requirements of Subsection (2)(c)(i).}}~~
- 424 (iii)
- (A) ~~{Except as provided in Subsection (2)(c)(ii).}~~ The director shall remove an individual ~~{is removed~~
} from the Wildlife Board 15 days after the day on which the director notifies the individual that
the individual is not in compliance with Subsection (2)(c)(i) (2)(c)(i)(B) unless during the 15-
day period the individual obtains or otherwise proves that the individual holds a valid hunting or
combination license.
- 429 (B) The director shall send the notice required by this Subsection (2)(c)(iii), if the director finds that
final action has been taken to suspend the license required by Subsection (2)(c)(i) (2)(c)(i)(B) or
the individual fails to obtain a new license required under Subsection (2)(c)(i) (2)(c)(i)(B) once
the previous license expires.
- 433 ~~{(3)}~~
- ~~{(a)}~~ An individual who is a member of the Wildlife Board as of May 7, 2025, is not subject to
Subsection (2)(c)(i), except that if the governor reappoints the member to the Wildlife Board, the
individual is subject to Subsection (2)(c)(i) as of the new membership term.
- 371 (3)
- (a) The governor shall select a board member from a list of nominees submitted by the nominating
committee pursuant to Section 23A-2-302.
- 435 (b) No more than two members shall be from a single wildlife region described in Subsection
23A-2-303(1).
- 437 (c) The governor may request an additional list of at least two nominees from the nominating committee
if the initial list of nominees for a given position is unacceptable.
- 440 (d)
- (i) If the governor fails to appoint a board member within 60 days after receipt of the initial or
additional list, the nominating committee shall make an interim appointment by majority vote.
- 443 (ii) The interim board member shall serve until the matter is resolved by the nominating committee and
the governor or until the board member is replaced pursuant to this chapter.
- 446 (4)
- (a) Except as required by Subsection (4)(b), as terms of current board members expire, the governor
shall appoint a new member or reappointed member to a six-year term.

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- 449 (b) Notwithstanding the requirements of Subsection (4)(a), the governor shall, at the time of
appointment or reappointment, adjust the length of terms to ensure that:
- 451 (i) the terms of board members are staggered so that approximately one-third of the Wildlife Board is
appointed every two years; and
- 453 (ii) members serving from the same region have staggered terms.
- 454 (c) If a vacancy occurs, the nominating committee shall submit at least two names, as provided in
Subsection 23A-2-302(4), to the governor and the governor shall appoint a replacement for the
unexpired term.
- 457 (d) A board member may serve only one term unless the board member:
- 458 (i) is among the first board members appointed to serve four years or less; or
- 459 (ii) filled a vacancy under Subsection (4)(c) for four years or less.
- 460 (5) When the governor makes a new appointment or reappointment under Subsection (4)(a), or a
vacancy appointment under Subsection (4)(c), the governor's new appointment, reappointment, or
vacancy appointment shall be made with the advice and consent of the Senate in accordance with
Title 63G, Chapter 24, Part 2, Vacancies.
- 464 (6)
- (a) The Wildlife Board shall elect a chair and a vice chair from the Wildlife Board's membership.
- 466 (b) Four members of the Wildlife Board constitutes a quorum.
- 467 (c) The director shall act as secretary to the Wildlife Board, but is not a voting member of the Wildlife
Board.
- 469 (7)
- (a) The Wildlife Board shall hold a sufficient number of public meetings each year to expeditiously
conduct the Wildlife Board's business.
- 471 (b) Meetings may be called by the chair upon five days notice or upon shorter notice in emergency
situations.
- 473 (c) Meetings may be held at the Salt Lake City office of the division or elsewhere as determined by the
Wildlife Board.
- 475 (8) A member may not receive compensation or benefits for the member's service, but may receive per
diem and travel expenses in accordance with:
- 477 (a) Section 63A-3-106;
- 478 (b) Section 63A-3-107; and

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- 479 (c) rules made by the Division of Finance pursuant to Sections 63A-3-106 and 63A-3-107.
481 (9)
- (a) A member of the Wildlife Board shall complete an orientation course to assist the member in the performance of the duties of the member's office.
- 483 (b) The department shall provide the course required under Subsection (9)(a).
- 484 (10) A member shall comply with the conflict of interest provisions described in Title 63G, Chapter 24, Part 3, Conflicts of Interest.
- 424 Section 5. Section **23A-2-302** is amended to read:
425 **23A-2-302. Wildlife Board Nominating Committee created.**
- 488 (1) There is created a Wildlife Board Nominating Committee that consists of 11 members.
- 489 (2) The governor shall appoint members to the nominating committee as follows:
- 490 (a) three members shall be appointed from a list of at least two nominees per position submitted by the agriculture industry;
- 492 (b) three members shall be appointed from a list of at least two nominees per position submitted by sportsmen groups;
- 494 (c) two members shall be appointed from a list of at least two nominees per position submitted by [nonconsumptive] watchable wildlife interests;
- 496 (d) one member shall be appointed from a list of at least two nominees submitted by federal land management agencies;
- 498 (e) one local elected official shall be appointed from a list of at least two nominees submitted by the Utah Association of Counties; and
- 500 (f) one range management specialist shall be appointed from a list of at least two nominees submitted jointly by the Utah Chapter, Society of Range Management and the Utah Chapter, The Wildlife Society.
- 503 (3) A wildlife region described in Subsection 23A-2-303(1) shall be represented by at least one member. A wildlife region may not be represented by more than three members.
- 505 (4)
- (a) The nominating committee shall nominate at least two, but not more than four, candidates for each position or vacancy that occurs on the Wildlife Board.
- 507 (b) The nominating committee may not nominate a candidate for a position or vacancy on the Wildlife Board {who} if the candidate does not {obtain a hunting or combination license for} meet the

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~~{ candidate's use that is issued under Chapter 4, Licenses, Permits, Certificates of Registration, and Tags, at least three times during }~~ requirements of Subsection 23A-2-301(2)(c)(i)(A) on the { five years before the day on which } day the candidate is nominated by the nominating committee.

512 (5)

(a) Except as required by Subsection (5)(b), as terms of current nominating committee members expire, the governor shall appoint a new or reappointed member to a four-year term.

515 (b) Notwithstanding the requirements of Subsection (5)(a), the governor shall, at the time of appointment or reappointment, adjust the length of terms to ensure that:

517 (i) the terms of nominating committee members are staggered so that approximately half of the nominating committee is appointed every two years; and

519 (ii) members from the same wildlife region serve staggered terms.

520 (c) If a vacancy occurs for any reason, the governor shall appoint a replacement in the same manner that the position was originally filled to serve the remainder of the unexpired term.

523 (6) The nominating committee shall select a chair and vice chair from the nominating committee's membership.

525 (7) Six members shall constitute a quorum.

526 (8) A member of the nominating committee may not receive compensation or benefits for the member's service, but may receive per diem and travel expenses in accordance with:

528 (a) Section 63A-3-106;

529 (b) Section 63A-3-107; and

530 (c) rules made by the Division of Finance pursuant to Sections 63A-3-106 and 63A-3-107.

469 Section 6. Section **23A-2-303** is amended to read:

470 **23A-2-303. Regional advisory councils created.**

534 (1) There are created five regional advisory councils that consist of 12 to 15 members each from the wildlife region whose boundaries are established for administrative purposes by the division.

537 (2)

(a) The members shall include individuals who represent the following groups and interests:

539 ~~[(a)]~~ (i) agriculture;

540 ~~[(b)]~~ (ii) sportsmen;

541 ~~[(c)]~~ (iii) ~~noneconsumptive~~ watchable wildlife;

542 ~~[(d)]~~ (iv) locally elected public officials;

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- 543 [(e)] (v) federal land agencies; and
544 [(f)] (vi) the public at large.
- 545 (b)
- (i) Except as provided in ~~{Subsection (2)(b)(iii)}~~ Subsections (2)(b)(iv) and (v), as a qualification for service on a regional advisory council, a member of the regional advisory council shall:
- 547 (A) have obtained a hunting or combination license for use by the member that is issued under Chapter 4, Licenses, Permits, Certificates of Registration, and Tags, at least three times during the five years before the day on which the individual is nominated for appointment to the regional advisory council under Subsection (3); and
- 552 (B) possess a hunting or combination license issued under Chapter 4, Licenses, Permits, Certificates of Registration, and Tags, while serving on the regional advisory council.
- 493 (ii) Except as provided in Subsection (2)(b)(iv), the director shall remove an individual from a regional advisory council if the director determines that the individual does not meet the requirement of Subsection (2)(b)(i)(A).
- 555 ~~{(ii)}~~ (iii)
- (A) Except as provided in Subsection ~~{(2)(b)(iii)}~~ (2)(b)(iv), the director shall remove an individual ~~{is removed}~~ from a regional advisory council 15 days after the day on which the director notifies the individual that the individual is not in compliance with Subsection ~~{(2)(b)(i)}~~ (2)(b)(i)(B) unless during the 15-day period the individual obtains or otherwise proves that the individual holds a valid hunting or combination license.
- 560 (B) The director shall send the notice required by this Subsection ~~{(2)(b)(ii)}~~ (2)(b)(iii), if the director finds that final action has been taken to suspend the license required by Subsection ~~{(2)(b)(i)}~~ (2)(b)(i)(B) or the individual fails to obtain a new license required under Subsection ~~{(2)(b)(i)}~~ (2)(b)(i)(B) once the previous license expires.
- 564 ~~{(iii)}~~ (iv) An individual who is a member of a regional advisory council as of May 7, 2025, is not subject to Subsection (2)(b)(i), except that if the executive director reappoints the member to the regional advisory council, the individual is subject to Subsection (2)(b)(i) as of the new membership term.
- 568 ~~{(3)}~~ This Subsection (2)(b) does not apply to an individual selected by the executive director to serve on a regional advisory council for the purpose of representing agriculture.

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- (3) The executive director, in consultation with the director, shall select the members from a list of nominees submitted by the respective interest group or agency.
- 570 (4) The regional advisory councils shall:
- 571 (a) hear broad input, including recommendations, biological data, and information regarding the effects of wildlife;
- 573 (b) gather information from staff, the public, and government agencies; and
- 574 (c) make recommendations to the Wildlife Board in an advisory capacity.
- 575 (5)
- (a) Except as required by Subsection (5)(b), a member shall serve a four-year term.
- 576 (b) Notwithstanding the requirements of Subsection (5)(a), the executive director shall, at the time of appointment or reappointment, adjust the length of terms to ensure that the terms of council members are staggered so that approximately half of the council is appointed every two years.
- 580 (6) When a vacancy occurs in the membership for any reason, the replacement shall be appointed for the unexpired term.
- 582 (7) The councils shall determine:
- 583 (a) the time and place of meetings; and
- 584 (b) a procedural matter not specified in this chapter.
- 585 (8) Members of the councils shall complete an orientation course described in Subsection 23A-2-301(9).
- 587 (9) A member may not receive compensation or benefits for the member's service, but may receive per diem and travel expenses in accordance with:
- 589 (a) Section 63A-3-106;
- 590 (b) Section 63A-3-107; and
- 591 (c) rules made by the Division of Finance pursuant to Sections 63A-3-106 and 63A-3-107.
- 538 Section 7. Section **23A-6-101** is amended to read:
- 539 **23A-6-101. Definitions.**
- As used in this chapter:
- 596 (1)
- (a) "General plan" means a document that a municipality or county adopts that sets forth general guidelines for proposed future development of the land within the municipality or county.
- 599 (b) "General plan" includes what is commonly referred to as a "master plan."

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600 (2) "Management plan" means a document prepared in accordance with this chapter that describes how
one or more tracts of land owned or managed by the division are to be used.

603 [~~(3) "Wildlife management area" means:~~]

604 [~~(a) a single tract of land owned or managed by the division; or]~~

605 [~~(b) two or more tracts of land owned or managed by the division that are within close proximity of
each other and managed as a single unit.]~~

607 (3)

(a) Except as provided in Subsection (3)(b), "wildlife management area" means one or more tracts of
land owned or managed by the division to:

609 (i) protect, conserve, and perpetuate wildlife resources;

610 (ii) provide public access; or

611 (iii) allow wildlife-based recreation.

612 (b) "Wildlife management area" does not include a walk-in access area, fish hatchery, angler access
area, division facility, or shooting range.

614 ~~{Section 9. Section 23A-6-401 is amended to read: }~~

615 **23A-6-401. Target shooting prohibitions.**

616 (1) As used in this section:

617 (a) "County sheriff" means the individual holding the office of county sheriff in the portion of a wildlife
management area where target shooting will be, or is, prohibited under this section.

620 (b) "Extremely hazardous" means categorized as "extreme" under a nationally recognized standard for
rating fire danger.

622 (2) Subject to Subsections (3) and (4), the division may prohibit the use of firearms for target shooting
within all or part of a wildlife management area if the director finds, and the county sheriff agrees,
that conditions in that portion of the wildlife management area are extremely hazardous.

626 (3) A prohibition under ~~[this section]~~ Subsection (2):

627 (a) shall undergo a formal review by the director and the county sheriff every 14 days;

628 (b) may not prohibit an individual from legally possessing a firearm or lawfully participating in a hunt;
and

630 (c) may only remain in place for as long as extremely hazardous conditions exist in the area that is
subject to the prohibition.

632 (4) The director and the county sheriff shall:

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- 633 (a) via a written document, agree to the terms of a prohibition under ~~[this section]~~ Subsection (2),
including:
- 635 (i) the exact area where target shooting is prohibited; and
- 636 (ii) the date when the prohibition becomes effective; and
- 637 (b) comply with Subsection (4)(a) at each formal review under Subsection (3)(a).
- 638 (5)
- (a) The division may prohibit the use of firearms for target shooting within all or part of a wildlife management area if the director finds, and the county sheriff agrees, that public safety requires that target shooting within all or part of a wildlife management area be prohibited.
- 642 (b) The director and the county sheriff shall in a written document agree to the terms of a prohibition under this Subsection (5), including:
- 644 (i) the exact area where target shooting is prohibited; and
- 645 (ii) the date when the prohibition becomes effective.
- 646 (c) The division may not under this Subsection (5) prohibit an individual from legally possessing a firearm or lawfully participating in a hunt.
- 648 (d) The division may prohibit the use of firearms for target shooting under this Subsection (5) only for as long as public safety requires the prohibition in the area that is subject to the prohibition.

559 Section 8. Section **23A-6-402** is amended to read:

560 **23A-6-402. Right of access to lands for hunting, trapping, or fishing reserved to public --**
Exception.

- 654 (1) Except as provided in Section 65A-2-5, there is reserved to the public the right of access to lands owned by the state, including those lands lying below the official government meander line or high water line of navigable waters, for the purpose of hunting, trapping, or fishing.
- 658 (2) When a department or agency of the state leases or sells land belonging to the state lying below the official government meander line or the high water line of the navigable waters within the state, the lease, contract of sale, or deed shall contain a provision that:
- 661 (a) the lands shall be open to the public for the purpose of hunting, trapping, or fishing during the lawful season, except as provided by Section 65A-2-5; and
- 663 (b) the lessee, contractee, or grantee may not charge a person who desires to go upon the land for the purpose of hunting, trapping, or fishing.

665

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- (3) Lands referred to in this section shall be regulated or closed to hunting, trapping, or fishing as provided in this title for other lands and waters.
- 667 (4) The division may temporarily close that portion of a highway, as defined in Section 72-1-102, that enters into or crosses land owned by the division if closure is needed for the benefit of wildlife.
- 670 (5)
- (a) Except as ~~{ otherwise }~~ provided in ~~{ this Subsection (5) }~~ Subsections (5), (6), and (7) an individual who is 18 years old or older may not enter that portion of a wildlife management area that is located within a county of the first or second class for any use unless the individual, and (7) an individual who is 18 years old or older may not enter that portion of a wildlife management area that is located within a county of the first or second class for any use unless the individual ~~{ holds a valid hunting, fishing, or combination license. }~~ ;
- 674 ~~{ (b) } (i) { An individual may travel on a highway, as defined in Section 72-1-102, located within } holds a { wildlife management area described in Subsection (5)(a) without obtaining a } valid hunting, fishing, or combination license { : } ;~~
- 582 (ii) is permitted to engage in the use under a contract with, or other permission given by, the division; or
- 584 (iii) is permitted to engage in the use or to access the land in accordance with a property right giving the individual the right to use or access land within the wildlife management area.
- 587 (b) If the use engaged in by an individual described in Subsection (5)(a) would require a specific license, permit, cooperative agreement, or certificate of registration under this title if engaged in on other lands or waters, the individual shall hold the correct license, permit, cooperative agreement, or certificate of registration to engage in the use.
- 592 (6)
- (a) If an individual is expressly exempt under this title from a requirement to hold a license, permit, cooperative agreement, or certificate of registration to engage in hunting, trapping, or fishing if engaged in on other lands or waters, the individual is not required to hold a hunting, fishing, or combination license to enter a wildlife management area described in Subsection (5)(a).
- 597 (b) An individual may travel on a highway, as defined in Section 72-1-102, located within a wildlife management area described in Subsection (5)(a) without obtaining a hunting, fishing, or combination license.
- 600

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(c) An individual may participate in an educational program or visit an education or visitor center located within a wildlife management area described in Subsection (5)(a) without obtaining a hunting, fishing, or combination license.

603 (7)

(a) The Wildlife Board may make rules, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, to define for purposes of Subsection (6):

605 (i) what is meant to be "expressly exempt under this title from a requirement to hold a license, permit, cooperative agreement, or certificate of registration to engage in hunting, trapping, or fishing"; or

608 (ii) what constitutes an "educational program" or "education or visitor center."

609 (b) The Wildlife Board may not exempt an individual under Subsection (6)(a), on the basis that the individual is not engaged in hunting, trapping, or fishing within a wildlife management area.

612 Section 9. Section **23A-8-101** is amended to read:

613 **23A-8-101. Definitions.**

As used in this chapter:

680 (1) "72 hours" means a time period that begins with the hour a request for action is made pursuant to Section 23A-8-402 and ends 72 hours later with the exclusion of any hour that occurs on the day of a legal holiday that is on a Monday or Friday and listed in Section 63G-1-301.

684 (2) "Cultivated crops" means:

685 (a) annual or perennial crops harvested from or on cleared and planted land;

686 (b) perennial orchard trees on cleared and planted land;

687 (c) crop residues that have forage value for livestock; and

688 (d) pastures.

689 (3) "Depredation" means an act causing damage or death.

690 (4) "Depredation mitigation plan" means the plan described in Subsection 23A-8-402(2).

691 (5) "Growing season" means the portion of a year in which local conditions permit normal plant growth.

693 (6) "Livestock" means cattle, sheep, horses, goats, or turkeys.

694 (7) "Management unit" means a prescribed area of contiguous land designated by the division for the purpose of managing a species of big game animal.

696 (8) "Mitigation review panel" means the panel created under Section 23A-8-404.

697 (9)

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- (a) For purposes of Part 2, Damage in General, "predator" means a mountain lion or bear.
- 699 (b) For purposes of Part 4, Damage by Big Game, "predator" means a cougar, bear, or coyote.
- 636 (10) "Predator control program" means a program of the Department of Agriculture and Food that helps
resolve conflicts with wildlife to protect agriculture, other property and natural resources, and to
safeguard human health and safety.
- 639 (11) "State trapper" means an individual of the Department of Agriculture and Food within the predator
control program.
- 701 ~~[(10)]~~ (12) For purposes of Section 23A-8-302, "turkey" means a wild, free-ranging turkey and does not
include a privately owned or domestic turkey.
- 703 ~~[(11) "Wildlife-{ } Services Program{ } services program]" means a program of the { } United States~~
~~Department of Agriculture{ } Department of Agriculture and Food} that helps resolve conflicts with~~
~~wildlife to protect agriculture, other property, and natural resources, and to safeguard human health~~
~~and safety.]~~
- 707 ~~[(12) "Wildlife specialist" means a { } United States Department of Agriculture, Wildlife Services~~
~~specialist{ } wildlife services specialist of the Department of Agriculture and Food}.:]~~
- 709 (13)
- (a) "Wolf" means the gray wolf *Canis lupus*.
- 710 (b) "Wolf" does not mean a wolf hybrid with a domestic dog.
- 650 Section 10. Section 23A-8-201 is amended to read:
- 651 **23A-8-201. Procedure to obtain compensation for livestock damage done by bear, mountain**
lion, wolf, or eagle.
- 653 (1)
- (a)
- (i) Except as provided by Subsection (1)(a)(ii), if livestock are damaged by a bear, mountain lion,
wolf, or an eagle, the owner may receive compensation for the fair market value of the damage
to the livestock.
- 656 (ii) The owner of livestock may not receive compensation if the livestock is damaged by a wolf
within an area where a wolf is endangered or threatened under the Endangered Species Act of
1973, 16 U.S.C. Sec. 1531, et seq.
- 659

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- (b) To obtain compensation under this section, the owner of the damaged livestock shall notify the division of the damage as soon as possible, but no later than four days after the damage to the livestock is discovered.
- 662 (c) The owner shall notify the division each time damage to livestock is discovered.
- 663 (2) The livestock owner shall file a proof of loss form, provided by the division, no later than 30 days after the original notification of damage to livestock was given to the division by the owner.
- 666 (3)
- (a)
- (i) The division, with the assistance of the Department of Agriculture and Food, shall:
- 668 (A) within 30 days after the owner files the proof of loss form, either accept or deny the claim for damages; and
- 670 (B) subject to Subsections (3)(a)(ii) through (3)(a)(iv), pay the accepted claims to the extent money appropriated by the Legislature is available for this purpose.
- 672 (ii) Money appropriated from the Wildlife Resources Account may be used to provide compensation for only up to 50% of the fair market value of damaged livestock.
- 675 (iii) Money appropriated from the Wildlife Resources Account may not be used to provide compensation for livestock damaged by an eagle or a wolf.
- 677 (iv) The division may not pay an eagle damage claim until the division has paid all accepted mountain lion and bear livestock damage claims for the fiscal year.
- 679 (b) The division may not pay mountain lion, bear, wolf, or eagle damage claims to a livestock owner unless the owner has filed a completed livestock form and the appropriate fee as outlined in Section 4-23-107 for the immediately preceding and current year.
- 683 (c) The division's payment is subject to a 3:1 multiplier for a bear or mountain lion damage claim if the livestock owner has demonstrated and documented husbandry practices to prevent losses including daily contact with the livestock and the use of guardian animals.
- 687 (d) The division may not pay damage claims in excess of the total number of animals of a single species owned by an individual producer.
- 689 [(e)] (e)
- (i) Unless the division denies a claim for the reason identified in Subsection (3)(b), the owner may appeal the decision to a panel consisting of one person selected by the owner, one person selected by the division, and a third person selected by the first two panel members.

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- 693 (ii) The panel shall decide whether the division should pay all of the claim, a portion of the claim, or
none of the claim.
- 695 (4) The Wildlife Board may make rules, in accordance with Title 63G, Chapter 3, Utah Administrative
Rulemaking Act, and enforce rules to administer and enforce this section.
- 697 Section 11. Section **23A-8-202** is amended to read:
- 698 **23A-8-202. Livestock depredation by predators.**
- 713 (1) If a predator harasses, chases, disturbs, harms, attacks, or kills livestock, within 96 hours of the act:
- 715 (a) in a depredation case, the livestock owner, an immediate family member, or an employee of the
livestock owner on a regular payroll and not specifically hired to take a predator, may take predators
subject to the requirements of this section;
- 718 (b) a landowner or livestock owner may notify the division of the depredation or human health and
safety concerns, who may authorize a local hunter to take the offending predator or notify a [wildlife
specialist] state trapper; or
- 721 (c) the livestock owner may notify a [wildlife specialist] state trapper of the depredation who may take
the depredating predator.
- 723 (2) A depredating predator may be taken at any time by a [wildlife specialist] state trapper, supervised
by the [Wildlife Services Program] Department of Agriculture and Food, while acting in the
performance of the [wildlife specialist's] state trapper assigned duties and in accordance with
procedures approved by the division.
- 727 (3)
- (a) A depredating predator may be taken by an individual authorized in Subsection (1)(a):
- 729 (i) with a weapon authorized by the division, pursuant to rules made by the Wildlife Board in
accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, for taking the
predator; or
- 732 (ii) only using snares:
- 733 (A) with written authorization from the director;
- 734 (B) subject to the conditions and restrictions set out in the written authorization; and
- 736 (C) if the division verifies that there has been a chronic depredation situation when numerous livestock
have been killed by a predator as described in rule made by the Wildlife Board in accordance with
Title 63G, Chapter 3, Utah Administrative Rulemaking Act.

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(b) An individual authorized in Subsection (1)(a) to take depredated predators may take no more than two bears per incident.

742 (4)

(a) In accordance with Subsection (4)(b), the division may issue a depredation permit to take a predator on specified private lands and public land grazing allotments with a chronic depredation situation when numerous livestock have been killed by predators.

745 (b) The division may:

746 (i) issue one or more depredation permits to an affected livestock owner or a designee of the affected livestock owner, provided that the livestock owner does not receive monetary consideration from the designee for the opportunity to use the depredation permit;

750 (ii) determine the legal weapons and methods of taking allowed; and

751 (iii) specify the area and season that the depredation permit is valid.

752 (5)

(a) A predator taken under Subsection (1)(a) or (4) remains the property of the state and shall be delivered to a division office or employee within 96 hours of the take.

754 (b) The division may issue a predatory damage permit to a person who has taken a depredated predator under Subsection (1)(a) that authorizes the individual to keep the carcass.

757 (c) An individual who takes a predator under Subsection (1)(a) or (4) may acquire and use a limited entry permit or harvest objective permit in the same year.

759 (d) Notwithstanding Subsections (5)(b) and (c), a person may retain no more than one predator carcass annually.

761 (6) Money derived from the sale of a predator taken under this section shall be deposited into the Wildlife Resources Account created in Section 23A-3-201.

763 (7) Nothing in this section prohibits the division from permitting the removal of a bear causing damage to cultivated crops on cleared and planted land pursuant to rule made by the Wildlife Board in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.

767 (8) Nothing in this section prohibits receiving compensation for livestock damage done by a bear, mountain lion, wolf, or eagle in accordance with Section 23A-8-201.

755 Section 12. Section **23A-11-101** is amended to read:

756 **23A-11-101. Definitions.**

As used in this chapter:

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- 772 (1) "Big game" includes deer, elk, [~~big horn~~] bighorn sheep, moose, mountain goats, pronghorn[-] , or
773 bison.
- 774 (2)
- (a) "Big game byproduct" means those parts of the carcass of a lawfully taken big game animal that are listed in Subsections (2)(a)(i) through (ix):
- 776 (i) bones with less than 1/2 inch of attached muscle tissue;
- 777 (ii) fat, tendons, ligaments, cartilage, and silverskin with less than 1/2 inch attached muscle tissue;
- 779 (iii) muscle tissue damaged by wound channels and within one inch of damaged tissue;
- 781 (iv) head;
- 782 (v) rib and neck meat on deer, pronghorn, mountain goat, and bighorn sheep;
- 783 (vi) antlers and horns;
- 784 (vii) legs below the knee and hock;
- 785 (viii) internal organs; and
- 786 (ix) hide.
- 787 (b) Notwithstanding Subsection (2)(a), "big game byproduct" does not include:
- 788 (i) brain or brain tissue;
- 789 (ii) spine or any part of the spinal column;
- 790 (iii) any portion of the carcass of an animal testing positive for chronic wasting disease;
- 792 (iv) any carcass or portion of a carcass that otherwise fails to meet local, state, or federal regulations governing processing, sale, or distribution of wild game; and
- 794 (v) spoiled product.
- 795 (3)
- (a) "Centerfire rifle hunt" means a hunt for which a hunter may use a centerfire rifle, except as provided in Subsection (3)(b).
- 797 (b) "Centerfire rifle hunt" does not include:
- 798 (i) a bighorn sheep hunt;
- 799 (ii) a mountain goat hunt;
- 800 (iii) a bison hunt;
- 801 (iv) a moose hunt;
- 802 (v) a hunt requiring the hunter to possess a statewide conservation permit; or
- 803 (vi) a hunt requiring the hunter to possess a statewide sportsman permit.

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- 804 (4) "Cultivated crops" means:
- 805 (a) annual or perennial crops harvested from or on cleared and planted land;
- 806 (b) perennial orchard trees on cleared and planted land;
- 807 (c) crop residues that have forage value for livestock; and
- 808 (d) pastures.
- 809 (5) "Financial advantage" means an act through which a person in lawful possession of a protected wildlife carcass uses or disposes of that carcass or carcass parts in a transaction for which the person receives consideration or expects to recover associated costs.
- 813 (6) "Management unit" means a prescribed area of contiguous land designated by the division for the purpose of managing a species of big game animal.
- 815 (7) "Predator" means a cougar, bear, or coyote.
- 816 (8) "Shed antler" means any portion of an antler that:
- 817 (a) has been dropped naturally from a big game animal as part of the big game animal's annual life cycle; and
- 819 (b) has a rounded base commonly known as the antler button or burr attached which signifies a natural life cycle process.
- 821 (9) "Shed horn" means:
- 822 (a) the sheath from a pronghorn that has been dropped naturally as part of the animal's annual life cycle; or
- 824 (b) bighorn sheep, mountain goat, or bison horn naturally detached from the horn core.
- 825 (10) "Spoiled product" means any portion of a protected wildlife carcass that is not fit for human or animal consumption due to the presence of parasites, pathogens, or rot.
- 827 (11) "Statewide conservation permit" means a permit:
- 828 (a) issued by the division;
- 829 (b) distributed through a nonprofit organization founded for the purpose of promoting wildlife conservation; and
- 831 (c) valid:
- 832 (i) on open hunting units statewide; and
- 833 (ii) for the species of big game and time period designated by the Wildlife Board.
- 834 (12) "Statewide sportsman permit" means a permit:
- 835 (a) issued by the division through a public draw; and

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- 836 (b) valid:
837 (i) on open hunting units statewide; and
838 (ii) for the species of big game and time period designated by the Wildlife Board.

839 Section 14. Section **14** is enacted to read:

840 **23A-11-203.5. Big game feeding prohibited.**

841 (1) As used in this section:

842 (a) "Feed" means intentionally placing food or nutrient substances for the purpose of providing sustenance to big game.

844 (b) "Feed" does not include:

845 (i) the use of salt, mineral blocks, or other commonly used types of livestock supplements placed in the field by agricultural producers for normal agricultural purposes; or

848 (ii) standing crops, natural vegetation, harvested croplands, or lands or areas where seeds or grains have been scattered solely as the result of a normal agricultural planting, harvesting, post-harvest manipulation, or normal soil stabilization practice.

852 (2) Unless authorized by a certificate of registration, a person may not feed big game.

853 (3) The division may only issue a certificate of registration to allow for the feeding of big game if the division determines that feeding is necessary to:

855 (a) alleviate substantial big game depredation on cultivated crops;

856 (b) facilitate the removal of deer or elk causing property damage within cities or towns; or

858 (c) protect wildlife.

825 Section 13. Section **23A-11-302** is amended to read:

826 **23A-11-302. Big game protection -- Director authority.**

861 (1) It is the policy of the state that big game animals are of great importance to the citizens of the state, the citizen's quality of life, and the long term sustainability of the herds for future generations.

864 (2)

(a) Unless the condition described in Subsection (2)(b) is determined, the director shall take immediate action to reduce the number of predators within a management unit when the big game population is under the established herd size objective for that management unit.

868 (b) Subsection (2)(a) does not apply if the division determines that predators are not significantly contributing to the big game population being under the herd size objective for the management unit.

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- 871 (3) Immediate action under Subsection (2) includes any of the following management tools:
- 872 (a) increasing take permits or tags for cougar and bear until the herd size objective is met;
- 874 (b) allowing big game hunters to harvest predators with the appropriate permit during a big game hunting season, including issuing over-the-counter predator permits;
- 876 (c) professional trapping and predator control by [~~the United States Department of Agriculture Wildlife Services,~~] the following, including aerial control measures:
- 878 (i) ~~the Department of Agriculture and Food's {wildlife services}~~ predator control program;
- 879 (ii) private contracts[;] ; and
- 880 (iii) ~~the general public[, including aerial control measures];~~ and
- 881 (d) other management tools as determined by the director.
- 882 (4) The director shall annually give a status report on predator control measures implemented pursuant to this chapter and Chapter 8, Part 4, Damage by Big Game, to the Natural Resources, Agriculture, and Environmental Quality Appropriations Subcommittee and Natural Resources, Agriculture, and Environment Interim Committee.

886 ~~{Section 16. Section 57-18-4 is amended to read: }~~

887 **57-18-4. Requirements for creation of conservation easement.**

- 888 (1) Any property owner may grant a conservation easement to any other qualified person as defined in Section 57-18-3 in the same manner and with the same effect as any other conveyance of an interest in real property.
- 891 (2)
- (a) A conservation easement shall be in writing and shall be recorded in the office of the recorder of the county in which the easement is granted.
- 893 (b) Within 10 days after a conservation easement is recorded, the owner of real property for which the conservation easement is granted shall deliver to the assessor of the county in which the property is located a copy of the conservation easement and proof that the conservation easement has been recorded.
- 897 (c) Before January 1, 2012, each owner of property subject to a conservation easement recorded before May 10, 2011, shall deliver to the assessor of the county in which the property is located a copy of the conservation easement and proof that the conservation easement has been recorded.

901

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- (3) The instrument that creates a conservation easement shall identify and describe the land subject to the conservation easement by legal description, specify the purpose for which the easement is created, and include a termination date or a statement that the easement continue in perpetuity.
- 905 (4) Any qualified person, as defined in Section 57-18-3, that receives a conservation easement shall disclose to the easement's grantor, at least three days prior to the granting of the easement, the types of conservation easements available, the legal effect of each easement, and that the grantor should contact an attorney concerning any possible legal and tax implications of granting a conservation easement.
- 910 (5) For a conservation easement recorded on or after May 7, 2025, the instrument creating the conservation easement may not prohibit or otherwise restrict hunting on the land included in the legal description required by Subsection (3).

852 Section 14. **Effective date.**

This bill takes effect on May 7, 2025.

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