

Hunting Amendments
2025 GENERAL SESSION
STATE OF UTAH
Chief Sponsor: Rex P. Shipp

LONG TITLE

General Description:

This bill addresses the taking of wildlife through the use of a hunting guide or outfitter.

Highlighted Provisions:

This bill:

- ▶ allows for compensating up to three individuals in locating or monitoring the location of big game animals on public land;

- ▶ provides an exemption under certain circumstances for an individual disclosing the location of a big game animal;

- ▶ clarifies effect of violating provisions related to compensating people to locate big game animals; and

- ▶ makes technical amendments.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

23A-5-309, as renumbered and amended by Laws of Utah 2023, Chapter 103

23A-11-204, as renumbered and amended by Laws of Utah 2023, Chapter 103

58-79-501, as last amended by Laws of Utah 2020, Chapters 316, 376

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

Section 1. Section **23A-5-309** is amended to read:

23A-5-309 . Taking, transporting, selling, or purchasing protected wildlife illegal except as authorized -- Criminal penalty.

(1) Except as provided in this title or a rule, proclamation, or order of the Wildlife Board, a person may not:

(a) take protected wildlife or wildlife parts;

- 32 (b) collect, import, possess, transport, propagate, store, donate, transfer, or export
33 protected wildlife or wildlife parts;
- 34 (c) take, possess, sell, purchase, barter, donate, or trade protected wildlife or wildlife
35 parts without having previously procured the necessary licenses, permits, tags,
36 federal stamps, certificates of registration, authorizations, and receipts required in this
37 title or a rule, proclamation, or order of the Wildlife Board;
- 38 (d) take protected wildlife with a weapon, ammunition, implement, tool, device, or any
39 part of any of these not specifically authorized in this title or a rule, proclamation, or
40 order of the Wildlife Board;
- 41 (e) possess while in pursuit of protected wildlife a weapon, ammunition, implement,
42 tool, device, or any part of any of these not specifically authorized in this title or a
43 rule, proclamation, or order of the Wildlife Board;
- 44 (f) take protected wildlife using a method, means, process, or practice not specifically
45 authorized in this title or a rule, proclamation, or order of the Wildlife Board;
- 46 (g) take protected wildlife outside the season dates, location boundaries, and daily time
47 frames established in rule, proclamation, or order of the Wildlife Board;
- 48 (h) take protected wildlife in excess of the bag and possession limits established in rule,
49 proclamation, or order of the Wildlife Board;
- 50 (i) take protected wildlife in an area closed to hunting, trapping, or fishing by rule,
51 proclamation, or order of the Wildlife Board, or by executive order of the director
52 pursuant to Subsection 23A-2-203(4);
- 53 (j) practice falconry or capture, possess, or use birds in falconry;
- 54 (k) take wildlife from an airplane or any other airborne vehicle or device or a motorized
55 terrestrial or aquatic vehicle, including snowmobiles and other recreational vehicles;
- 56 (l) hold in captivity at any time any live protected wildlife;
- 57 (m) use or permit a dog or other domestic or trained animal to take protected wildlife;
- 58 (n) remove, damage, or destroy an occupied nest of protected wildlife;
- 59 (o) release captured or captive wildlife into the wild;
- 60 (p) use spotlighting to take protected wildlife;
- 61 (q) employ or use a means of concealment or camouflage while taking protected wildlife
62 which is prohibited in this title or a rule, proclamation, or order of the Wildlife Board;
- 63 (r) possess or use bait or other attractant to take protected wildlife which is prohibited in
64 this title or a rule, proclamation, or order of the Wildlife Board;
- 65 (s) use a decoy or recorded or electronically amplified call which is prohibited in this

- 66 title or a rule, proclamation, or order of the Wildlife Board to take protected wildlife;
- 67 (t) commercially harvest protected wildlife, including brine shrimp and brine shrimp
- 68 eggs;
- 69 (u) use protected wildlife for commercial purposes or financial gain as prohibited by
- 70 Section 23A-5-304;
- 71 (v) enter, establish, or hold a contest or tournament involving the taking of protected
- 72 wildlife;
- 73 (w) operate or participate in a commercial hunting area as described in Section
- 74 23A-12-202; [or]
- 75 (x) operate or participate in a cooperative wildlife management unit as defined in
- 76 Section 23A-7-101[-] ; or
- 77 (y) operate or participate in outfitter or hunting guide activities in violation of Section
- 78 23A-11-204.
- 79 (2) Possession of protected wildlife without a valid license, permit, tag, certificate of
- 80 registration, bill of sale, or invoice is prima facie evidence that the protected wildlife
- 81 was illegally taken and is illegally held in possession.
- 82 (3) A person is subject to the penalty under Section 23A-5-301 if the person:
- 83 (a) violates Subsection (1); and
- 84 (b) does so with criminal negligence as defined in Subsection 76-2-103(4).
- 85 Section 2. Section **23A-11-204** is amended to read:
- 86 **23A-11-204 . Limitation on compensating people to provide outfitting or hunting**
- 87 **guide services for big game animals.**
- 88 (1) As used in this section:
- 89 (a) "Compensate" or "compensated" means anything of value in excess of \$25 that is
- 90 paid, loaned, given, granted, donated, or transferred to a person for or in
- 91 consideration of locating or monitoring the location of big game animals.
- 92 (b) "Retain" or "retained" means a written or oral agreement for the delivery of outfitting
- 93 services or hunting guide services between an outfitter or hunting guide and the
- 94 recipient of those services.
- 95 (2) Except as provided in Subsections (3) and (4), a person may not compensate another
- 96 person to locate or monitor the location of big game animals on public land in
- 97 connection with or furtherance of taking a big game animal under this title.
- 98 (3) A person may compensate a registered outfitter or hunting guide to help the person
- 99 locate and take a big game animal on public land if:

- 100 (a) the outfitter or hunting guide is registered and in good standing under Title 58,
 101 Chapter 79, Hunting Guides and Outfitters Registration Act;
 102 (b) the person has retained the outfitter or hunting guide and is the recipient of the
 103 outfitting services and hunting guide services, as defined in Section 58-79-102;
 104 (c) the person possesses the licenses and permits required to take a big game animal;
 105 (d) the person retains and uses not more than one outfitter or hunting guide in
 106 connection with taking a big game animal; and
 107 (e) the retained outfitter or hunting guide uses no more than [~~one compensated individual~~]
 108 three compensated individuals in locating or monitoring the location of big game
 109 animals on public land.

- 110 (4) A registered outfitter or registered hunting guide in good standing may compensate
 111 another person to locate or monitor the location of big game animals on public land if:
 112 (a) the outfitter or hunting guide has been retained by the recipient of the outfitting
 113 services or hunting guide services to assist the recipient take a big game animal on
 114 public land;
 115 (b) the recipient possesses the licenses and permits required to take a big game animal;
 116 (c) the recipient is not simultaneously using another outfitter or hunting guide to assist in
 117 taking the same species and sex of big game animal; and
 118 (d) the outfitter or hunting guide compensates not more than [~~one other individual~~] three
 119 other individuals to locate or monitor the location of big game animals in connection
 120 with assisting the recipient take a big game animal on public land.

121 (5) This section does not apply to an individual who informs an outfitter or hunting guide of
 122 the location of a big game animal without being employed to locate or monitor the
 123 location of a big game animal by an outfitter, hunting guide, or recipient of the outfitting
 124 services or hunting guide services.

125 [~~5~~] (6) A violation of:

- 126 (a) this section constitutes an unlawful take under Section 23A-5-309; and
 127 (b) Subsection (4) constitutes unlawful conduct under Sections 58-1-501, 58-1-502, and
 128 58-79-501.

129 Section 3. Section **58-79-501** is amended to read:

130 **58-79-501 . Unlawful conduct.**

131 "Unlawful conduct" includes, in addition to the definition in Section 58-1-501[;] :

- 132 (1) using the title "hunting guide" or "outfitter" or any other title or designation to indicate
 133 that the individual is a hunting guide or outfitter or acting as a hunting guide or outfitter,

134 unless the individual is currently registered as a hunting guide or outfitter under this
135 chapter[-] ; or

136 (2) violating Subsection 23A-11-204(4).

137 Section 4. **Effective date.**

138 This bill takes effect on May 7, 2025.