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**Wildlife Amendments**  
2026 GENERAL SESSION  
STATE OF UTAH

**Chief Sponsor: Bridger Bolinder**  
Senate Sponsor: Calvin R. Musselman

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**LONG TITLE**

**General Description:**

This bill addresses the management of wildlife resources and wildlife habitats.

**Highlighted Provisions:**

This bill:

- ▶ addresses who may provide verification of illness, injury, or disability in relationship to a license, certificate, or permit issued under the Wildlife Resources Act;
- ▶ amends provisions related to notice of acquisition of real property;
- ▶ addresses rulemaking and penalties related to reporting hunt information;
- ▶ provides for the management of grizzly bears;
- ▶ grants rulemaking authority;
- ▶ addresses discharge of a dangerous weapon related to a waterfowl management area or wildlife management area;
- ▶ creates the Poaching Mitigation Fund;
- ▶ provides for restitution money to be deposited into the Poaching Mitigation Fund for use by the Division of Law Enforcement within the Department of Natural Resources;
- ▶ removes references to spotters;
- ▶ provides that money in the Guide and Outfitter Fund be used by the Division of Law Enforcement within the Department of Natural Resources;
- ▶ removes outdated language related to the Division of Professional Licensing;
- ▶ modifies definitions related to guide and outfitter provisions, including the definition of a guide or outfitter;
- ▶ modifies fee provisions;
- ▶ amends under certain circumstances the total number of individuals allowed to provide guide services or outfitting services at a time;

- 28           ▸ clarifies the relationship between guides and outfitters and the retention of outfitters;  
 29           ▸ addresses unlawful activity of a pilot of an aircraft;  
 30           ▸ requires certain reimbursements of investigatory expenses for violations of the wildlife  
 31 resources title;  
 32           ▸ modifies provisions related to unlawful taking of protected wildlife related to a guide or  
 33 outfitter; and  
 34           ▸ makes technical and conforming amendments.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

## AMENDS:

23A-3-216, as enacted by Laws of Utah 2025, Chapter 140

23A-4-207, as renumbered and amended by Laws of Utah 2023, Chapter 103

23A-4-305, as renumbered and amended by Laws of Utah 2023, Chapter 103

23A-4-1106, as last amended by Laws of Utah 2025, Chapters 173, 208

23A-4-1201, as enacted by Laws of Utah 2025, Chapter 140

23A-4-1202, as enacted by Laws of Utah 2025, Chapter 140

23A-4-1203, as enacted by Laws of Utah 2025, Chapter 140

23A-4-1204, as enacted by Laws of Utah 2025, Chapter 140

23A-5-309, as last amended by Laws of Utah 2025, Chapter 140

23A-5-312, as last amended by Laws of Utah 2024, Chapter 347

23A-6-202, as renumbered and amended by Laws of Utah 2023, Chapter 103

23A-15-101, as renumbered and amended by Laws of Utah 2023, Chapter 103

76-11-209, as renumbered and amended by Laws of Utah 2025, Chapters 173, 208

## ENACTS:

23A-3-217, Utah Code Annotated 1953

23A-4-713, Utah Code Annotated 1953

23A-5-301.5, Utah Code Annotated 1953

23A-5-315.5, Utah Code Annotated 1953

23A-15-301, Utah Code Annotated 1953

23A-15-302, Utah Code Annotated 1953

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

63 Section 1. Section **23A-3-216** is amended to read:

64 **23A-3-216 . Guide and Outfitter Fund.**

- 65 (1) There is created an expendable special revenue fund known as the "Guide[;] and  
66 Outfitter[; and Spotter] Fund."  
67 (2) The Guide[;] and Outfitter[; ~~and Spotter~~] Fund shall consist of:  
68 (a) revenue from fees collected under Section 23A-4-1202;  
69 (b) money appropriated by the Legislature; and  
70 (c) interest, dividends, or other income earned on fund money.  
71 (3) The ~~[division]~~ Division of Law Enforcement within the department shall use the money  
72 in the Guide[;] and Outfitter[; ~~and Spotter~~] Fund to administer Chapter 4, Part 12, Guide[;]  
73 and Outfitter[; ~~and Spotter~~].

74 Section 2. Section **23A-3-217** is enacted to read:

75 **23A-3-217 . Poaching Mitigation Fund.**

- 76 (1) There is created an expendable special revenue fund known as the "Poaching Mitigation  
77 Fund."  
78 (2) The Poaching Mitigation Fund shall consist of:  
79 (a) reimbursement money collected under Section 23A-5-301.5;  
80 (b) restitution collected under Section 23A-5-312;  
81 (c) money appropriated by the Legislature; and  
82 (d) interest, dividends, or other income earned on fund money.  
83 (3) The Division of Law Enforcement within the department shall use the money in the  
84 Poaching Mitigation Fund for activities and programs to help stop poaching, including:  
85 (a) educational programs on wildlife crime prevention;  
86 (b) acquisition and development of wildlife crime detection equipment;  
87 (c) operation and maintenance of anti-poaching projects; and  
88 (d) wildlife law enforcement training.

89 Section 3. Section **23A-4-207** is amended to read:

90 **23A-4-207 . Sales of licenses, certificates, or permits final -- Exceptions --**  
91 **Reallocation of surrendered permits.**

- 92 (1) A sale of a license, permit, or certificate is final, and the division may not refund money  
93 except as provided in Subsections (2) and (3) or Section 23A-4-301.  
94 (2) The division may refund the amount of a license, certificate, or permit if:  
95 (a) the division or the Wildlife Board discontinues the activity for which the license,

- 96 certificate, or permit was obtained;
- 97 (b) the division determines that the division has erroneously collected a fee;
- 98 (c)(i) the person to whom the license, certificate, or permit is issued becomes ill or  
 99 suffers an injury that precludes the person from using the license, certificate, or  
 100 permit;
- 101 (ii) the person furnishes verification of illness or injury from a physician~~[-or]~~ ,  
 102 physician assistant, or nurse practitioner;
- 103 (iii) the person does not actually use the license, certificate, or permit; and
- 104 (iv) the license, certificate, or permit is surrendered before the end of the season for  
 105 which the permit was issued; or
- 106 (d) the person to whom the license, certificate, or permit is issued dies before the person  
 107 being able to use the license, certificate, or permit.
- 108 (3) The Wildlife Board may establish additional exceptions to the refund prohibitions in  
 109 Subsection (1) by rule made in accordance with Title 63G, Chapter 3, Utah  
 110 Administrative Rulemaking Act.
- 111 (4) The director may reallocate surrendered permits in accordance with rules made by the  
 112 Wildlife Board in accordance with Title 63G, Chapter 3, Utah Administrative  
 113 Rulemaking Act.
- 114 Section 4. Section **23A-4-305** is amended to read:
- 115 **23A-4-305 . Persons with a physical or intellectual disability, terminally ill**  
 116 **persons, and children in the custody of the state may fish for free.**
- 117 (1) A resident who is blind, has paraplegia, or has another permanent disability so as to be  
 118 permanently confined to a wheelchair or the use of crutches, or who has lost either or  
 119 both lower extremities, may receive a free license to fish upon furnishing satisfactory  
 120 proof of this fact to the division.
- 121 (2) A resident who has an intellectual disability and is not eligible under Section 23A-4-303  
 122 to fish without a license may receive a free license to fish upon furnishing verification  
 123 from a physician~~[-or]~~ , physician assistant, or nurse practitioner that the person has an  
 124 intellectual disability.
- 125 (3) A resident who is terminally ill, and has less than five years to live, may receive a free  
 126 license to fish:
- 127 (a) upon furnishing verification from a physician~~[-or]~~ , physician assistant, or nurse  
 128 practitioner; and
- 129 (b) if the resident qualifies for assistance under a low income public assistance program

130 administered by a state agency.

131 (4) A child placed in the custody of the state by a court order may receive a free fishing  
132 license upon furnishing verification of custody to the division.

133 Section 5. Section **23A-4-713** is enacted to read:

134 **23A-4-713 . Reporting of hunt information.**

135 (1) By rule, made in accordance with Title 63G, Chapter 3, Utah Administrative  
136 Rulemaking Act, the division may require that a person who obtains a hunting license or  
137 permit report hunt information to the division.

138 (2) The rule described in Subsection (1) may impose penalties for failure to provide hunt  
139 information in accordance with that rule, except that a penalty requiring the payment of  
140 money may not exceed \$25.

141 Section 6. Section **23A-4-1106** is amended to read:

142 **23A-4-1106 . Suspension of license or permit privileges -- Suspension of**  
143 **certificates of registration.**

144 (1) As used in this section:

145 (a) "License or permit privileges" means the privilege of applying for, purchasing, and  
146 exercising the benefits conferred by a license or permit issued by the division.

147 (b) "Livestock guardian dog" means the same as that term is defined in Section 76-6-111.

148 (2) A hearing officer, appointed by the division, may suspend a person's license or permit  
149 privileges if:

150 (a) in a court of law, the person:

151 (i) is convicted of:

152 (A) violating this title or a rule of the Wildlife Board;

153 (B) killing or injuring domestic livestock or a livestock guardian dog while  
154 engaged in an activity regulated under this title;

155 (C) violating Section 76-6-111; or

156 (D) violating Section 76-11-209 while engaged in an activity regulated under this  
157 title;

158 (ii) enters into a plea in abeyance agreement, in which the person pleads guilty or no  
159 contest to an offense listed in Subsection (2)(a)(i), and the plea is held in  
160 abeyance; or

161 (iii) is charged with committing an offense listed in Subsection (2)(a)(i), and the  
162 person enters into a diversion agreement which suspends the prosecution of the  
163 offense; and

- 164 (b) the hearing officer determines the person committed the offense intentionally,  
165 knowingly, or recklessly, as defined in Section 76-2-103.
- 166 (3)(a) The Wildlife Board shall make rules establishing guidelines that a hearing officer  
167 shall consider in determining:
- 168 (i) the type of license or permit privileges to suspend; and
  - 169 (ii) the duration of the suspension.
- 170 (b) The Wildlife Board shall ensure that the guidelines established under Subsection  
171 (3)(a) are consistent with Subsections (4), (5), and (6).
- 172 (4) Except as provided in Subsections (5) and (6), a hearing officer may suspend a person's  
173 license or permit privileges according to Subsection (2) for a period of time not to  
174 exceed:
- 175 (a) seven years for:
    - 176 (i) a felony conviction;
    - 177 (ii) a plea of guilty or no contest to an offense punishable as a felony, which plea is  
178 held in abeyance [~~pursuant to~~] in accordance with a plea in abeyance agreement; or
    - 179 (iii) being charged with an offense punishable as a felony, the prosecution of which is  
180 suspended [~~pursuant to~~] in accordance with a diversion agreement;
  - 181 (b) five years for:
    - 182 (i) a class A misdemeanor conviction;
    - 183 (ii) a plea of guilty or no contest to an offense punishable as a class A misdemeanor,  
184 which plea is held in abeyance [~~pursuant to~~] in accordance with a plea in abeyance  
185 agreement; or
    - 186 (iii) being charged with an offense punishable as a class A misdemeanor, the  
187 prosecution of which is suspended [~~pursuant to~~] in accordance with a diversion  
188 agreement;
  - 189 (c) three years for:
    - 190 (i) a class B misdemeanor conviction;
    - 191 (ii) a plea of guilty or no contest to an offense punishable as a class B misdemeanor  
192 when the plea is held in abeyance according to a plea in abeyance agreement; or
    - 193 (iii) being charged with an offense punishable as a class B misdemeanor, the  
194 prosecution of which is suspended [~~pursuant to~~] in accordance with a diversion  
195 agreement; and
  - 196 (d) one year for:
    - 197 (i) a class C misdemeanor conviction;

- 198 (ii) a plea of guilty or no contest to an offense punishable as a class C misdemeanor,  
199 when the plea is held in abeyance according to a plea in abeyance agreement; or  
200 (iii) being charged with an offense punishable as a class C misdemeanor, the  
201 prosecution of which is suspended according to a diversion agreement.
- 202 (5) The hearing officer may double a suspension period established in Subsection (4) for  
203 offenses:
- 204 (a) committed in violation of an existing suspension or revocation order issued by the  
205 courts, division, or Wildlife Board; or  
206 (b) involving the unlawful taking of a trophy animal, as defined in Section 23A-1-101.
- 207 (6)(a) A hearing officer may suspend, according to Subsection (2), a person's license or  
208 permit privileges for a particular license or permit only once for each single criminal  
209 episode, as defined in Section 76-1-401.
- 210 (b) If a hearing officer addresses two or more single criminal episodes in a hearing, the  
211 suspension periods of license or permit privileges of the same type suspended,  
212 according to Subsection (2), may run consecutively.
- 213 (c) If a hearing officer suspends, according to Subsection (2), license or permit  
214 privileges of the type that have been previously suspended by a court, a hearing  
215 officer, or the Wildlife Board and the suspension period has not expired, the  
216 suspension periods may run consecutively.
- 217 (7)(a) A hearing officer, appointed by the division, may suspend a person's privilege of  
218 applying for, purchasing, and exercising the benefits conferred by a certificate of  
219 registration if:
- 220 (i) the hearing officer determines the person intentionally, knowingly, or recklessly,  
221 as defined in Section 76-2-103, violated:
- 222 (A) this title;  
223 (B) a rule or order of the Wildlife Board;  
224 (C) the terms of a certificate of registration; or  
225 (D) the terms of a certificate of registration application or agreement; or  
226 (ii) the person, in a court of law:
- 227 (A) is convicted of an offense that the hearing officer determines bears a  
228 reasonable relationship to the person's ability to safely and responsibly perform  
229 the activities authorized by the certificate of registration;  
230 (B) pleads guilty or no contest to an offense that the hearing officer determines  
231 bears a reasonable relationship to the person's ability to safely and responsibly

- 232 perform the activities authorized by the certificate of registration, and the plea  
233 is held in abeyance in accordance with a plea in abeyance agreement; or  
234 (C) is charged with an offense that the hearing officer determines bears a  
235 reasonable relationship to the person's ability to safely and responsibly perform  
236 the activities authorized by the certificate of registration, and prosecution of the  
237 offense is suspended in accordance with a diversion agreement.
- 238 (b) A hearing officer shall suspend a certificate of registration for the harvesting of brine  
239 shrimp eggs, as defined in Section 59-23-3, if the hearing officer determines the  
240 holder of the certificate of registration has violated Section 59-23-5.
- 241 (8)(a) The director shall appoint a qualified person as a hearing officer to perform the  
242 adjudicative functions provided in this section.
- 243 (b) The director may not appoint a division employee who investigates or enforces  
244 wildlife violations.
- 245 (9)(a) The courts may suspend, in criminal sentencing, a person's privilege to apply for,  
246 purchase, or exercise the benefits conferred by a license, permit, or certificate of  
247 registration.
- 248 (b) The courts shall promptly notify the division of suspension orders or  
249 recommendations entered.
- 250 (c) The division, upon receiving notification of suspension from the courts, shall prohibit  
251 the person from applying for, purchasing, or exercising the benefits conferred by a  
252 license, permit, or certification of registration for the duration and of the type  
253 specified in the court order.
- 254 (d) The hearing officer shall consider a recommendation made by a sentencing court  
255 concerning suspension before issuing a suspension order.
- 256 (10) Before suspension under this section, the division shall give a person:  
257 (a) written notice of action the division intends to take; and  
258 (b) an opportunity for a hearing.
- 259 (11)(a) A person may file an appeal of a hearing officer's decision with the Wildlife  
260 Board.
- 261 (b) The Wildlife Board shall review the hearing officer's findings and conclusions and  
262 any written documentation submitted at the hearing.
- 263 (c) The Wildlife Board may:  
264 (i) take no action;  
265 (ii) vacate or remand the decision; or

- 266 (iii) amend the period or type of suspension.
- 267 (12) The division shall suspend and reinstate all hunting, fishing, trapping, and falconry  
268 privileges consistent with Chapter 2, Part 5, Wildlife Violator Compact.
- 269 [~~(13) Within 30 days after the day on which an individual's privilege to hunt or fish is~~  
270 ~~suspended under this title, the division shall report to the Division of Professional~~  
271 ~~Licensing the:]~~
- 272 [~~(a) identifying information for the individual; and]~~  
273 [~~(b) time period of the suspension.]~~
- 274 [(14)] (13) The Wildlife Board may make rules to implement this section in accordance with  
275 Title 63G, Chapter 3, Utah Administrative Rulemaking Act.
- 276 Section 7. Section **23A-4-1201** is amended to read:
- 277 **Part 12. Guide and Outfitter**
- 278 **23A-4-1201 . Definitions.**
- 279 As used in this part:
- 280 (1) "Compensation" means anything of economic value in excess of \$100 that is paid,  
281 loaned, granted, given, donated, or transferred to a guide[;] or outfitter[~~, or spotter~~] for or  
282 in consideration of a service, material, or property.
- 283 (2) "Guide" means an individual who is employed or affiliated with an outfitter and offers  
284 or provides guide services on public lands for compensation.
- 285 (3) "Guide services" means to guide, lead, or assist an individual in hunting protected  
286 wildlife.
- 287 (4)(a) "Hunting" means to locate, pursue, chase, catch, capture, trap, or kill protected  
288 wildlife or assist in an action described in this Subsection (4).
- 289 (b) "Hunting" includes fishing.
- 290 (5) "Outfitter" means [~~an individual who~~] a person that offers or provides outfitting[ ~~or guide~~]  
291 services for compensation to [~~another~~] an individual for hunting protected wildlife on  
292 public lands.
- 293 (6)(a) "Outfitting services" means, for hunting protected wildlife on public lands,  
294 providing, either directly or through an individual compensated by the outfitter:
- 295 (i) transportation of people, equipment, supplies, or protected wildlife to or from a  
296 location;
- 297 (ii) cooking for the participants who are hunting, including fishing;
- 298 (iii) packing, protecting, or supervising services; or
- 299 (iv) guide services.

300 (b) "Outfitting services" does not include an activity undertaken by the division or a  
 301 division employee, associate, volunteer, contractor, or agent under authority granted  
 302 in this title.

303 (7)(a) "Public lands" means any lands owned by the United States, the state, or a  
 304 political subdivision or independent entity of the state that are open to the public for  
 305 purposes of engaging in a wildlife related activity.

306 (b) "Public lands" does not include lands owned by the United States, the state, or a  
 307 political subdivision or independent entity of the state that are included in a  
 308 cooperative wildlife management unit under Subsection 23A-7-204(6) ~~[so long as]~~ if  
 309 the guiding and outfitting services furnished by the cooperative wildlife management  
 310 unit are limited to hunting species of wildlife specifically authorized by the division  
 311 in the unit's management plan.

312 (8) "Retain" ~~[or "retained"]~~ means a written or oral agreement for the delivery of guide  
 313 services or ~~[outfitter]~~ outfitting services between ~~[a guide or]~~ an outfitter and the recipient  
 314 of ~~[those services]~~ the guide services or outfitting services.

315 ~~[(9) "Spotter" means an individual compensated by a guide or outfitter to locate or monitor  
 316 the location of protected wildlife on public land.]~~

317 Section 8. Section **23A-4-1202** is amended to read:

318 **23A-4-1202 . Registration as guide or outfitter -- Rulemaking.**

319 (1) ~~[Beginning July 1, 2025, to] To~~ provide the services of a guide~~;~~ or outfitter~~;~~ or spotter  
 320 ~~an individual is required to] a person shall~~ annually obtain a certificate of registration  
 321 with the division under this part.

322 (2) The division shall issue to ~~[an individual who]~~ a person that qualifies under this part a  
 323 certificate to operate as~~[-a]:~~

324 (a) a guide; or

325 (b) an outfitter~~[-or]~~ .

326 ~~[(c) spotter.]~~

327 (3) The division shall maintain a record of each ~~[individual who]~~ person that is registered  
 328 with the division under this part.

329 (4)(a) To register as a guide, a resident shall:

330 (i) submit an application in a form ~~[prescribed by]~~ the division approves, subject to  
 331 rules of the Wildlife Board;

332 (ii) have the appropriate hunting or fishing license under this chapter to engage in the  
 333 activity for which the guide provides guide services; and

- 334 (iii) pay an annual registration fee [~~of~~] set in accordance with Section 63J-1-504:  
335 (A) [~~\$250 if the resident~~] for a resident who provides guide services related to the  
336 hunting of big game or bear; or  
337 (B) [~~\$175 if the resident~~] for a resident who only provides guide services related  
338 to the hunting, including fishing, of protected wildlife other than big game or  
339 bear.
- 340 (b) To register as a guide, a nonresident shall:
- 341 (i) submit an application in a form [~~prescribed by~~]the division approves, subject to  
342 rules of the Wildlife Board;
- 343 (ii) have the appropriate hunting or fishing license under this chapter to engage in the  
344 activity for which the guide provides guide services; and
- 345 (iii) pay an annual registration fee [~~of~~] set in accordance with Section 63J-1-504:  
346 (A) [~~\$750 if the nonresident~~] for a nonresident who provides guide services  
347 related to the hunting of big game or bear; or  
348 (B) [~~\$500 if the nonresident~~] for a nonresident who only provides guide services  
349 related to the hunting, including fishing, of protected wildlife other than big  
350 game or bear.
- 351 (5)(a) To register as an outfitter, a resident shall:
- 352 (i) submit an application in a form [~~prescribed by~~]the division approves, subject to  
353 rules of the Wildlife Board;
- 354 (ii)(A) have the appropriate hunting or fishing license under this chapter to engage  
355 in the activity for which the outfitter provides [~~outfitter~~] outfitting services; or  
356 (B) if the outfitter is an entity, have at least one individual designated by the  
357 outfitter hold the appropriate hunting or fishing license under this chapter to  
358 engage in the activity for which the outfitter provides outfitting services; and
- 359 (iii) pay an annual registration fee [~~of~~] set in accordance with Section 63J-1-504:  
360 (A) [~~\$500 if the resident~~] for a resident that provides services related to the  
361 hunting of big game or bear; or  
362 (B) [~~\$350 if the resident~~] for a resident that only provides services related to the  
363 hunting, including fishing, of protected wildlife other than big game or bear.
- 364 (b) To register as an outfitter, a nonresident shall:
- 365 (i) submit an application in a form [~~prescribed by~~]the division approves, subject to  
366 rules of the Wildlife Board;
- 367 (ii)(A) have the appropriate hunting or fishing license under this chapter to engage

- 368 in the activity for which the outfitter provides ~~[outfitter]~~ outfitting services; or  
 369 (B) if the outfitter is an entity, have at least one individual designated by the  
 370 outfitter hold the appropriate hunting or fishing license under this chapter to  
 371 engage in the activity for which the outfitter provides outfitting services; and  
 372 (iii) pay an annual registration fee ~~[of]~~ set in accordance with Section 63J-1-504:  
 373 (A) ~~[\$1,500 if the nonresident]~~ for a nonresident that provides services related to  
 374 the hunting of big game or bear; or  
 375 (B) ~~[\$1,000 if the nonresident]~~ for a nonresident that only provides services  
 376 related to the hunting, including fishing, of protected wildlife other than big  
 377 game or bear.
- 378 ~~[(6)(a) To register as a spotter, a resident shall:]~~  
 379 ~~[(i) submit an application in a form prescribed by the division, subject to rules of the~~  
 380 ~~Wildlife Board;]~~  
 381 ~~[(ii) have the appropriate hunting license under this chapter to engage in the activity~~  
 382 ~~for which the spotter provides services; and]~~  
 383 ~~[(iii) pay an annual registration fee of \$125.]~~
- 384 ~~[(b) To register as a spotter, a nonresident shall:]~~  
 385 ~~[(i) submit an application in a form prescribed by the division, subject to rules of the~~  
 386 ~~Wildlife Board;]~~  
 387 ~~[(ii) have the appropriate hunting license under this chapter to engage in the activity~~  
 388 ~~for which the spotter provides services; and]~~  
 389 ~~[(iii) pay an annual registration fee of \$375.]~~
- 390 ~~[(7)(a) Notwithstanding a fee amount described in Subsections (4), (5), and (6), the~~  
 391 ~~Wildlife Board may increase or decrease the fee amount under this section.]~~  
 392 ~~[(b) An adjustment made by the Wildlife Board under Subsection (7)(a) takes effect~~  
 393 ~~when the Legislature adopts the fee schedule in the general session immediately~~  
 394 ~~following the adjustment.]~~
- 395 ~~[(8)]~~ (6) The division shall deposit fees collected under this section into the Guide~~[-]~~ and  
 396 Outfitter~~[-]~~ and Spotter Fund created in Section 23A-3-216.
- 397 ~~[(9)]~~ (7) A registration automatically expires on the expiration date shown on the  
 398 registration unless the registrant renews the registration.
- 399 ~~[(10)]~~ (8) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,  
 400 the Wildlife Board may make rules to address:  
 401 (a) the form of an application submitted under this section;

402 (b) a prohibited activity under Section 23A-4-1203; or

403 (c) an operation of a guide[;] or outfitter[; ~~or spotter~~] regulated under Section  
404 23A-4-1204.

405 Section 9. Section **23A-4-1203** is amended to read:

406 **23A-4-1203 . Grounds for denial or revoking of registration -- Prohibited**  
407 **activities.**

408 (1) The division shall refuse to register an applicant, refuse to renew, or revoke the  
409 certificate of registration of a registrant during the time period that the division suspends  
410 the applicant's or registrant's privilege to:

411 (a) hunt, if the applicant or registrant provides services requiring registration under this  
412 part related to hunting; or

413 (b) fish, if the applicant or registrant provides services requiring registration under this  
414 part related to fishing.

415 (2) If the division suspends the privilege to hunt or fish under this title of the chief  
416 executive officer of an outfitter under which an applicant or registrant provides guide  
417 services[;] or outfitting services[; ~~or spotting services~~]:

418 (a) during the time period that the division suspends the chief executive officer's  
419 privilege to hunt[~~is suspended~~], the division shall:

420 (i) refuse to issue a registration to the applicant for services requiring registration  
421 under this part related to hunting; and

422 (ii) refuse to renew or shall revoke the registration of the registrant for services  
423 requiring registration under this part related to hunting; and

424 (b) during the time period that the division suspends the chief executive officer's  
425 privilege to fish[~~is suspended~~], the division shall:

426 (i) refuse to issue a registration to the applicant for services requiring registration  
427 under this part related to fishing; and

428 (ii) refuse to renew or shall revoke the registration of the registrant for services  
429 requiring registration under this part related to fishing.

430 (3) [~~An individual~~] A person may not use the title "guide[;]" or "outfitter[;]" [~~or "spotter"~~]  
431 or any other title or designation to indicate that the [~~individual~~] person is a guide[;] or  
432 outfitter[; ~~or spotter~~] or acting as a guide[;] or outfitter[; ~~or spotter~~] unless the [~~individual~~]  
433 person is registered as a guide[;] or outfitter[; ~~or spotter~~] under this part.

434 (4) [~~An individual~~] A person may not:

435 (a) engage in an activity that would place a registrant's client's, prospective client's, or

- 436 third party's safety at risk, recognizing the inherent risks associated with hunting  
 437 wildlife and the activity engaged in being above and beyond those inherent risks;
- 438 (b) use false, deceptive, or misleading advertising related to providing services~~[as a~~  
 439 ~~guide, outfitter, or spotter]~~;
- 440 (c) misrepresent services, outcomes, facilities, equipment, or fees to a client or  
 441 prospective client; or
- 442 (d) fail to provide the division with active and current contact information within 30  
 443 days of any change to the registrant's contact information ~~[that was]~~ the registrant  
 444 provided to the division during registration or the renewal of registration as a guide[;]  
 445 or outfitter[; or spotter].

446 (5)(a) If ~~[an individual]~~ a person violates this part, the division may:

- 447 (i) revoke the certificate of registration of the ~~[individual]~~ person; and  
 448 (ii) suspend the individual's privilege to hunt or fish under this title.

449 (b) ~~[An individual who]~~ A person that violates Subsection (3) or (4) is guilty of a class B  
 450 misdemeanor in accordance with Section 23A-5-301.

451 Section 10. Section **23A-4-1204** is amended to read:

452 **23A-4-1204 . Operations of a guide or outfitter -- Limits on retaining outfitter or**  
 453 **compensating a guide.**

- 454 (1) Except as provided in Subsections (2) and (3), a person may not compensate ~~[an~~  
 455 ~~individual]~~ another person to provide guide services[;] or outfitting services~~[; or spotting~~  
 456 ~~services]~~ in connection with or in furtherance of ~~[taking]~~ hunting protected wildlife on  
 457 public land.
- 458 (2) ~~[A person may compensate a guide or]~~ An individual may retain an outfitter to help the [  
 459 ~~person locate and take]~~ individual hunt protected wildlife on public land if:
- 460 (a) ~~[the guide or outfitter is]~~ the persons providing guide services or outfitting services are  
 461 registered and in good standing under this part;
- 462 (b) the ~~[person has retained the guide or]~~ individual who retains the outfitter ~~[and]~~ is the  
 463 recipient of the guide services or outfitting services;
- 464 ~~[(e) the person possesses the licenses and permits required to take protected wildlife;]~~  
 465 ~~[(d)]~~ (c) subject to Subsection (4), in total the number of individuals providing services  
 466 requiring registration under this part does not exceed:
- 467 (i) two individuals; or  
 468 (ii) three individuals, if ~~[a guide or outfitter is retained for purposes of taking a~~  
 469 ~~moose, bison, bighorn sheep, or mountain goat]~~ the individual who retains the

470 outfitter retains the outfitter for a big game once-in-a-lifetime or limited entry hunt;  
 471 and

472 [~~(e) subject to Subsection (2)(d), the retained guide or outfitter uses no more than two~~  
 473 ~~spotters; and]~~

474 [~~(f) (d) the [person] individual who retains the [guide or] outfitter is not simultaneously~~  
 475 ~~using another[guide or] outfitter to assist in [taking] hunting the same species and sex~~  
 476 ~~of protected wildlife.~~

477 [~~(3) A registered guide or registered outfitter in good standing may use a spotter if:]~~

478 [~~(a) the guide or outfitter is retained by the recipient of the guide services or outfitting~~  
 479 ~~services to assist the recipient to take protected wildlife on public land; and]~~

480 [~~(b) the guide or outfitter does not use more than the number of spotters allowed under~~  
 481 ~~Subsections (2)(d) and (e).]~~

482 [~~(4) (3)(a) A person [who] that knowingly retains [an individual] a person that is not~~  
 483 ~~registered under this part as [a guide or] an outfitter or who knowingly [retains a~~  
 484 ~~spotter] compensates a guide in violation of this section is guilty of a class B~~  
 485 ~~misdemeanor, except that, notwithstanding Section 76-3-204, a court may not~~  
 486 ~~sentence the person to imprisonment or probation.~~

487 (b) The division may suspend ~~[a person's]~~ an individual's privilege to hunt or fish under  
 488 this title if the ~~[person]~~ individual knowingly retains ~~[an individual]~~ a person that is  
 489 not registered under this part as ~~[a guide or]~~ an outfitter or knowingly ~~[retains a spotter]~~  
 490 compensates a guide in violation of this section.

491 (4) The limitations of Subsection (2)(c) do not apply to an individual compensated by an  
 492 outfitter to perform tasks that are not associated with hunting of protected wildlife on  
 493 public land, including an individual who:

494 (a) does not provide guide services or outfitting services; or

495 (b) assists after the protected wildlife is tagged in accordance with Section 23A-4-709.

496 Section 11. Section **23A-5-301.5** is enacted to read:

497 **23A-5-301.5 . Reimbursement of investigation operational expenses.**

498 (1) As used in this section:

499 (a) "Contraband" means a property, item, or substance that is unlawful to produce or to  
 500 possess under state or federal law.

501 (b) "Operational expense" means money expended by the Division of Law Enforcement  
 502 to:

503 (i) acquire one of the following that is being used in a commercial venture:

- 504           (A) a necessary service;  
 505           (B) a necessary authorization;  
 506           (C) contraband; or  
 507           (D) property unlawfully possessed by a person; and  
 508           (ii) further or sustain an ongoing investigation, including an expense for a covert  
 509           activity.
- 510   (2) A person shall reimburse the Division of Law Enforcement for an operational expense  
 511       from an investigation when the person in a court of law:
- 512       (a) is convicted of:
- 513           (i) unlawful taking, unlawful possession, or wanton destruction of protected wildlife  
 514           under this title;
- 515           (ii) a violation of Chapter 4, Part 12, Guide and Outfitter; or  
 516           (iii) a violation of Subsection 23A-5-309(1)(y);
- 517       (b) enters into a plea in abeyance agreement, in which the person pleads guilty or no  
 518       contest to an offense listed in Subsection (2)(a), and the plea is held in abeyance; or
- 519       (c) is charged with committing an offense listed in Subsection (2)(a), and the person  
 520       enters into a diversion agreement that suspends the prosecution of the offense.
- 521   (3) The Division of Law Enforcement shall document an operational expense from an  
 522       investigation.
- 523   (4) The Division of Law Enforcement shall deposit money collected under this section into  
 524       the Poaching Mitigation Fund created in Section 23A-3-217.
- 525       Section 12. Section **23A-5-309** is amended to read:
- 526       **23A-5-309 . Taking, transporting, selling, purchasing, or engaging in activities**  
 527       **related to protected wildlife illegal except as authorized -- Criminal penalty.**
- 528   (1) Except as provided in this title or a rule, proclamation, or order of the Wildlife Board, a  
 529       person may not:
- 530       (a) take protected wildlife or wildlife parts;
- 531       (b) collect, import, possess, transport, propagate, store, donate, transfer, or export  
 532       protected wildlife or wildlife parts;
- 533       (c) take, possess, sell, purchase, barter, donate, or trade protected wildlife or wildlife  
 534       parts without having previously procured the necessary licenses, permits, tags,  
 535       federal stamps, certificates of registration, authorizations, and receipts required in this  
 536       title or a rule, proclamation, or order of the Wildlife Board;
- 537       (d) take protected wildlife with a weapon, ammunition, implement, tool, device, or any

- 538 part of any of these not specifically authorized in this title or a rule, proclamation, or  
539 order of the Wildlife Board;
- 540 (e) possess while in pursuit of protected wildlife a weapon, ammunition, implement,  
541 tool, device, or any part of any of these not specifically authorized in this title or a  
542 rule, proclamation, or order of the Wildlife Board;
- 543 (f) take protected wildlife using a method, means, process, or practice not specifically  
544 authorized in this title or a rule, proclamation, or order of the Wildlife Board;
- 545 (g) take protected wildlife outside the season dates, location boundaries, and daily time  
546 frames established in rule, proclamation, or order of the Wildlife Board;
- 547 (h) take protected wildlife in excess of the bag and possession limits established in rule,  
548 proclamation, or order of the Wildlife Board;
- 549 (i) take protected wildlife in an area closed to hunting, trapping, or fishing by rule,  
550 proclamation, or order of the Wildlife Board, or by executive order of the director [  
551 ~~pursuant to~~] in accordance with Subsection 23A-2-203(4);
- 552 (j) practice falconry or capture, possess, or use birds in falconry;
- 553 (k) take wildlife from an airplane or any other airborne vehicle or device or a motorized  
554 terrestrial or aquatic vehicle, including snowmobiles and other recreational vehicles;
- 555 (l) hold in captivity at any time any live protected wildlife;
- 556 (m) use or permit a dog or other domestic or trained animal to take protected wildlife;
- 557 (n) remove, damage, or destroy an occupied nest of protected wildlife;
- 558 (o) release captured or captive wildlife into the wild;
- 559 (p) use spotlighting to take protected wildlife;
- 560 (q) employ or use a means of concealment or camouflage while taking protected wildlife  
561 which is prohibited in this title or a rule, proclamation, or order of the Wildlife Board;
- 562 (r) possess or use bait or other attractant to take protected wildlife which is prohibited in  
563 this title or a rule, proclamation, or order of the Wildlife Board;
- 564 (s) use a decoy or recorded or electronically amplified call which is prohibited in this  
565 title or a rule, proclamation, or order of the Wildlife Board to take protected wildlife;
- 566 (t) commercially harvest protected wildlife, including brine shrimp and brine shrimp  
567 eggs;
- 568 (u) use protected wildlife for commercial purposes or financial gain as prohibited by  
569 Section 23A-5-304;
- 570 (v) enter, establish, or hold a contest or tournament involving the taking of protected  
571 wildlife;

- 572 (w) operate or participate in a commercial hunting area as described in Section  
 573 23A-12-202;
- 574 (x) operate or participate in a cooperative wildlife management unit as defined in  
 575 Section 23A-7-101; or
- 576 (y)(i) [~~operate or participate in guide, outfitter, or spotter~~] take protected wildlife  
 577 while operating or participating in guide or outfitter services or activities in  
 578 violation of Chapter 4, Part 12, Guide[;] and Outfitter[; and Spotter]; or
- 579 (ii) [~~knowingly retain a guide, outfitter, or spotter~~] take protected wildlife while  
 580 knowingly retaining a guide or outfitter in violation of Chapter 4, Part 12, Guide[;]  
 581 and Outfitter[; and Spotter].
- 582 (2) Possession of protected wildlife without a valid license, permit, tag, certificate of  
 583 registration, bill of sale, or invoice is prima facie evidence that the protected wildlife  
 584 was illegally taken and is illegally held in possession.
- 585 (3) A person is subject to the penalty under Section 23A-5-301 if the person:  
 586 (a) violates Subsection (1); and  
 587 (b) does so with criminal negligence as defined in Subsection 76-2-103(4).
- 588 Section 13. Section **23A-5-312** is amended to read:  
 589 **23A-5-312 . Restitution -- Disposition of money.**
- 590 (1) When a person is adjudged guilty of illegal taking, illegal possession, or wanton  
 591 destruction of protected wildlife, other than a trophy animal, the court may order the  
 592 defendant to pay restitution:  
 593 (a) as set forth in Subsection (2); or  
 594 (b) in a greater or lesser amount than the amount established in Subsection (2).
- 595 (2) Suggested minimum restitution values for protected wildlife are as follows:  
 596 (a) \$1,500 per animal for:  
 597 (i) bison;  
 598 (ii) bighorn sheep;  
 599 (iii) rocky mountain goat;  
 600 (iv) moose;  
 601 (v) bear;  
 602 (vi) peregrine falcon;  
 603 (vii) bald eagle; or  
 604 (viii) endangered species;  
 605 (b) \$1,250 per animal for:

- 606 (i) elk; or  
607 (ii) threatened species;  
608 (c) \$750 per animal for:  
609 (i) golden eagle;  
610 (ii) river otter; or  
611 (iii) gila monster;  
612 (d) \$600 per animal for:  
613 (i) pronghorn antelope; or  
614 (ii) deer;  
615 (e) \$525 per animal for:  
616 (i) cougar; or  
617 (ii) bobcat;  
618 (f) \$150 per animal for:  
619 (i) swan;  
620 (ii) sandhill crane;  
621 (iii) turkey;  
622 (iv) pelican;  
623 (v) loon;  
624 (vi) egrets;  
625 (vii) herons;  
626 (viii) raptors, except those that are threatened or endangered;  
627 (ix) Utah milk snake; or  
628 (x) Utah mountain king snake;  
629 (g) \$150 per horn;  
630 (h) \$53 per animal for furbearers, except:  
631 (i) bobcat;  
632 (ii) river otter; and  
633 (iii) threatened or endangered species;  
634 (i) \$38 per animal for trout, char, salmon, grayling, tiger muskellunge, walleye,  
635 largemouth bass, smallmouth bass, and wiper;  
636 (j) \$30 per pound of antler or shed antler;  
637 (k) \$23 per animal for game birds, except:  
638 (i) turkey;  
639 (ii) swan; and

- 640 (iii) sandhill crane;
- 641 (l) \$15 per animal for game fish not listed in Subsection (2)(i);
- 642 (m) \$12 per pound dry weight of processed brine shrimp including eggs; and
- 643 (n) \$8 per animal for protected wildlife not listed.
- 644 (3) If the court finds that restitution is inappropriate or if the value imposed is less than the
- 645 suggested minimum value as provided in Subsection (2), the court shall make the
- 646 reasons for the decision part of the court record.
- 647 (4)(a) The court shall order a person convicted of a third degree felony under Subsection
- 648 23A-5-311(2)(a)(ii) to pay restitution in accordance with Subsection (4)(b).
- 649 (b) The minimum restitution value for a trophy animal is as follows:
- 650 (i) \$45,000 per animal for bighorn, desert, or rocky mountain sheep;
- 651 (ii) \$12,000 per animal for deer;
- 652 (iii) \$12,000 per animal for elk;
- 653 (iv) \$9,000 per animal for moose or mountain goat;
- 654 (v) \$9,000 per animal for bison; and
- 655 (vi) \$3,000 per animal for pronghorn antelope.
- 656 (5) Restitution paid under [~~Subsection (4) shall be remitted to the division and deposited in~~
- 657 ~~the Wildlife Resources Account] this section is to be deposited into the Poaching~~
- 658 Mitigation Fund created in Section 23A-3-217.
- 659 [~~(6) The division shall use restitution money for activities and programs to help stop~~
- 660 ~~poaching, including:]~~
- 661 [~~(a) educational programs on wildlife crime prevention;]~~
- 662 [~~(b) acquisition and development of wildlife crime detection equipment;]~~
- 663 [~~(c) operation and maintenance of anti-poaching projects; and]~~
- 664 [~~(d) wildlife law enforcement training.]~~
- 665 [(7)] (6) If restitution is required, restitution shall be in addition to:
- 666 (a) a fine or penalty imposed for a violation of this title; and
- 667 (b) a remedial action taken to revoke or suspend a person's license, permit, tag, or
- 668 certificate of registration.
- 669 [(8)] (7) A judgment imposed under this section constitutes a lien when recorded in the
- 670 judgment docket and shall have the same effect and is subject to the same rules as a
- 671 judgment for money in a civil action.

672 Section 14. Section **23A-5-315.5** is enacted to read:

673 **23A-5-315.5 . Unlawful activity by a pilot.**

- 674 (1) As used in this section:
- 675 (a) "Aircraft" means an airplane or helicopter.
- 676 (b) "Pilot" means an individual who operates the controls of an aircraft while in flight.
- 677 (2) A pilot may not knowingly, intentionally, or recklessly operate an aircraft if the
- 678 operation results in a person taking, including locating, wildlife from the aircraft in
- 679 violation of Section 23A-5-315.
- 680 (3) A violation of Subsection (2) is:
- 681 (a) a class B misdemeanor for the first violation;
- 682 (b) a class A misdemeanor for the second violation; or
- 683 (c) a third degree felony for a third or subsequent violation.
- 684 (4) If a pilot violates this section, the division may revoke a license, tag, certificate of
- 685 registration, or permit held by the pilot in accordance with Section 23A-4-1106.
- 686 Section 15. Section **23A-6-202** is amended to read:
- 687 **23A-6-202 . Acquisition of real property held in private ownership -- Published**
- 688 **notice and governor's approval required.**
- 689 (1) The division may not acquire title to real property held in private ownership without
- 690 first:
- 691 (a) publishing a notice of the proposed acquisition on:
- 692 (i) ~~[in a newspaper of general circulation in the county in which the property is~~
- 693 ~~located]~~ the division's public website; and
- 694 (ii) ~~[as required in]~~ a public legal notice website in accordance with Section 45-1-101;
- 695 and
- 696 (b) obtaining the approval of the governor.
- 697 (2) Subsection (1) applies whether title to real property held in private ownership is
- 698 acquired through a purchase, donation, or other means.
- 699 (3) In the case of a proposed purchase of private property, the division may publish notice
- 700 after earnest money is paid.
- 701 (4) The published notice shall inform the public regarding:
- 702 (a) the proposed use of the real property;
- 703 (b) any conditions on the acquisition of the real property placed by donors, the federal
- 704 government, sellers, or others specifying how the real property is to be used;
- 705 (c) any changes to existing land uses that are anticipated; and
- 706 (d) the public comment submission process for comments on the proposed acquisition.
- 707 (5) The governor shall:

- 708 (a) submit a notification of the proposed acquisition to:
- 709 (i) the county executive of the county in which the real property is located;
- 710 (ii) the legislators of the legislative districts in which the real property is located; and
- 711 (iii) the School and Institutional Trust Lands Administration; and
- 712 (b) invite those notified to submit comments on the proposed acquisition.
- 713 (6) After considering comments on the proposed acquisition, the governor may:
- 714 (a) approve the acquisition in whole or in part; or
- 715 (b) disapprove the acquisition.

716 Section 16. Section **23A-15-101** is amended to read:

717 **CHAPTER 15. Wolf and Grizzly Bear Management Act**

718 **23A-15-101 . Definitions.**

719 As used in this chapter:

- 720 (1) "Endangered Species Act" means the Endangered Species Act of 1973, 16 U.S.C. Sec.
- 721 1531 et seq.
- 722 (2) "Grizzly bear" means the species Ursus arctos horribilis.
- 723 [~~2~~] (3) "Service" means the United States Fish and Wildlife Service.
- 724 [~~3~~] (4) "Wolf" means the species Canis lupus.

725 Section 17. Section **23A-15-301** is enacted to read:

726 **Part 3. Grizzly Bear Management**

727 **23A-15-301 . Grizzly bear management.**

- 728 (1) If the division discovers a grizzly bear in an area of the state where grizzly bears are
- 729 listed as threatened or endangered under the Endangered Species Act, the division shall
- 730 contact the service and request immediate removal of the grizzly bear from the state.
- 731 (2) The division shall manage grizzly bears to prevent the establishment of grizzly bears in
- 732 any area of the state until the grizzly bear is completely delisted under the Endangered
- 733 Species Act and removed from federal control in the entire state.
- 734 (3) Subsections (1) and (2) do not apply to a grizzly bear that is lawfully held in captivity
- 735 and restrained.

736 Section 18. Section **23A-15-302** is enacted to read:

737 **23A-15-302 . Rulemaking.**

738 The Wildlife Board may make administrative rules in accordance with Title 63G,

739 Chapter 3, Utah Administrative Rulemaking Act, to manage the grizzly bear in accordance

740 with Section 23A-15-301.

741 Section 19. Section **76-11-209** is amended to read:

742 **76-11-209 . Improper discharging of a dangerous weapon.**

743 (1) Terms defined in Sections 76-1-101.5, 76-11-101, and 76-11-201 apply to this section.

744 (2) An actor commits improper discharging of a dangerous weapon if the actor:

745 (a) ~~[-]~~discharges a dangerous weapon:

746 ~~[(a)]~~ (i) from a vehicle;

747 ~~[(b)]~~ (ii) from, upon, or across a highway;

748 ~~[(c)]~~ (iii) at a road sign placed on a state highway;

749 ~~[(d)]~~ (iv) at communications equipment or property of public utilities including [  
750 facilities, lines, poles, or devices] a facility, line, pole, or device of transmission or  
751 distribution;

752 ~~[(e)]~~ (v) at railroad equipment or [~~facilities~~] facility including a sign or signal;

753 ~~[(f)]~~ (vi) within a Utah State Park building, designated camp or picnic [~~sites,~~  
754 overlooks, golf courses, boat ramps, and developed beaches; or] site, overlook,  
755 boat ramp, or developed beach; or

756 ~~[(g)]~~ (vii) without written permission to discharge the dangerous weapon from the  
757 owner or person in charge of the property within 600 feet of:

758 ~~[(h)]~~ (A) a house, dwelling, or other building; or

759 ~~[(i)]~~ (B) a structure in which a domestic animal is kept or fed, including a barn,  
760 poultry yard, corral, feeding pen, or stockyard~~[-]~~ ; or

761 (b) notwithstanding Subsection (2)(a)(vii):

762 (i) discharges a dangerous weapon while located on a waterfowl management area, as  
763 defined in Section 23A-12-301, or a wildlife management area, as defined in  
764 Section 23A-6-101;

765 (ii) is within 300 feet of:

766 (A) a house, dwelling, or other building; or

767 (B) a structure in which a domestic animal is kept or fed, including a barn, poultry  
768 yard, corral, feeding pen, or stockyard; and

769 (iii) does not have written permission to discharge the dangerous weapon from the  
770 owner or person in charge of the property described in Subsection (2)(b)(ii).

771 (3) A violation of Subsection (2) is a class B misdemeanor.

772 (4) In addition to any other penalties, the court shall:

773 (a) notify the Driver License Division of the conviction for purposes of [~~any-~~]revocation,  
774 denial, suspension, or disqualification of a driver license under Subsection

- 775 53-3-220(1)(a)(xi); and
- 776 (b) specify in court at the time of sentencing the length of the revocation under
- 777 Subsection 53-3-225(1)(c).
- 778 (5) This section does not apply to an actor who:
- 779 (a) discharges a dangerous weapon in the lawful defense of the actor or another
- 780 individual;
- 781 (b) is an individual listed in Subsections 53-5a-108(1)(a) through (f) and is performing
- 782 official duties as provided in Section 23A-2-207 or 79-2-704 or as otherwise
- 783 provided by law;
- 784 (c) discharges a dangerous weapon from an automobile or other vehicle, if:
- 785 (i) the discharge occurs at a firing range or training ground;
- 786 (ii) at no time after the discharge does the projectile that is discharged cross over or
- 787 stop at a location other than within the boundaries of the firing range or training
- 788 ground described in Subsection (5)(c)(i);
- 789 (iii) the discharge is made as practice or training for a lawful purpose;
- 790 (iv) the discharge and the location, time, and manner of the discharge are approved
- 791 by the owner or operator of the firing range or training ground before the
- 792 discharge; and
- 793 (v) the discharge is not made in violation of Subsection ; or
- 794 (d) acting under a farm custom slaughter license, discharges a firearm or other
- 795 dangerous weapon in accordance with Subsection 4-32-108(3).
- 796 (6) It is a defense to a charge for violating this section that the actor had actual permission
- 797 of the person in charge of the property at the time the actor discharged the dangerous
- 798 weapon as described in Subsection (2).

799 Section 20. **Effective Date.**

800 This bill takes effect on May 6, 2026.