

# HB0111S02 compared with HB0111

{Omitted text} shows text that was in HB0111 but was omitted in HB0111S02

inserted text shows text that was not in HB0111 but was inserted into HB0111S02

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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;
- ▶ {~~modifies when conservation easements held by the Division of Wildlife Resources may be terminated;~~}
- ▶ addresses discharge of a dangerous weapon related to a waterfowl management area or wildlife management area; {and}
- ▶ creates the Poaching Mitigation Fund;

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- 17       ▶ 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;
- 19       ▶ removes references to spotters;
- 20       ▶ provides that money in the Guide and Outfitter Fund be used by the Division of Law  
Enforcement within the Department of Natural Resources;
- 22       ▶ removes outdated language related to the Division of Professional Licensing;
- 23       ▶ modifies definitions related to guide and outfitter provisions, including the definition of a  
guide or outfitter;
- 25       ▶ modifies fee provisions;
- 26       ▶ 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  
resources title;
- 32       ▶ modifies provisions related to unlawful taking of protected wildlife related to a guide or  
outfitter; and
- 17       ▶ makes technical and conforming amendments.

### 35 Money Appropriated in this Bill:

36 None

### 37 Other Special Clauses:

38 None

### 39 Utah Code Sections Affected:

40 AMENDS:

41 23A-3-216 , as enacted by Laws of Utah 2025, Chapter 140

42 23A-4-207 , as renumbered and amended by Laws of Utah 2023, Chapter 103

43 23A-4-305 , as renumbered and amended by Laws of Utah 2023, Chapter 103

44 23A-4-1106 , as last amended by Laws of Utah 2025, Chapters 173, 208

45 23A-4-1201 , as enacted by Laws of Utah 2025, Chapter 140

46 23A-4-1202 , as enacted by Laws of Utah 2025, Chapter 140

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

48 23A-4-1204 , as enacted by Laws of Utah 2025, Chapter 140

49 23A-5-309 , as last amended by Laws of Utah 2025, Chapter 140

50 23A-5-312 , as last amended by Laws of Utah 2024, Chapter 347

51 23A-6-202 , as renumbered and amended by Laws of Utah 2023, Chapter 103

52 23A-15-101 , as renumbered and amended by Laws of Utah 2023, Chapter 103

28 {57-18-5 , as enacted by Laws of Utah 1985, Chapter 155}

53 76-11-209 , as renumbered and amended by Laws of Utah 2025, Chapters 173, 208

54 ENACTS:

55 23A-3-217 , Utah Code Annotated 1953

56 23A-4-713 , Utah Code Annotated 1953

57 23A-5-301.5 , Utah Code Annotated 1953

58 23A-5-315.5 , Utah Code Annotated 1953

59 23A-15-301 , Utah Code Annotated 1953

60 23A-15-302 , Utah Code Annotated 1953

61

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 Outfitter[; and  
66 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 in the  
72 Guide[;] and Outfitter[; and Spotter] Fund to administer Chapter 4, Part 12, Guide[;] and Outfitter[;  
73 and Spotter].

74 Section 2. Section 2 is enacted to read:

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

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76 (1) There is created an expendable special revenue fund known as the "Poaching Mitigation 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 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 -- Reallocation of surrendered permits.**

38 (1) A sale of a license, permit, or certificate is final, and the division may not refund money except as provided in Subsections (2) and (3) or Section 23A-4-301.

40 (2) The division may refund the amount of a license, certificate, or permit if:

41 (a) the division or the Wildlife Board discontinues the activity for which the license, certificate, or permit was obtained;

43 (b) the division determines that the division has erroneously collected a fee;

44 (c)

(i) the person to whom the license, certificate, or permit is issued becomes ill or suffers an injury that precludes the person from using the license, certificate, or permit;

47 (ii) the person furnishes verification of illness or injury from a physician~~[-or]~~, physician assistant, or nurse practitioner;

49 (iii) the person does not actually use the license, certificate, or permit; and

50 (iv) the license, certificate, or permit is surrendered before the end of the season for which the permit was issued; or

52 (d) the person to whom the license, certificate, or permit is issued dies before the person being able to use the license, certificate, or permit.

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54 (3) The Wildlife Board may establish additional exceptions to the refund prohibitions in Subsection (1)  
by rule made in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.

57 (4) The director may reallocate surrendered permits in accordance with rules made by the Wildlife  
Board in accordance with Title 63G, Chapter 3, Utah Administrative 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 persons, and  
children in the custody of the state may fish for free.**

63 (1) A resident who is blind, has paraplegia, or has another permanent disability so as to be permanently  
confined to a wheelchair or the use of crutches, or who has lost either or both lower extremities, may  
receive a free license to fish upon furnishing satisfactory proof of this fact to the division.

67 (2) A resident who has an intellectual disability and is not eligible under Section 23A-4-303 to fish  
without a license may receive a free license to fish upon furnishing verification from a physician[  
or] , physician assistant, or nurse practitioner that the person has an intellectual disability.

71 (3) A resident who is terminally ill, and has less than five years to live, may receive a free license to  
fish:

73 (a) upon furnishing verification from a physician[-or] , physician assistant, or nurse practitioner; and

75 (b) if the resident qualifies for assistance under a low income public assistance program administered by  
a state agency.

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

133 Section 5. Section **5** 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 Rulemaking Act, the  
division may require that a person who obtains a hunting license or permit report hunt information  
to the division.

138 (2) The rule described in Subsection (1) may impose penalties for failure to provide hunt information  
in accordance with that rule, except that a penalty requiring the payment of 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 certificates of  
registration.**

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- 144 (1) As used in this section:
- 145 (a) "License or permit privileges" means the privilege of applying for, purchasing, and 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 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 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 title;
- 158 (ii) enters into a plea in abeyance agreement, in which the person pleads guilty or no contest to an  
offense listed in Subsection (2)(a)(i), and the plea is held in abeyance; or
- 161 (iii) is charged with committing an offense listed in Subsection (2)(a)(i), and the person enters into a  
diversion agreement which suspends the prosecution of the offense; and
- 164 (b) the hearing officer determines the person committed the offense intentionally, 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 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 (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 license or  
permit privileges according to Subsection (2) for a period of time not to 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 held in abeyance  
[pursuant to] in accordance with a plea in abeyance agreement; or

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- 179 (iii) being charged with an offense punishable as a felony, the prosecution of which is 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, which plea is held  
in abeyance [~~pursuant to~~] in accordance with a plea in abeyance agreement; or
- 186 (iii) being charged with an offense punishable as a class A misdemeanor, the prosecution of which is  
suspended [~~pursuant to~~] in accordance with a diversion 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 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 prosecution of which is  
suspended [~~pursuant to~~] in accordance with a diversion 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, 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 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 offenses:
- 204 (a) committed in violation of an existing suspension or revocation order issued by the 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 permit privileges  
for a particular license or permit only once for each single criminal 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 suspension  
periods of license or permit privileges of the same type suspended, according to Subsection (2), may  
run consecutively.

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- 213 (c) If a hearing officer suspends, according to Subsection (2), license or permit privileges of the type  
that have been previously suspended by a court, a hearing officer, or the Wildlife Board and the  
suspension period has not expired, the suspension periods may run consecutively.
- 217 (7)
- (a) A hearing officer, appointed by the division, may suspend a person's privilege of applying for,  
purchasing, and exercising the benefits conferred by a certificate of registration if:
- 220 (i) the hearing officer determines the person intentionally, knowingly, or recklessly, 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 reasonable relationship to  
the person's ability to safely and responsibly perform the activities authorized by the certificate of  
registration;
- 230 (B) pleads guilty or no contest to an offense that the hearing officer determines bears a reasonable  
relationship to the person's ability to safely and responsibly perform the activities authorized by the  
certificate of registration, and the plea 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 reasonable relationship to  
the person's ability to safely and responsibly perform the activities authorized by the certificate of  
registration, and prosecution of the 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 shrimp eggs,  
as defined in Section 59-23-3, if the hearing officer determines the 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 adjudicative  
functions provided in this section.
- 243 (b) The director may not appoint a division employee who investigates or enforces wildlife violations.
- 245 (9)

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- (a) The courts may suspend, in criminal sentencing, a person's privilege to apply for, purchase, or exercise the benefits conferred by a license, permit, or certificate of registration.
- 248 (b) The courts shall promptly notify the division of suspension orders or recommendations entered.
- 250 (c) The division, upon receiving notification of suspension from the courts, shall prohibit the person from applying for, purchasing, or exercising the benefits conferred by a license, permit, or certification of registration for the duration and of the type specified in the court order.
- 254 (d) The hearing officer shall consider a recommendation made by a sentencing court 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 Board.
- 261 (b) The Wildlife Board shall review the hearing officer's findings and conclusions and 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 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 suspended under this title, the division shall report to the Division of Professional 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 Title 63G, Chapter 3, Utah Administrative Rulemaking Act.

Section 7. Section 23A-4-1201 is amended to read:

### Part 12. Guide and Outfitter

#### 23A-4-1201. Definitions.

As used in this part:

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- 280 (1) "Compensation" means anything of economic value in excess of \$100 that is paid, loaned, granted,  
given, donated, or transferred to a guide~~[,]~~ or outfitter~~[, or spotter]~~ for or in consideration of a  
service, material, or property.
- 283 (2) "Guide" means an individual who is employed or affiliated with an outfitter and offers or provides  
guide services on public lands for compensation.
- 285 (3) "Guide services" means to guide, lead, or assist an individual in hunting protected wildlife.
- 287 (4)
- (a) "Hunting" means to locate, pursue, chase, catch, capture, trap, or kill protected 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]~~ services  
for compensation to ~~[another]~~ an individual for hunting protected wildlife on public lands.
- 293 (6)
- (a) "Outfitting services" means, for hunting protected wildlife on public lands, 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 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 division employee,  
associate, volunteer, contractor, or agent under authority granted in this title.
- 303 (7)
- (a) "Public lands" means any lands owned by the United States, the state, or a political subdivision or  
independent entity of the state that are open to the public for 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 political  
subdivision or independent entity of the state that are included in a cooperative wildlife management  
unit under Subsection 23A-7-204(6) ~~[so long as]~~ if the guiding and outfitting services furnished  
by the cooperative wildlife management unit are limited to hunting species of wildlife specifically  
authorized by the division in the unit's management plan.

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(8) "Retain" [~~or "retained"~~] means a written or oral agreement for the delivery of guide services or [~~outfitter~~] outfitting services between [~~a guide or~~] an outfitter and the recipient 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 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~~ ~~an~~  
individual is required to] a person shall annually obtain a certificate of registration with the division  
under this part.

322 (2) The division shall issue to [~~an individual who~~] a person that qualifies under this part a 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 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 rules of the  
Wildlife Board;

332 (ii) have the appropriate hunting or fishing license under this chapter to engage in the 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 hunting of big game  
or bear; or

337 (B) [~~\$175 if the resident~~] for a resident who only provides guide services related to the hunting,  
including fishing, of protected wildlife other than big game or 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 rules of the Wildlife  
Board;

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- 343 (ii) have the appropriate hunting or fishing license under this chapter to engage in the activity for which  
the guide provides guide services; and
- 345 (iii) pay an annual registration fee [øf] set in accordance with Section 63J-1-504:
- 346 (A) [~~\$750 if the nonresident~~] for a nonresident who provides guide services related to the hunting of  
big game or bear; or
- 348 (B) [~~\$500 if the nonresident~~] for a nonresident who only provides guide services related to the hunting,  
including fishing, of protected wildlife other than big 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 rules of the  
Wildlife Board;
- 354 (ii)
- (A) have the appropriate hunting or fishing license under this chapter to engage 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 outfitter hold the  
appropriate hunting or fishing license under this chapter to engage in the activity for which the  
outfitter provides outfitting services; and
- 359 (iii) pay an annual registration fee [øf] set in accordance with Section 63J-1-504:
- 360 (A) [~~\$500 if the resident~~] for a resident that provides services related to the hunting of big game or  
bear; or
- 362 (B) [~~\$350 if the resident~~] for a resident that only provides services related to the 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 rules of the Wildlife  
Board;
- 367 (ii)
- (A) have the appropriate hunting or fishing license under this chapter to engage 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 outfitter hold the  
appropriate hunting or fishing license under this chapter to engage in the activity for which the  
outfitter provides outfitting services; and

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- 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 the hunting of big  
game or bear; or
- 375 (B) [~~\$1,000 if the nonresident~~] for a nonresident that only provides services related to the hunting,  
including fishing, of protected wildlife other than big 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 Wildlife  
Board;]
- 381 [(ii) have the appropriate hunting license under this chapter to engage in the activity 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 Wildlife Board;]
- 387 [(ii) have the appropriate hunting license under this chapter to engage in the activity 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 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 when the  
Legislature adopts the fee schedule in the general session immediately following the adjustment.]~~
- 395 [(8)] (6) The division shall deposit fees collected under this section into the Guide[;] and Outfitter[; ~~and~~  
Spotter] Fund created in Section 23A-3-216.
- 397 [(9)] (7) A registration automatically expires on the expiration date shown on the registration unless the  
registrant renews the registration.
- 399 [(10)] (8) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, 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 23A-4-1204.

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

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

- 408 (1) The division shall refuse to register an applicant, refuse to renew, or revoke the certificate of  
registration of a registrant during the time period that the division suspends the applicant's or  
registrant's privilege to:
- 411 (a) hunt, if the applicant or registrant provides services requiring registration under this part related to  
hunting; or
- 413 (b) fish, if the applicant or registrant provides services requiring registration under this part related to  
fishing.
- 415 (2) If the division suspends the privilege to hunt or fish under this title of the chief executive officer of  
an outfitter under which an applicant or registrant provides guide services[;] or outfitting services[;  
~~or spotting services~~]:
- 418 (a) during the time period that the division suspends the chief executive officer's privilege to hunt[~~is  
suspended~~], the division shall:
- 420 (i) refuse to issue a registration to the applicant for services requiring registration under this part related  
to hunting; and
- 422 (ii) refuse to renew or shall revoke the registration of the registrant for services requiring registration  
under this part related to hunting; and
- 424 (b) during the time period that the division suspends the chief executive officer's privilege to fish[~~is  
suspended~~], the division shall:
- 426 (i) refuse to issue a registration to the applicant for services requiring registration under this part related  
to fishing; and
- 428 (ii) refuse to renew or shall revoke the registration of the registrant for services requiring registration  
under this part related to fishing.
- 430 (3) [~~An individual~~] A person may not use the title "guide[;]" or "outfitter[;]" [~~or "spotter"~~] or any other  
title or designation to indicate that the [~~individual~~] person is a guide[;] or outfitter[~~or spotter~~] or  
acting as a guide[;] or outfitter[~~or spotter~~] unless the [~~individual~~] person is registered as a guide[;]  
or outfitter[~~or spotter~~] under this part.
- 434 (4) [~~An individual~~] A person may not:
- 435

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- (a) engage in an activity that would place a registrant's client's, prospective client's, or third party's safety at risk, recognizing the inherent risks associated with hunting 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 guide, outfitter, or~~  
spotter];
- 440 (c) misrepresent services, outcomes, facilities, equipment, or fees to a client or prospective client; or
- 442 (d) fail to provide the division with active and current contact information within 30 days of any change to the registrant's contact information [~~that was~~] the registrant provided to the division during registration or the renewal of registration as a guide~~;~~ 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 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 compensating a guide.**

- 454 (1) Except as provided in Subsections (2) and (3), a person may not compensate [~~an individual~~] another person to provide guide services~~;~~ or outfitting services~~[- or spotting services]~~ in connection with or in furtherance of [~~taking~~] hunting protected wildlife on public land.
- 458 (2) [~~A person may compensate a guide or~~] An individual may retain an outfitter to help the [~~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 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 recipient of the guide services or outfitting services;
- 464 [~~(c) 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 requiring registration under this part does not exceed:
- 467 (i) two individuals; or

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- 468 (ii) three individuals, if [~~a guide or outfitter is retained for purposes of taking a moose, bison, bighorn~~  
472 ~~sheep, or mountain goat] the individual who retains the outfitter retains the outfitter for a big game  
474 once-in-a-lifetime or limited entry hunt; and~~
- 472 [(e) ~~subject to Subsection (2)(d), the retained guide or outfitter uses no more than two spotters; and]~~  
474 [(f) (d) ~~the [person] individual who retains the [guide or]outfitter is not simultaneously using another[~~  
477 ~~guide or] outfitter to assist in [taking] hunting the same species and sex of protected wildlife.~~
- 478 [(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 services to assist~~  
480 ~~the recipient to take protected wildlife on public land; and]~~  
482 [(b) ~~the guide or outfitter does not use more than the number of spotters allowed under Subsections (2)~~  
482 ~~(d) and (e).]~~
- 482 [(4)] (3)
- 487 (a) A person [~~who] that knowingly retains [~~an individual] a person~~ that is not registered under this part  
as [~~a guide or] an outfitter or who knowingly [~~retains a spotter] compensates a guide in violation~~  
of this section is guilty of a class B misdemeanor, except that, notwithstanding Section 76-3-204, a  
court may not 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 this title if the~~  
[~~person] individual knowingly retains [~~an individual] a person~~ that is not registered under this part  
as [~~a guide or] an outfitter or knowingly [~~retains a spotter] 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 outfitter to  
494 perform tasks that are not associated with hunting of protected wildlife on public land, including an  
496 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 11 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 possess under  
501 state or federal law.  
(b) "Operational expense" means money expended by the Division of Law Enforcement to:

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- 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 activity.  
510 (2) A person shall reimburse the Division of Law Enforcement for an operational expense 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 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 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 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 investigation.  
523 (4) The Division of Law Enforcement shall deposit money collected under this section into 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 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 person may  
not:  
530 (a) take protected wildlife or wildlife parts;  
531 (b) collect, import, possess, transport, propagate, store, donate, transfer, or export protected wildlife or  
wildlife parts;  
533 (c) take, possess, sell, purchase, barter, donate, or trade protected wildlife or wildlife parts without  
having previously procured the necessary licenses, permits, tags, federal stamps, certificates of  
registration, authorizations, and receipts required in this title or a rule, proclamation, or order of the  
Wildlife Board;

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- 537 (d) take protected wildlife with a weapon, ammunition, implement, tool, device, or any part of any of  
these not specifically authorized in this title or a rule, proclamation, or order of the Wildlife Board;
- 540 (e) possess while in pursuit of protected wildlife a weapon, ammunition, implement, tool, device, or any  
part of any of these not specifically authorized in this title or a rule, proclamation, or order of the  
Wildlife Board;
- 543 (f) take protected wildlife using a method, means, process, or practice not specifically 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 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, proclamation,  
or order of the Wildlife Board;
- 549 (i) take protected wildlife in an area closed to hunting, trapping, or fishing by rule, proclamation, or  
order of the Wildlife Board, or by executive order of the director [~~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 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 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 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 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 eggs;
- 568 (u) use protected wildlife for commercial purposes or financial gain as prohibited by Section  
23A-5-304;

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- 570 (v) enter, establish, or hold a contest or tournament involving the taking of protected wildlife;  
572 (w) operate or participate in a commercial hunting area as described in Section 23A-12-202;  
574 (x) operate or participate in a cooperative wildlife management unit as defined in Section 23A-7-101; or  
576 (y)
- (i) [~~operate or participate in guide, outfitter, or spotter~~] take protected wildlife while operating or participating in guide or outfitter services or activities in 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 knowingly retaining a guide or outfitter in violation of Chapter 4, Part 12, Guide[;] and Outfitter[; and Spotter].
- 582 (2) Possession of protected wildlife without a valid license, permit, tag, certificate of registration, bill of sale, or invoice is prima facie evidence that the protected wildlife 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).

### Section 13. Section 23A-5-312 is amended to read:

#### **23A-5-312. Restitution -- Disposition of money.**

- 590 (1) When a person is adjudged guilty of illegal taking, illegal possession, or wanton destruction of  
593 protected wildlife, other than a trophy animal, the court may order the defendant to pay restitution:
- 594 (a) as set forth in Subsection (2); or
- 595 (b) in a greater or lesser amount than the amount established in Subsection (2).
- 596 (2) Suggested minimum restitution values for protected wildlife are as follows:
- 597 (a) \$1,500 per animal for:
- 598 (i) bison;
- 599 (ii) bighorn sheep;
- 600 (iii) rocky mountain goat;
- 601 (iv) moose;
- 602 (v) bear;
- 603 (vi) peregrine falcon;
- 604 (vii) bald eagle; or
- (viii) endangered species;

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- 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, largemouth bass, smallmouth bass, and wiper;

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- 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 suggested minimum value as provided in Subsection (2), the court shall make the 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 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 the Wildlife Resources Account~~] this section is to be deposited into the Poaching Mitigation Fund created in Section 23A-3-217.
- 659 [~~(6) The division shall use restitution money for activities and programs to help stop 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:

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- 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 certificate of  
registration.  
669 ~~[(8)]~~ (7) A judgment imposed under this section constitutes a lien when recorded in the judgment  
docket and shall have the same effect and is subject to the same rules as a judgment for money in a  
civil action.

672 Section 14. Section **14** 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 operation results in  
a person taking, including locating, wildlife from the aircraft in 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 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 notice and governor's approval required.**

82 (1) The division may not acquire title to real property held in private ownership without first:

84 (a) publishing a notice of the proposed acquisition on:

85 (i) ~~[in a newspaper of general circulation in the county in which the property is located]~~ the division's  
public website; and

87 (ii) ~~[as required in]~~ a public legal notice website in accordance with Section 45-1-101; and

89 (b) obtaining the approval of the governor.

90 (2) Subsection (1) applies whether title to real property held in private ownership is acquired through a  
purchase, donation, or other means.

92

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(3) In the case of a proposed purchase of private property, the division may publish notice after earnest money is paid.

94 (4) The published notice shall inform the public regarding:

95 (a) the proposed use of the real property;

96 (b) any conditions on the acquisition of the real property placed by donors, the federal government, sellers, or others specifying how the real property is to be used;

98 (c) any changes to existing land uses that are anticipated; and

99 (d) the public comment submission process for comments on the proposed acquisition.

100 (5) The governor shall:

101 (a) submit a notification of the proposed acquisition to:

102 (i) the county executive of the county in which the real property is located;

103 (ii) the legislators of the legislative districts in which the real property is located; and

104 (iii) the School and Institutional Trust Lands Administration; and

105 (b) invite those notified to submit comments on the proposed acquisition.

106 (6) After considering comments on the proposed acquisition, the governor may:

107 (a) approve the acquisition in whole or in part; or

108 (b) disapprove the acquisition.

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

### 110 **CHAPTER 15. Wolf and Grizzly Bear Management Act**

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

As used in this chapter:

113 (1) "Endangered Species Act" means the Endangered Species Act of 1973, 16 U.S.C. Sec. 1531 et seq.

115 (2) "Grizzly bear" means the species *Ursus arctos horribilis*.

116 [~~(2)~~] (3) "Service" means the United States Fish and Wildlife Service.

117 [~~(3)~~] (4) "Wolf" means the species *Canis lupus*.

725 Section 17. Section **17** is enacted to read:

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

##### 3. Grizzly Bear Management

121 (1) If the division discovers a grizzly bear in an area of the state where grizzly bears are listed as threatened or endangered under the Endangered Species Act, the division shall contact the service and request immediate removal of the grizzly bear from the state.

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124 (2) The division shall manage grizzly bears to prevent the establishment of grizzly bears in any area of  
the state until the grizzly bear is completely delisted under the Endangered Species Act and removed  
from federal control in the entire state.

127 (3) Subsections (1) and (2) do not apply to a grizzly bear that is lawfully held in captivity and  
restrained.

736 Section 18. Section **18** is enacted to read:

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

The Wildlife Board may make administrative rules in accordance with Title 63G,  
Chapter 3, Utah Administrative Rulemaking Act, to manage the grizzly bear in accordance  
with Section 23A-15-301.

134 ~~{Section 7. Section **57-18-5** is amended to read: }~~

135 **57-18-5. Termination.**

136 (1) ~~[—A]~~ Subject to Subsection (2), a conservation easement may be terminated, in whole or in part,  
by release, abandonment, merger, nonrenewal, conditions set forth in the instrument creating the  
conservation easement, or in any other lawful manner in which [easements] an easement may be  
terminated.

140 (2) A person may terminate a conservation easement held by the Division of Wildlife Resources, in  
accordance with this section, in whole or in part, only if:

142 (a) the Division of Wildlife Resources determines that the conservation values of the conservation  
easement are no longer met; and

144 (b) before termination of the conservation easement, the person provides the Division of Wildlife  
Resources compensation equal to the fair market value of the property that is the subject of the  
conservation easement, as if the property were unencumbered by the conservation easement,  
multiplied by the percentage interest held by the Division of Wildlife Resources in the property  
immediately before termination.

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

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

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

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

153 (a) discharges a dangerous weapon:

154 ~~{(a)}~~ (i) from a vehicle;

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- 155 ~~[(b)]~~ (ii) from, upon, or across a highway;
- 156 ~~[(e)]~~ (iii) at a road sign placed on a state highway;
- 157 ~~[(d)]~~ (iv) at communications equipment or property of public utilities including ~~[facilities, lines, poles,~~  
or devices] a facility, line, pole, or device of transmission or distribution;
- 160 ~~[(e)]~~ (v) at railroad equipment or ~~[facilities]~~ facility including a sign or signal;
- 161 ~~[(f)]~~ (vi) within a Utah State Park building, designated camp or picnic ~~[sites, overlooks, golf courses,~~  
boat ramps, and developed beaches; or] site, overlook, {~~golf course,~~} boat ramp, or developed  
beach; or
- 164 ~~[(g)]~~ (vii) without written permission to discharge the dangerous weapon from the owner or person in  
charge of the property within 600 feet of:
- 166 ~~[(i)]~~ (A) a house, dwelling, or other building; or
- 167 ~~[(ii)]~~ (B) a structure in which a domestic animal is kept or fed, including a barn, poultry yard, corral,  
feeding pen, or stockyard[-] ; or
- 169 (b) notwithstanding Subsection (2)(a)(vii):
- 170 (i) discharges a dangerous weapon while located on a waterfowl management area, as defined in  
Section 23A-12-301, or a wildlife management area, as defined in Section 23A-6-101;
- 173 (ii) is within 300 feet of:
- 174 (A) a house, dwelling, or other building; or
- 175 (B) a structure in which a domestic animal is kept or fed, including a barn, poultry yard, corral, feeding  
pen, or stockyard; and
- 177 (iii) does not have written permission to discharge the dangerous weapon from the owner or person in  
charge of the property described in Subsection (2)(b)(ii).
- 179 (3) A violation of Subsection (2) is a class B misdemeanor.
- 180 (4) In addition to any other penalties, the court shall:
- 181 (a) notify the Driver License Division of the conviction for purposes of ~~[any{f}]~~ revocation, denial,  
suspension, or disqualification of a driver license under Subsection 53-3-220(1)(a)(xi); and
- 184 (b) specify in court at the time of sentencing the length of the revocation under Subsection 53-3-225(1)  
(c).
- 186 (5) This section does not apply to an actor who:
- 187 (a) discharges a dangerous weapon in the lawful defense of the actor or another individual;
- 189

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(b) is an individual listed in Subsections 53-5a-108(1)(a) through (f) and is performing official duties as provided in Section 23A-2-207 or 79-2-704 or as otherwise provided by law;

192 (c) discharges a dangerous weapon from an automobile or other vehicle, if:

193 (i) the discharge occurs at a firing range or training ground;

194 (ii) at no time after the discharge does the projectile that is discharged cross over or stop at a location other than within the boundaries of the firing range or training ground described in Subsection (5)(c) (i);

197 (iii) the discharge is made as practice or training for a lawful purpose;

198 (iv) the discharge and the location, time, and manner of the discharge are approved by the owner or operator of the firing range or training ground before the discharge; and

201 (v) the discharge is not made in violation of Subsection ; or

202 (d) acting under a farm custom slaughter license, discharges a firearm or other dangerous weapon in accordance with Subsection 4-32-108(3).

204 (6) It is a defense to a charge for violating this section that the actor had actual permission of the person in charge of the property at the time the actor discharged the dangerous weapon as described in Subsection (2).

799 Section 20. **Effective date.**

Effective Date.

This bill takes effect on May 6, 2026.

3-6-26 4:15 PM