

Wildlife Amendments
2026 GENERAL SESSION
STATE OF UTAH
Chief Sponsor: Bridger Bolinder
Senate Sponsor:

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;
- 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
- makes technical and conforming amendments.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

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-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

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

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

ENACTS:

31 **23A-15-301**, Utah Code Annotated 1953

32 **23A-15-302**, Utah Code Annotated 1953

33
34 *Be it enacted by the Legislature of the state of Utah:*

35 Section 1. Section **23A-4-207** is amended to read:

36 **23A-4-207 . Sales of licenses, certificates, or permits final -- Exceptions --**
37 **Reallocation of surrendered permits.**

38 (1) A sale of a license, permit, or certificate is final, and the division may not refund money
39 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,
42 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
45 suffers an injury that precludes the person from using the license, certificate, or
46 permit;

47 (ii) the person furnishes verification of illness or injury from a physician[~~-or~~] ,
48 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
51 which the permit was issued; or

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

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

57 (4) The director may reallocate surrendered permits in accordance with rules made by the
58 Wildlife Board in accordance with Title 63G, Chapter 3, Utah Administrative
59 Rulemaking Act.

60 Section 2. Section **23A-4-305** is amended to read:

61 **23A-4-305 . Persons with a physical or intellectual disability, terminally ill**
62 **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
64 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.

(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.

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

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

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

(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.

Section 3. Section **23A-6-202** is amended to read:

23A-6-202 . Acquisition of real property held in private ownership -- Published notice and governor's approval required.

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

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

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

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

(b) obtaining the approval of the governor.

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

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

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

(a) the proposed use of the real property;

(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;

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

- (d) the public comment submission process for comments on the proposed acquisition.
- (5) The governor shall:
- (a) submit a notification of the proposed acquisition to:
- (i) the county executive of the county in which the real property is located;
- (ii) the legislators of the legislative districts in which the real property is located; and
- (iii) the School and Institutional Trust Lands Administration; and
- (b) invite those notified to submit comments on the proposed acquisition.
- (6) After considering comments on the proposed acquisition, the governor may:
- (a) approve the acquisition in whole or in part; or
- (b) disapprove the acquisition.

Section 4. Section **23A-15-101** is amended to read:

CHAPTER 15. Wolf and Grizzly Bear Management Act

23A-15-101 . Definitions.

As used in this chapter:

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

Section 5. Section **23A-15-301** is enacted to read:

Part 3. Grizzly Bear Management

23A-15-301 . Grizzly bear management.

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

Section 6. Section **23A-15-302** is enacted to read:

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.

Section 7. Section **57-18-5** is amended to read:

57-18-5 . Termination.

(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.

(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:

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

(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.

Section 8. Section **76-11-209** is amended to read:

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

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

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

(a) discharges a dangerous weapon:

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

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

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

~~[(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;

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

~~[(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

~~[(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,
168 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
171 defined in Section 23A-12-301, or a wildlife management area, as defined in
172 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
176 yard, corral, feeding pen, or stockyard; and
177 (iii) does not have written permission to discharge the dangerous weapon from the
178 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] revocation,
182 denial, suspension, or disqualification of a driver license under Subsection
183 53-3-220(1)(a)(xi); and
184 (b) specify in court at the time of sentencing the length of the revocation under
185 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
188 individual;
189 (b) is an individual listed in Subsections 53-5a-108(1)(a) through (f) and is performing
190 official duties as provided in Section 23A-2-207 or 79-2-704 or as otherwise
191 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
195 stop at a location other than within the boundaries of the firing range or training
196 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
199 by the owner or operator of the firing range or training ground before the

200 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
203 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
205 of the person in charge of the property at the time the actor discharged the dangerous
206 weapon as described in Subsection (2).
207 Section 9. **Effective Date.**
208 This bill takes effect on May 6, 2026.