

1 **Animal Depredation Amendments**

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Rex P. Shipp

Senate Sponsor: Derrin R. Owens

2 **LONG TITLE**3 **General Description:**4 This bill addresses provisions related to agricultural and wildlife damage from animal
5 depredation.6 **Highlighted Provisions:**

7 This bill:

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- 9 ▶ defines and modifies terms;
- 10 ▶ provides that the Department of Agriculture and Food (department) may issue an aerial
11 hunting permit and aerial hunting license for the taking of a coyote from an aircraft;
- 12 ▶ authorizes the Agricultural and Wildlife Damage Prevention Board (board) to make rules
13 related to an aerial hunting permit and aerial hunting license;
- 14 ▶ establishes that an aerial hunting permittee or licensee assumes all liability for an
15 accident, injury, or damage arising from the aerial hunting activity;
- 16 ▶ modifies how the department reviews the accounts of an organization that receives funds
17 from the Agricultural and Wildlife Damage Prevention Account;
- 18 ▶ grants authority to the board to set an annual predator control fee on certain sheep, goats,
19 cattle, and turkey;
- 20 ▶ modifies criminal penalties related to feral swine;
- 21 ▶ provides for the seizure and forfeiture of a vehicle used in the commission of a crime
22 related to feral swine; and
- 23 ▶ makes technical and conforming changes.

24 **Money Appropriated in this Bill:**

25 None

26 **Other Special Clauses:**

27 None

28 **Utah Code Sections Affected:**29 **AMENDS:**30 **4-23-103 (Effective 05/06/26)**, as renumbered and amended by Laws of Utah 2017,

Chapter 345

4-23-105 (Effective 05/06/26) (Repealed 07/01/34), as renumbered and amended by Laws of Utah 2017, Chapter 345

4-23-106 (Effective 05/06/26), as last amended by Laws of Utah 2023, Chapter 34

4-23-107 (Effective 05/06/26), as last amended by Laws of Utah 2025, Chapter 91

4-23-109 (Effective 05/06/26), as renumbered and amended by Laws of Utah 2017, Chapter 345

4-23-111 (Effective 05/06/26), as last amended by Laws of Utah 2018, Chapter 433

4-25-102 (Effective 05/06/26), as renumbered and amended by Laws of Utah 2017, Chapter 345

4-25-301 (Effective 05/06/26), as renumbered and amended by Laws of Utah 2017, Chapter 345

4-25-302 (Effective 05/06/26), as renumbered and amended by Laws of Utah 2017, Chapter 345

4-25-303 (Effective 05/06/26), as last amended by Laws of Utah 2025, Chapter 173

63I-1-204 (Effective 05/06/26), as last amended by Laws of Utah 2025, Chapters 94, 286

REPEALS:

4-23-101 (Effective 05/06/26), as renumbered and amended by Laws of Utah 2017, Chapter 345

4-25-101 (Effective 05/06/26), as enacted by Laws of Utah 2017, Chapter 345

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

Section 1. Section **4-23-103** is amended to read:

4-23-103 (Effective 05/06/26). Definitions.

As used in this chapter:

[1] "Agricultural crops" means any product of cultivation;

(1) "Agricultural production" means the raising, cultivation, harvesting, or processing of livestock, poultry, or crops;

(a) for commercial purposes; and

(b) on land primarily dedicated to the raising, cultivation, harvesting, or processing of livestock, poultry, or crops.

(2) "Board" means the Agricultural and Wildlife Damage Prevention Board[等部门] .

(3) "Bounty" means the monetary compensation paid to [persons] a person for the harvest of [~~predatory or depredating animals;~~] a depredating animal.

65 (4) "Damage" means any injury or loss to [livestock, poultry, agricultural crops,]
66 agricultural production or wildlife inflicted by [predatory or depredating animals or
67 depredating birds;] a depredating animal.

68 (5) "Depredating animal" means [a field mouse, gopher, ground squirrel, jack rabbit,
69 raccoon, or prairie dog;] an animal that causes damage to agricultural production or
70 wildlife.

71 [(6) "Depredating bird" means a Brewer's blackbird or starling;]
72 [(7) "Livestock" means cattle, horses, mules, sheep, goats, and swine;]
73 [(8) "Predatory animal" means any coyote; and]
74 (6) "Take" or "taking" means to hunt, pursue, shoot, wound, kill, trap, capture, collect or
75 attempt to hunt, pursue, shoot, wound, kill, trap, capture, or collect.

76 [(9)] (7) "Wildlife" means [any form of animal life generally living in a state of nature,
77 except a predatory animal or a depredating animal or bird.] the same at that term is
78 defined in Section 23A-1-101.

79 Section 2. Section **4-23-105** is amended to read:

80 **4-23-105 (Effective 05/06/26) (Repealed 07/01/34). Board responsibilities --**

81 **Damage prevention policy -- Rules -- Methods to control depredating animals.**

82 (1) The board is responsible for the formulation of the agricultural and wildlife damage
83 prevention policy of the state and may, consistent with Title 63G, Chapter 3, Utah
84 Administrative Rulemaking Act, [adopt] make rules to implement the agricultural and
85 wildlife damage prevention policy which [shall be] is administered by the department.

86 (2) In the board's policy deliberations the board shall:

87 (a) specify programs designed to prevent damage to [livestock, poultry, and agricultural
88 erops] agricultural production; and
89 (b) [specify] approve methods for the prevention of damage and [for the selective-]
90 control of [predators and depredating birds and animals including hunting, trapping,
91 ehemical toxicants, and the use of aircraft] depredating animals.

92 (3) The board may[also]:

93 (a) specify bounties on [designated predatory animals and] species of depredating
94 animals, not including protected wildlife;
95 (b) recommend:
96 (i) procedures for the payment of bounty claims[-] ;
97 (ii) [recommend]bounty districts[-] ;
98 (iii) [recommend]persons not authorized to receive bounty[-] ; and

99 (iv) [recommend] to the department other actions the board considers advisable for
100 the enforcement of the board's policies; and
101 [(b)] (c) cooperate with federal, state, and local governments, educational institutions,
102 and private persons or organizations, through agreement or otherwise, to effectuate
103 the board's policies.

104 Section 3. Section **4-23-106** is amended to read:

105 **4-23-106 (Effective 05/06/26). Department to issue licenses and permits --**

106 **License and permit fees -- Aerial hunting -- Rulemaking.**

107 [(1) The department is responsible for the issuance of permits and licenses for the purposes
108 of the federal Fish and Wildlife Act of 1956.]

109 [(2) A private person may not use an aircraft for the prevention of damage without first
110 obtaining a use permit from the department.]

111 [(3) The department may issue an annual permit for aerial hunting to a private person for
112 the protection of land, water, wildlife, livestock, domesticated animals, human life, or
113 crops, if the person shows that the person or the person's designated pilot, along with the
114 aircraft to be used in the aerial hunting, are licensed and qualified in accordance with the
115 requirements of the department set by rule.]

116 [(4) The department may predicate the issuance or retention of a permit for aerial hunting
117 upon the permittee's full and prompt disclosure of information as the department may
118 request for submission pursuant to rules made by the department.]

119 (1) The department may issue an aerial hunting permit to a landowner and an aerial hunting
120 license to a pilot for the taking of a coyote from an aircraft to prevent damage to
121 agricultural production, in accordance with the Airborne Hunting Act, 16 U.S.C. Sec.
122 742j-1.

123 [(5) (2) The department shall collect an annual fee, set in accordance with Section
124 63J-1-504, [from a person who has an aircraft for which a permit is issued or renewed
125 under this section] for an aerial hunting permit and aerial hunting license described in
126 Subsection (1).

127 [(6) (3) Aerial hunting activity under [a] an aerial hunting permit issued by the department
128 is restricted to taking a coyote:

129 (a)(i) on private lands that are owned or managed by the permittee;
130 (ii) on state grazing allotments where the permittee is permitted by the state or the [
131 State] School and Institutional Trust Lands Administration to graze livestock; or
132 (iii) on federal grazing allotments where the permittee is permitted by the United

133 States Bureau of Land Management or United States Forest Service to graze
134 livestock; and

135 (b) only during the time period for which the private land owner has provided written
136 permission for the aerial hunting.

137 [(7)] (4) The [department] board shall make rules, in accordance with Title 63G, Chapter 3,
138 Utah Administrative Rulemaking Act, that are necessary to carry out the purpose of this
139 section[.] and establish:

140 (a) qualifications for a pilot to obtain an aerial hunting license;
141 (b) requirements for an aircraft used in aerial hunting; and
142 (c) any reporting information required from a permittee or licensee.

143 (5) As a condition to obtaining a permit or license under this section, a permittee or licensee
144 shall assume all liability for an accident, injury, or damage arising from the permittee's
145 or licensee's aerial hunting activity.

146 [(8)] (6) [The issuance of an aerial hunting] A permit or license issued under this section
147 does not authorize the [holder] permittee or licensee to use aircraft to [hunt, pursue,
148 shoot, wound, kill, trap, capture, or collect protected wildlife, as defined in Section
149 23A-1-101] take wildlife other than a coyote, unless [also] authorized by the Division of
150 Wildlife Resources under Section 23A-5-315.

151 (7) The department may suspend or revoke a permit or license issued under this section if
152 the department determines that the permittee or licensee:
153 (a) provided false information in submitting an application for a permit or license;
154 (b) violated a requirement of this chapter or rules adopted by the board; or
155 (c) engaged in willful conduct that is detrimental to the interests of agricultural
156 production.

157 Section 4. Section **4-23-107** is amended to read:

158 **4-23-107 (Effective 05/06/26). Annual fees on sheep, goats, cattle, and turkeys --**

159 **Fee determined by board -- Collection methods.**

160 [(1) To assist the department in meeting the annual expense of administering this chapter, the
161 following annual predator control fees are imposed upon animals owned by persons whose
162 interests this chapter is designed to protect: Sheep and goats (except on farm dairy
163 goats or feeder lambs).....
at least \$.70 but

164 ~~more than \$1 per head~~

165 ~~Cattle (except on farm dairy cattle).....~~

at least \$.15 but

167 ~~more than \$.50 per head~~

168 Turkeys (breeding stock only).....

170 ~~at least \$.05 but~~

171 ~~more than \$.10 per head]~~

172 (1) The department shall impose an annual predator control fee on the following animals to
173 cover the department's annual costs of administering the provisions of this chapter:
174 (a) sheep and goats, excluding on farm dairy goats or feeder lambs;
175 (b) cattle, excluding on farm dairy cattle; and
176 (c) turkeys used for breeding stock.

177 (2) The amount of the fees imposed upon each category of animals specified in this section [
178 ~~shall be~~] is:

179 (a) determined by the board annually on or before July 1 of each year[.] ; and
180 (b) included in the annual fee schedule submitted to the Legislature in accordance with
181 Section 63J-1-504.

182 (3)(a) Fee brand inspected cattle are subject to a predator control fee upon change of
183 ownership or slaughter.

184 (b) The fee shall be collected by the local brand inspector at the time of the inspection of
185 cattle, or withheld and paid by the market from proceeds derived from the sale of the
186 cattle.

187 (c) Cattle that are fee brand inspected prior to confinement to a feedlot are not subject to
188 any subsequent predator control fee.

189 (4)(a) Fleece of sheared sheep is subject to a predator control fee upon sale of the fleece.

190 (b)(i) The fee shall be withheld and paid by the marketing agency or purchaser of
191 wool from proceeds derived from the sale of the fleece.

192 (ii) The department shall enter into cooperative agreements with in-state and
193 out-of-state wool warehouses and wool processing facilities for the collection of
194 predator control fees on the fleece of sheep that graze on private or public range in
195 the state.

196 (c) The fee shall be based on the number of pounds of wool divided by 10 pounds for
197 white face sheep and five pounds for black face sheep.

198 (5) Predator control fees on turkey breeding stock shall be paid by the turkey cooperative.

199 (6)(a) Livestock owners shall pay a predator control fee on any livestock that uses public
200 or private range in the state that is not otherwise subject to the fee under Subsection

201 (3) or (4).

202 (b) By September 1 of each year, the commissioner shall mail to each owner of livestock
203 specified in Subsection (6)(a) a reporting form requiring sufficient information on the
204 type and number of livestock grazed in the state and indicating the fee imposed for
205 each category of livestock.

206 (c) An owner shall file the completed form and the appropriate fee with the
207 commissioner before December 31 of each year.

208 (d) If any person who receives the reporting form fails to return the completed form and
209 the imposed fee as required, the commissioner is authorized to commence suit
210 through the office of the attorney general, in a court with jurisdiction, to collect the
211 imposed fee, the amount of which shall be as determined by the commissioner.

212 (7) A fee collected under this section shall be remitted to the department and deposited in
213 the Agricultural and Wildlife Damage Prevention Account.

214 Section 5. Section **4-23-109** is amended to read:

215 **4-23-109 (Effective 05/06/26). Proceeds of sheep fee -- Refund of sheep fees --**
216 **Annual review of books, records, and accounts.**

217 (1)(a) Subject to the other provisions of this Subsection (1), the commissioner may
218 spend an amount each year from the proceeds collected from the fee imposed on
219 sheep for the promotion, advancement, and protection of the sheep interests of the
220 state.

221 (b) The amount described in Subsection (1)(a) shall be the equivalent to an amount that:
222 (i) equals or exceeds 18 cents per head; and
223 (ii) equals or is less than 25 cents per head.

224 (c) The commissioner shall set the amount described in Subsection (1)(a):
225 (i) on or before January 1 of each year; and
226 (ii) in consultation with one or more statewide organizations that represent persons
227 who grow wool.

228 (d) A sheep fee is refundable in an amount equal to that part of the fee used to promote,
229 advance, or protect sheep interests.

230 (e) A refund claim shall be filed with the department on or before January 1 of the year
231 immediately succeeding the year for which the fee was paid.

232 (f) A refund claim shall be certified by the department to the state treasurer for payment
233 from the Agricultural and Wildlife Damage Prevention Account created in Section
234 4-23-108.

235 (2) Any expense incurred by the department in administering refunds shall be paid from
236 funds allocated for the promotion, advancement, and protection of the sheep interests of
237 the state.

238 (3) An accountant approved by the commissioner shall annually review the books, records,
239 and accounts of any organization that receives funds from the Agricultural and Wildlife
240 Damage Prevention Account, created in Section 4-23-108, for the purpose of promoting,
241 advancing, or protecting the sheep interests of the state.

242 [(3)(a) The books, records, and accounts of the Utah Woolgrowers Association, or any
243 other organization which receives funds from the agricultural and wildlife damage
244 prevention account, for the purpose of promoting, advancing, or protecting the sheep
245 interests of the state, shall be audited at least once annually by a licensed accountant.]

246 [(b) The results of this audit shall be submitted to the commissioner.]

247 Section 6. Section **4-23-111** is amended to read:

248 **4-23-111 (Effective 05/06/26). Holding a raccoon or coyote in captivity**

249 **prohibited -- Penalty.**

250 (1) [No individual may] An individual may not hold in captivity a raccoon or coyote, except
251 as provided by rules of the Agricultural and Wildlife Damage Prevention Board.

252 (2) The department shall enforce this section in cooperation with:

253 (a) the Division of Law Enforcement created in Section 79-2-702; and
254 (b) the Department of Health and Human Services created in Section 26B-1-201.

255 [(2) The Division of Wildlife Resources, with the cooperation of the department and the
256 Department of Health, shall enforce this section.]

257 (3) [Any] A violation of this section is an infraction.

258 Section 7. Section **4-25-102** is amended to read:

259 **4-25-102 (Effective 05/06/26). Definitions.**

260 [For the purpose of] As used in this chapter:

261 [(1)(a) "Estray" means:]

262 [(i) an unbranded sheep, cow, horse, mule, or ass found running at large;]
263 [(ii) a branded sheep, cow, horse, mule, or ass found running at large whose owner
264 cannot be found after reasonable search; or]
265 [(iii) a swine found running at large whose owner cannot be found after reasonable
266 search;]
267 [(b) "Estray" does not mean any unweaned animal specified in this section that is

268 running with its mother.]

269 [({2}) "Feral swine" means any species, or hybrid species:]
270 [({a}) of the family Suidae, including the European boar, the Eurasian boar, the Russian
271 boar, a feral hog, or a domestic pig;]
272 [({b}) that is not conspicuously identified by an ear tag or other form of visual
273 identification; and]
274 [({e}) that is roaming freely upon public land or private land.]

275 (1)(a) "Estray" means livestock, as that term is defined in Section 4-7-103, found
276 running at large.

277 (b) "Estray" does not include an unweaned animal specified in this section that is
278 running with the unweaned animal's mother.

279 (2) "Feral swine" means an animal that is a member of the family:

280 (a) Tayassuidae, including Javalina and Peccary; or

281 (b) Suidae if:

282 (i) the animal exhibits the phenotypic characteristics of a Eurasian or Russian boar; or
283 (ii)(A) the animal roams freely upon public land or private land not belonging to
284 the animal's owner; and

285 (B) the animal's owner cannot be found after a reasonable search.

286 (3) "Peace officer" means an officer certified in accordance with Title 53, Chapter 13,
287 Peace Officer Classifications.

288 [({3})] (4) "Swine" means any domesticated species of the family Suidae that is [
289 conspicuously identified by an ear tag or other form of visible identification] raised for
290 an agricultural, commercial, or personal purpose.

291 Section 8. Section **4-25-301** is amended to read:

292 **4-25-301 (Effective 05/06/26). Unlawful actions -- Criminal penalty -- Civil**
293 **liability.**

294 (1) [A person] An individual is guilty of a class B misdemeanor if the [person] individual:
295 (a) is in control of a swine; and

296 (b) allows the swine to run at large.

297 (2) [A person] An individual described in Subsection (1) is liable for damage caused by the
298 swine running at large.

299 (3) Except as provided in Section 4-25-302, an individual is guilty of a third degree felony
300 if the individual:

301 (a) releases a swine on public or private property for hunting;

302 (b) releases a feral swine on public or private property for any purpose;

303 (c) hunts, traps, captures, kills, or attempts to hunt, trap, capture, or kill a feral swine; or
304 (d) imports, transports, or possesses a live feral swine in the state.

305 Section 9. Section **4-25-302** is amended to read:

306 **4-25-302 (Effective 05/06/26). Exclusive authority for removal of swine --**

307 **Exception.**

308 [A person is guilty of a third degree felony if the person releases a:]

309 [(1) swine on public or private property for hunting purposes; or
310 [u(2) feral swine on public or private property for any purpose].

311 (1) Feral swine may be seized, captured, destroyed, or depopulated at any time, in any
312 place, and in any manner by:

313 (a) the department or an authorized agent of the department;
314 (b) the Department of Natural Resources or an authorized agent of the Department of
315 Natural Resources; and
316 (c) a peace officer.

317 (2) Notwithstanding Subsection 4-25-301(3), an individual may kill or destroy a feral swine
318 if the feral swine:

319 (a) is on the individual's property; and
320 (b) poses an immediate threat of harm to a person or property.

321 Section 10. Section **4-25-303** is amended to read:

322 **4-25-303 (Effective 05/06/26). Vehicle forfeiture -- Public sale -- Notification**
323 **required.**

324 [(1) Feral swine are detrimental to the state's interests in agriculture and wildlife.]

325 [(2) Feral swine may be seized, captured, or destroyed at any time, in any place, and in any
326 manner by:]

327 [(a) the department and the department's authorized agents;]
328 [(b) the Division of Wildlife Resources and the Division of Wildlife Resources'
329 authorized agents; or]
330 [(e) a certified peace officer.]

331 [(3)(a) Notwithstanding Section 76-13-202, 76-13-203, or 76-13-204, and subject to the
332 requirements of this section, an individual may kill a feral swine roaming on private
333 or public land.]

334 [(b) An individual shall obtain the consent of the landowner before killing a feral swine
335 on private land.]

336 [(e) Feral swine may be killed:]

337 [({i}) ~~year-round;~~]
338 [({ii}) ~~in any number;~~ and]
339 [({iii}) ~~with a firearm, bow and arrow, or crossbow.~~]
340 [(4) ~~Feral swine may not be hunted or killed under Subsection (3)(e):~~]
341 [~~(a) with the use of artificial light or night vision equipment, except as authorized by~~
342 ~~county ordinance; or~~]
343 [~~(b) from or with any airborne vehicle or device, except as provided in Section 4-23-106.~~]
344 [(5) ~~An individual may not receive compensation, or attempt to receive compensation, from~~
345 ~~hunting feral swine.~~]
346 [(6) ~~An authorized individual who kills a swine under this section is not liable to the owner~~
347 ~~for the loss of the swine, unless:~~]
348 [(a) ~~the swine is conspicuously identified by an ear tag or other form of visual~~
349 ~~identification; and~~]
350 [(b) ~~the individual who killed the swine knew the swine was identified by an ear tag or~~
351 ~~other form of usual identification.~~]
352 (1) A peace officer may seize and impound a vehicle if the peace officer has probable cause
353 to believe that the vehicle was used in the commission of an offense under Section
354 4-25-301, in accordance with:
355 (a) Title 77, Chapter 11a, Seizure of Property and Contraband; and
356 (b) Title 77, Chapter 11b, Forfeiture of Seized Property.
357 (2) A vehicle seized under this section is subject to forfeiture through a public sale
358 conducted by the sheriff of the county where the seizure occurred.
359 (3) A sheriff in possession of a vehicle seized under Subsection (1) shall:
360 (a) provide written notice to the vehicle owner of the proposed public sale described in
361 Subsection (2) no later than 30 days before the day on which the public sale occurs;
362 and
363 (b) inform the vehicle owner of the legal and administrative process for contesting the
364 proposed public sale of the vehicle.
365 Section 11. Section **63I-1-204** is amended to read:
366 **63I-1-204 (Effective 05/06/26). Repeal dates: Title 4.**
367 (1) Section 4-2-108, Agricultural Advisory Board created -- Composition -- Responsibility
368 -- Terms of office -- Compensation -- Executive committee, is repealed July 1, 2028.
369 (2) Section 4-17-104, Creation of State Weed Committee -- Membership -- Powers and
370 duties -- Expenses, is repealed July 1, 2026.

371 (3) Title 4, Chapter 18, Part 3, Utah Soil Health Program, is repealed July 1, 2026.

372 (4) Section 4-20-103, Utah Grazing Improvement Program Advisory Board -- Duties, is

373 repealed July 1, 2032.

374 (5) Section 4-23-104, Agricultural and Wildlife Damage Prevention Board created --

375 Composition -- Appointment -- Terms -- Vacancies -- Compensation, is repealed July 1,

376 2034.

377 (6) Section 4-23-105, Board responsibilities -- Damage prevention policy -- Rules --

378 Methods to control ~~predators and depredating birds and~~ depredating animals, is

379 repealed July 1, 2034.

380 (7) Section 4-24-104, Livestock Brand Board created -- Composition -- Terms -- Removal

381 -- Quorum for transaction of business -- Compensation -- Duties, is repealed July 1,

382 2035.

383 (8) Section 4-39-104, Domesticated Elk Act advisory council, is repealed July 1, 2027.

384 (9) Title 4, Chapter 46, Part 2, Land Conservation Board, is repealed July 1, 2027.

385 (10) Subsection 4-46-304(2)(d), regarding the Land Conservation Board, is repealed July 1,

386 2027.

387 (11) Subsection 4-46-401(3)(a), regarding the Land Conservation Board, is repealed July 1,

388 2027.

389 Section 12. **Repealer.**

390 This bill repeals:

391 Section **4-23-101, Title.**

392 Section **4-25-101, Title.**

393 Section 13. **Effective Date.**

394 This bill takes effect on May 6, 2026.