

23-20-3 Taking, transporting, selling, or purchasing protected wildlife illegal except as authorized -- Penalty.

- (1) Except as provided in this title or a rule, proclamation, or order of the Wildlife Board, a person may not:
- (a) take protected wildlife or its parts;
 - (b) collect, import, possess, transport, propagate, store, donate, transfer, or export protected wildlife or its parts;
 - (c) take, possess, sell, purchase, barter, donate, or trade protected wildlife or its parts without having previously procured the necessary licenses, permits, tags, stamps, certificates of registration, authorizations, and receipts required in this title or a rule, proclamation, or order of the Wildlife Board;
 - (d) take protected wildlife with any 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;
 - (e) possess while in pursuit of protected wildlife any 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;
 - (f) take protected wildlife using any method, means, process, or practice not specifically authorized in this title or a rule, proclamation, or order of the Wildlife Board;
 - (g) take protected wildlife outside the season dates, location boundaries, and daily time frames established in rule, proclamation, or order of the Wildlife Board;
 - (h) take protected wildlife in excess of the bag and possession limits established in rule, proclamation, or order of the Wildlife Board;
 - (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 division director pursuant to Subsection 23-14-8(4);
 - (j) practice falconry or capture, possess, or use birds in falconry;
 - (k) take any wildlife from an airplane or any other airborne vehicle or device or any motorized terrestrial or aquatic vehicle, including snowmobiles and other recreational vehicles;
 - (l) hold in captivity at any time any live protected wildlife;
 - (m) use or permit a dog or other domestic or trained animal to take protected wildlife;
 - (n) remove, damage, or destroy an occupied nest of protected wildlife;
 - (o) release captured or captive wildlife into the wild;
 - (p) use spotlighting to take protected wildlife;
 - (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;
 - (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;
 - (s) use any 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;
 - (t) commercially harvest protected wildlife, including brine shrimp and brine shrimp eggs;
 - (u) utilize protected wildlife for commercial purposes or financial gain;
 - (v) enter, establish, or hold a contest or tournament involving the taking of protected wildlife;
 - (w) operate or participate in a commercial hunting area as described in Section 23-17-6; or
 - (x) operate or participate in a cooperative wildlife management unit as defined in Section 23-23-2.

- (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.
- (3) A person is guilty of a class B misdemeanor if the person:
 - (a) violates any provision of Subsection (1); and
 - (b) does so with criminal negligence as defined in Subsection 76-2-103(4).

Amended by Chapter 347, 2009 General Session