

Effective 7/1/2023

Chapter 11 Big Game

Part 1 General Provisions

Effective until 7/1/2024

23A-11-101 Definitions.

As used in this chapter:

- (1) "Big game" includes deer, elk, big horn sheep, moose, mountain goats, pronghorn.
- (2)
 - (a) "Big game byproduct" means those parts of the carcass of a lawfully taken big game animal that are listed in Subsections (2)(a)(i) through (ix):
 - (i) bones with less than 1/2 inch of attached muscle tissue;
 - (ii) fat, tendons, ligaments, cartilage, and silverskin with less than 1/2 inch attached muscle tissue;
 - (iii) muscle tissue damaged by wound channels and within one inch of damaged tissue;
 - (iv) head;
 - (v) rib and neck meat on deer, pronghorn, mountain goat, and bighorn sheep;
 - (vi) antlers and horns;
 - (vii) legs below the knee and hock;
 - (viii) internal organs; and
 - (ix) hide.
 - (b) Notwithstanding Subsection (2)(a), "big game byproduct" does not include:
 - (i) brain or brain tissue;
 - (ii) spine or any part of the spinal column;
 - (iii) any portion of the carcass of an animal testing positive for chronic wasting disease;
 - (iv) any carcass or portion of a carcass that otherwise fails to meet local, state, or federal regulations governing processing, sale, or distribution of wild game; and
 - (v) spoiled product.
- (3)
 - (a) "Centerfire rifle hunt" means a hunt for which a hunter may use a centerfire rifle, except as provided in Subsection (3)(b).
 - (b) "Centerfire rifle hunt" does not include:
 - (i) a bighorn sheep hunt;
 - (ii) a mountain goat hunt;
 - (iii) a bison hunt;
 - (iv) a moose hunt;
 - (v) a hunt requiring the hunter to possess a statewide conservation permit; or
 - (vi) a hunt requiring the hunter to possess a statewide sportsman permit.
- (4) "Cultivated crops" means:
 - (a) annual or perennial crops harvested from or on cleared and planted land;
 - (b) perennial orchard trees on cleared and planted land;
 - (c) crop residues that have forage value for livestock; and
 - (d) pastures.

- (5) "Financial advantage" means an act through which a person in lawful possession of a protected wildlife carcass uses or disposes of that carcass or carcass parts in a transaction for which the person receives consideration or expects to recover associated costs.
- (6) "Management unit" means a prescribed area of contiguous land designated by the division for the purpose of managing a species of big game animal.
- (7) "Predator" means a cougar, bear, or coyote.
- (8) "Spoiled product" means any portion of a protected wildlife carcass that is not fit for human or animal consumption due to the presence of parasites, pathogens, or rot.
- (9) "Statewide conservation permit" means a permit:
 - (a) issued by the division;
 - (b) distributed through a nonprofit organization founded for the purpose of promoting wildlife conservation; and
 - (c) valid:
 - (i) on open hunting units statewide; and
 - (ii) for the species of big game and time period designated by the Wildlife Board.
- (10) "Statewide sportsman permit" means a permit:
 - (a) issued by the division through a public draw; and
 - (b) valid:
 - (i) on open hunting units statewide; and
 - (ii) for the species of big game and time period designated by the Wildlife Board.

Amended by Chapter 52, 2024 General Session

Effective 7/1/2024

23A-11-101 Definitions.

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 - (ii) fat, tendons, ligaments, cartilage, and silverskin with less than 1/2 inch attached muscle tissue;
 - (iii) muscle tissue damaged by wound channels and within one inch of damaged tissue;
 - (iv) head;
 - (v) rib and neck meat on deer, pronghorn, mountain goat, and bighorn sheep;
 - (vi) antlers and horns;
 - (vii) legs below the knee and hock;
 - (viii) internal organs; and
 - (ix) hide.
 - (b) Notwithstanding Subsection (2)(a), "big game byproduct" does not include:
 - (i) brain or brain tissue;
 - (ii) spine or any part of the spinal column;
 - (iii) any portion of the carcass of an animal testing positive for chronic wasting disease;
 - (iv) any carcass or portion of a carcass that otherwise fails to meet local, state, or federal regulations governing processing, sale, or distribution of wild game; and
 - (v) spoiled product.
- (3)

- (a) "Centerfire rifle hunt" means a hunt for which a hunter may use a centerfire rifle, except as provided in Subsection (3)(b).
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 - (i) a bighorn sheep hunt;
 - (ii) a mountain goat hunt;
 - (iii) a bison hunt;
 - (iv) a moose hunt;
 - (v) a hunt requiring the hunter to possess a statewide conservation permit; or
 - (vi) a hunt requiring the hunter to possess a statewide sportsman permit.
- (4) "Cultivated crops" means:
 - (a) annual or perennial crops harvested from or on cleared and planted land;
 - (b) perennial orchard trees on cleared and planted land;
 - (c) crop residues that have forage value for livestock; and
 - (d) pastures.
- (5) "Financial advantage" means an act through which a person in lawful possession of a protected wildlife carcass uses or disposes of that carcass or carcass parts in a transaction for which the person receives consideration or expects to recover associated costs.
- (6) "Management unit" means a prescribed area of contiguous land designated by the division for the purpose of managing a species of big game animal.
- (7) "Predator" means a cougar, bear, or coyote.
- (8) "Shed antler" means any portion of an antler that:
 - (a) has been dropped naturally from a big game animal as part of the big game animal's annual life cycle; and
 - (b) has a rounded base commonly known as the antler button or burr attached which signifies a natural life cycle process.
- (9) "Shed horn" means:
 - (a) the sheath from a pronghorn that has been dropped naturally as part of the animal's annual life cycle; or
 - (b) bighorn sheep, mountain goat, or bison horn naturally detached from the horn core.
- (10) "Spoiled product" means any portion of a protected wildlife carcass that is not fit for human or animal consumption due to the presence of parasites, pathogens, or rot.
- (11) "Statewide conservation permit" means a permit:
 - (a) issued by the division;
 - (b) distributed through a nonprofit organization founded for the purpose of promoting wildlife conservation; and
 - (c) valid:
 - (i) on open hunting units statewide; and
 - (ii) for the species of big game and time period designated by the Wildlife Board.
- (12) "Statewide sportsman permit" means a permit:
 - (a) issued by the division through a public draw; and
 - (b) valid:
 - (i) on open hunting units statewide; and
 - (ii) for the species of big game and time period designated by the Wildlife Board.

Amended by Chapter 347, 2024 General Session

Part 2

Limits on Hunting

Repealed 7/1/2024

23A-11-201 Limit of one of species of big game during license year -- Invalid and forfeited permit or tag.

- (1) A person may take only one of a species of big game during a license year, regardless of how many licenses or permits the person obtains, except as otherwise provided by this title or a proclamation of the Wildlife Board.
- (2)
 - (a) If a person kills a big game animal in violation of this title, while attempting to exercise the benefits of a big game permit or big game tag, the big game permit or big game tag is invalid and the person shall forfeit the big game permit or big game tag to the division.
 - (b) This Subsection (2) does not apply if:
 - (i) a citation is issued for a rule violation described in Subsection (2)(a); or
 - (ii) a warning citation for a violation described in Subsection (2)(a) is issued.
- (3) The division may grant a season extension to a valid, unfilled big game permit opportunity that was invalidated and forfeited under Subsection (2) if:
 - (a) the criminal charges associated with the big game permit forfeiture are dismissed, with prejudice, by action of the prosecutor or court, or acquittal of the charges at trial;
 - (b) the person issued the big game permit that is forfeited requests the division in writing within 60 days of a final action dismissing or acquitting that person of the criminal charges that led to the big game permit forfeiture;
 - (c) the season extension is granted for the same species and sex, hunt unit, and season dates associated with the forfeited big game permit, as established by the Wildlife Board in the hunt year of the extension; and
 - (d) the extension occurs in the first season immediately following dismissal of or acquittal on the criminal charges described in Subsection (3)(a).

Renumbered and Amended by Chapter 103, 2023 General Session

23A-11-202 Commencement date of general rifle deer season.

The general rifle deer season may not commence each year before October 1.

Renumbered and Amended by Chapter 103, 2023 General Session

23A-11-203 Big game baiting prohibited.

- (1) As used in this section:
 - (a)
 - (i) "Bait" means intentionally placing food or nutrient substances to manipulate the behavior of wildlife for the purpose of taking or attempting to take big game.
 - (ii) "Bait" does not include:
 - (A) the use of salt, mineral blocks, or other commonly used types of livestock supplements placed in the field by agricultural producers for normal agricultural purposes; or
 - (B) standing crops, natural vegetation, harvested croplands, or lands or areas where seeds or grains have been scattered solely as the result of a normal agricultural planting, harvesting, post-harvest manipulation, or normal soil stabilization practice.

- (b) "Baited area" means land within a 50-yard radius of the site where bait is placed, including the site where bait is placed.
- (2) Unless authorized by a certificate of registration, a person may not:
 - (a) bait big game;
 - (b) take big game in a baited area; or
 - (c) take big game that has been lured to or is traveling from a baited area.
- (3) The division may only issue a certificate of registration to allow for the baiting of big game if the division determines that baiting is necessary to:
 - (a) alleviate substantial big game depredation on cultivated crops; or
 - (b) facilitate the removal of deer causing property damage within cities or towns.

Renumbered and Amended by Chapter 103, 2023 General Session

23A-11-204 Limitation on compensating people to locate big game animals.

- (1) As used in this section:
 - (a) "Compensate" or "compensated" means anything of value in excess of \$25 that is paid, loaned, given, granted, donated, or transferred to a person for or in consideration of locating or monitoring the location of big game animals.
 - (b) "Retain" or "retained" means a written or oral agreement for the delivery of outfitting services or hunting guide services between an outfitter or hunting guide and the recipient of those services.
- (2) Except as provided in Subsections (3) and (4), a person may not compensate another person to locate or monitor the location of big game animals on public land in connection with or furtherance of taking a big game animal under this title.
- (3) A person may compensate a registered outfitter or hunting guide to help the person locate and take a big game animal on public land if:
 - (a) the outfitter or hunting guide is registered and in good standing under Title 58, Chapter 79, Hunting Guides and Outfitters Registration Act;
 - (b) the person has retained the outfitter or hunting guide and is the recipient of the outfitting services and hunting guide services, as defined in Section 58-79-102;
 - (c) the person possesses the licenses and permits required to take a big game animal;
 - (d) the person retains and uses not more than one outfitter or hunting guide in connection with taking a big game animal; and
 - (e) the retained outfitter or hunting guide uses no more than one compensated individual in locating or monitoring the location of big game animals on public land.
- (4) A registered outfitter or registered hunting guide in good standing may compensate another person to locate or monitor the location of big game animals on public land if:
 - (a) the outfitter or hunting guide has been retained by the recipient of the outfitting services or hunting guide services to assist the recipient take a big game animal on public land;
 - (b) the recipient possesses the licenses and permits required to take a big game animal;
 - (c) the recipient is not simultaneously using another outfitter or hunting guide to assist in taking the same species and sex of big game animal; and
 - (d) the outfitter or hunting guide compensates not more than one other individual to locate or monitor the location of big game animals in connection with assisting the recipient take a big game animal on public land.
- (5) A violation of:
 - (a) this section constitutes an unlawful take under Section 23A-5-309; and

- (b) Subsection (4) constitutes unlawful conduct under Sections 58-1-501, 58-1-502, and 58-79-501.

Renumbered and Amended by Chapter 103, 2023 General Session

23A-11-205 Requirement to wear hunter orange -- Exceptions -- Nonhunters.

- (1) An individual while hunting a species of big game shall wear, on the exterior so the item can be seen, one or more of the following items that are primarily hunter orange material, except as provided in Subsection (2):
- (a) a hat;
 - (b) a shirt;
 - (c) a jacket;
 - (d) a coat;
 - (e) a vest; or
 - (f) a sweater.
- (2) An individual is not required to wear a hunter orange item described in Subsection (1):
- (a) during the following types of hunts, unless a centerfire rifle hunt is in progress in the same area:
 - (i) archery;
 - (ii) muzzle-loader;
 - (iii) mountain goat;
 - (iv) bighorn sheep;
 - (v) bison; or
 - (vi) moose; or
 - (b) as provided by a rule of the Wildlife Board made in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.
- (3)
- (a) The director may regulate the wearing of hunter orange by an individual who is:
 - (i) not hunting, such as a hiker, camper, or other recreational user; and
 - (ii) accessing a wildlife management area while a centerfire rifle hunt for big game is in progress on the wildlife management area.
 - (b) Notwithstanding Subsection (3)(a), the director may not regulate the wearing of hunter orange under this Subsection (3) by a landowner owning land inside a wildlife management area or by the landowner's immediate family members.
- (4) An individual engaged in agriculture activities is not subject to the requirements to wear hunter orange under this section.

Amended by Chapter 52, 2024 General Session

Effective 7/1/2024

23A-11-206 Limitations on taking an antler or horn.

- (1) A person may not take an antler or horn, including a shed antler or shed horn, except as provided by this title or rules of the Wildlife Board made in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.
- (2) During season dates if established under Subsection (3) and after complying with rules made under Subsection (3), an individual may take an antler or horn, including a shed antler or shed horn.
- (3)

- (a) The Wildlife Board may establish recreational antler or horn gathering season dates and rules for both residents and nonresidents, including for a shed antler or shed horn, by rule made in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.
- (b) The Wildlife Board may, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, establish rules for commercial gathering and selling of an antler or horn, including a shed antler or shed horn, to establish:
 - (i) rules in general concerning commercial gathering and selling;
 - (ii) license or permit requirements; and
 - (iii) fees.
- (4) A suspension for a violation of this section or rules by the Wildlife Board under Section 23A-4-1106, may include all privileges related to big game, including privileges under a shed antler or horn gathering permit.
- (5) Notwithstanding whether the Wildlife Board establishes season dates under this section, a private landowner or a guest of a private landowner may take an antler or horn on the private land, including a shed antler or shed horn, year round for the use of the landowner or guest.

Enacted by Chapter 347, 2024 General Session

Part 3 Management

23A-11-301 Deer and elk management plans -- Division to confer with others -- Target herd size objectives.

- (1) The division shall:
 - (a) prepare a management plan for each deer and elk herd unit in the state; and
 - (b) submit the plans to the Wildlife Board for the Wildlife Board's approval.
- (2) Upon approval of a plan by the Wildlife Board, the division shall manage the herd unit in accordance with the management plan.
- (3) In preparing a management plan, the division shall confer with federal and state land managers, private landowners, sportsmen, and ranchers.
- (4)
 - (a) A management plan shall establish target herd size objectives.
 - (b) In establishing target herd size objectives, the division and Wildlife Board shall among other factors:
 - (i) consider available information on each unit's range carrying capacity and ownership; and
 - (ii) seek to balance relevant multiple uses for the range.
- (5) Until a management plan for a herd unit is prepared in accordance with this section and approved by the Wildlife Board, the division shall manage the herd unit to maintain the herd size as range conditions and available data dictate.
- (6) The division or Wildlife Board may revise a management plan as the division or Wildlife Board determines necessary. A revised plan shall be prepared in accordance with Subsections (3) and (4).

Renumbered and Amended by Chapter 103, 2023 General Session

23A-11-302 Big game protection -- Director authority.

- (1) It is the policy of the state that big game animals are of great importance to the citizens of the state, the citizen's quality of life, and the long term sustainability of the herds for future generations.
- (2)
 - (a) Unless the condition described in Subsection (2)(b) is determined, the director shall take immediate action to reduce the number of predators within a management unit when the big game population is under the established herd size objective for that management unit.
 - (b) Subsection (2)(a) does not apply if the division determines that predators are not significantly contributing to the big game population being under the herd size objective for the management unit.
- (3) Immediate action under Subsection (2) includes any of the following management tools:
 - (a) increasing take permits or tags for cougar and bear until the herd size objective is met;
 - (b) allowing big game hunters to harvest predators with the appropriate permit during a big game hunting season, including issuing over-the-counter predator permits;
 - (c) professional trapping and predator control by the United States Department of Agriculture Wildlife Services, private contracts, and the general public, including aerial control measures; and
 - (d) other management tools as determined by the director.
- (4) The director shall annually give a status report on predator control measures implemented pursuant to this chapter and Chapter 8, Part 4, Damage by Big Game, to the Natural Resources, Agriculture, and Environmental Quality Appropriations Subcommittee and Natural Resources, Agriculture, and Environment Interim Committee.

Renumbered and Amended by Chapter 103, 2023 General Session

Part 4

Mule Deer Protection

23A-11-401 Definitions.

As used in this part:

- (1) "General predator control" means a predatory animal removal effort by the division to reduce predatory animal numbers for the benefit of mule deer.
- (2) Notwithstanding Section 23A-8-101, "predatory animal" means a coyote.
- (3) "Targeted predator control" means a predatory animal removal effort by the division:
 - (a) to reduce predatory animal numbers in an area where mule deer predation occurs; and
 - (b) that focuses on specific locations and certain times.

Renumbered and Amended by Chapter 103, 2023 General Session

23A-11-402 Rulemaking authority, coordination, and administration for predator control.

- (1) The Wildlife Board may make rules, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, to establish programs to accomplish targeted predator control or general predator control, including programs that offer incentives or compensation to participants who remove a predatory animal that is detrimental to mule deer production.
- (2) The division shall:
 - (a) administer a program established under Subsection (1);

- (b) coordinate with federal, state, and local governments, and private persons to accomplish the purposes of this part; and
- (c) coordinate with the Department of Agriculture and Food and the Agriculture and Wildlife Damage Prevention Board created in Section 4-23-104 to:
 - (i) minimize unnecessary duplication of predator control efforts; and
 - (ii) prevent interference between predator control programs administered under Title 4, Chapter 23, Agricultural and Wildlife Damage Prevention Act, and this part.
- (3) The division may:
 - (a) contract with a vendor that offers targeted predator control services; and
 - (b) prepare and distribute educational and training materials related to mule deer protection.

Renumbered and Amended by Chapter 103, 2023 General Session

Part 5

Big Game Byproduct

23A-11-501 Definitions.

As used in this part, "fee year" means a one-year period beginning on April 1 and ending on March 31 of the following year.

Enacted by Chapter 52, 2024 General Session

23A-11-502 Big game byproduct -- Certificate of registration.

- (1)
 - (a) Except as provided in Subsection (1)(f), a person shall obtain a certificate of registration from the division to purchase, acquire, sell, barter, exchange, or trade big game byproduct for financial advantage.
 - (b) To obtain a certificate of registration authorizing the purchase, sale, barter, or trade of big game byproduct for financial advantage, the applicant shall:
 - (i) operate a licensed meat processing business in compliance with state and local government wild game processing laws; and
 - (ii)
 - (A) provide proof of engagement in the sale of big game byproduct before July 1, 2023, and have processed 500 big game animals in three out of the five consecutive calendar years preceding application; or
 - (B) have processed 800 big game animals in three out of the five consecutive calendar years preceding application.
 - (c) A person receiving a certificate of registration under this section shall:
 - (i) post signage in a conspicuous location of the person's business indicating the person's involvement in the program regulated by this section;
 - (ii) test incoming deer, elk, and moose carcasses from the following areas for chronic wasting disease:
 - (A) a state or province, other than Utah, where chronic wasting disease has been detected in big game; or
 - (B) a management unit within the state that the division has designated as endemic for chronic wasting disease;

- (iii) subject to Subsection (1)(d), receive a negative test result for chronic wasting disease before selling, bartering, exchanging, or trading big game byproduct from tested carcasses to another person;
- (iv) be subject to reasonable inspections of facilities that process or sell, barter, exchange, or trade big game byproduct and relevant records;
- (v) record and upon request of the division, provide the following for a big game animal received:
 - (A) permit holder's name;
 - (B) permit holder's phone number;
 - (C) state or province for which the permit was issued;
 - (D) permit number;
 - (E) date animal was received by the processing facility;
 - (F) species associated with the permit;
 - (G) total weight of carcass, in pounds, upon arrival at the processing facility;
 - (H) weight of product, in pounds, returned to the hunter; and
 - (I) the date the certificate of registration holder submits a deer, elk, or moose carcass for testing for chronic wasting disease;
- (vi) retain records detailed in Subsection (1)(c)(v) for two years;
- (vii) report to the division the total number of pounds of big game byproduct sold, bartered, exchanged, or traded each fee year on or before the April 15 immediately following the last day of that fee year; and
- (viii) at the time the certificate of registration holder submits the report under Subsection (1)(c)(vii), pay a big game byproduct fee in accordance with Section 23A-11-503.
- (d) Notwithstanding Subsection (1)(c)(iii), a certificate of registration holder may sell, barter, exchange, or trade big game byproducts if the big game byproduct is:
 - (i) not required to be tested under this section; or
 - (ii) required to be tested under this section but a lab result is not provided to the certificate of registration holder within six months from the date the test sample was submitted.
- (e)
 - (i) The certificate of registration holder is responsible for the costs associated with laboratory testing for chronic wasting disease of deer, elk, and moose carcasses from out-of-state hunters, except that the certificate of registration holder may pass the cost of testing to the out-of-state hunter that provides the big game byproduct.
 - (ii) The division is responsible for the costs associated with laboratory testing for chronic wasting disease for deer, elk, and moose carcasses from hunters within the state, with the costs being paid from the big game byproduct fee collected under this part.
- (f) A person may purchase, acquire, sell, barter, exchange, or trade big game byproduct for financial advantage without a certificate of registration, provided the big game byproduct is:
 - (i) processed and individually packaged for the big game byproduct's intended end use when purchased, acquired, sold, bartered, exchanged, or traded; or
 - (ii) otherwise authorized for purchase, sale, offer or possessed for sale, barter, exchange, or trade by statute or administrative rule.
- (2) Except as otherwise authorized in this title, rule, or proclamation, a person may not in violation of Section 23A-5-304, purchase, sell, barter, exchange, or trade any other species of lawfully taken protected wildlife or wildlife parts for financial advantage.
- (3) A certificate of registration holder agrees to abide by applicable state and federal laws.
- (4) For a carcass testing positive for chronic wasting disease under Subsection (1)(c) and that is surrendered to the division by the hunter, the person named on the certificate of registration

under this section may donate unclaimed processed wildlife to the client that is reasonably equivalent in value to the product surrendered to the division.

Enacted by Chapter 52, 2024 General Session

23A-11-503 Big game byproduct fee rate -- Deposit of revenue -- Penalty for failure to pay.

- (1) A person shall pay for each fee year, a big game byproduct fee of six cents multiplied by the total number of pounds of big game byproduct sold, bartered, exchanged, or traded under authority of a certificate of registration issued by the division under Section 23A-11-502.
- (2) A big game byproduct fee payment is due on the April 15 immediately following the last day of a fee year.
- (3) The division shall deposit revenue generated by the big game byproduct fee into the Wildlife Resources Account created in Section 23A-3-201.
- (4)
 - (a) Subject to Subsection (4)(b), the division may suspend a person's certificate of registration if the person fails to pay a big game byproduct fee under this part.
 - (b) Upon notification of non-payment by the division, the certificate of registration holder has 10 business days to pay the past due big game byproduct fee before the division may suspend the certificate of registration.

Enacted by Chapter 52, 2024 General Session

23A-11-504 Rulemaking.

The Wildlife Board may make rules, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, to enforce and administer this part.

Enacted by Chapter 52, 2024 General Session