

**Effective 7/1/2023**

## **Chapter 11 Big Game**

### **Part 1 General Provisions**

#### **23A-11-101 Definitions.**

As used in this chapter:

- (1) "Big game" includes deer, elk, big horn sheep, moose, mountain goats, pronghorn, and bison.
- (2) "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.
- (3) "Management unit" means a prescribed area of contiguous land designated by the division for the purpose of managing a species of big game animal.
- (4) "Predator" means a cougar, bear, or coyote.

Renumbered and Amended by Chapter 103, 2023 General Session

### **Part 2 Limits on Hunting**

#### **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.**

- (1) As used in this section:
- (a)
    - (i) "Centerfire rifle hunt" means a hunt for which a hunter may use a centerfire rifle, except as provided in Subsection (1)(a)(ii).
    - (ii) "Centerfire rifle hunt" does not include:
      - (A) a bighorn sheep hunt;
      - (B) a mountain goat hunt;
      - (C) a bison hunt;
      - (D) a moose hunt;
      - (E) a hunt requiring the hunter to possess a statewide conservation permit; or
      - (F) a hunt requiring the hunter to possess a statewide sportsman permit.
  - (b) "Statewide conservation permit" means a permit:
    - (i) issued by the division;
    - (ii) distributed through a nonprofit organization founded for the purpose of promoting wildlife conservation; and
    - (iii) valid:
      - (A) on open hunting units statewide; and
      - (B) for the species of big game and time period designated by the Wildlife Board.
  - (c) "Statewide sportsman permit" means a permit:
    - (i) issued by the division through a public draw; and
    - (ii) valid:

- (A) on open hunting units statewide; and
  - (B) for the species of big game and time period designated by the Wildlife Board.
- (2)
- (a) A person shall wear a minimum of 400 square inches of hunter orange material while hunting a species of big game, except as provided in Subsection (3).
  - (b) A person shall wear hunter orange material on the head, chest, and back.
- (3) A person is not required to wear the hunter orange material described in Subsection (2):
- (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.

Renumbered and Amended by Chapter 103, 2023 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.

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