

Effective 5/13/2014

4-39-401 Escape of domesticated elk -- Liability.

- (1) It is the owner's responsibility to try to capture any domesticated elk that may have escaped.
- (2) The escape of a domesticated elk shall be reported immediately to the state veterinarian or a brand inspector of the Department of Agriculture who shall notify the Division of Wildlife Resources.
- (3) If the domesticated elk is not recovered within 72 hours of the escape, the Department of Agriculture, in conjunction with the Division of Wildlife Resources, shall take whatever action is necessary to resolve the problem.
- (4) The owner shall reimburse the state or a state agency for any reasonable recapture costs that may be incurred in the recapture or destruction of the animal.
- (5) Any escaped domesticated elk taken by a licensed hunter in a manner which complies with the provisions of Title 23, Wildlife Resources Code of Utah, and the rules of the Wildlife Board shall be considered to be a legal taking and neither the licensed hunter, the state, nor a state agency shall be liable to the owner for the killing.
- (6) The owner shall be responsible to contain the domesticated elk to ensure that there is no spread of disease from domesticated elk to wild elk and that the genetic purity of wild elk is protected.

Amended by Chapter 189, 2014 General Session