

5. Page 2, Line 40:

After line 40 insert:

"Section 4. Section **4-39-203** is amended to read:

4-39-203. License required to operate a domesticated elk facility.

- (1) A person may not operate a domesticated elk facility without first obtaining a license from the department.
- (2) (a) Each application for a license to operate a domesticated elk facility shall be accompanied by a fee.
(b) The fee shall be established by the department in accordance with Section 63-38-3.2.
- (3) Each applicant for a domesticated elk facility license shall submit an application providing all information in the form and manner as required by the department.
- (4) (a) No license shall be issued until the department has inspected and approved the facility.
(b) The department shall:
 - (i) notify the Division of Wildlife Resources at least 48 hours prior to a scheduled inspection so that a Division of Wildlife Resources representative may be present at the inspection; and
 - (ii) provide the Division of Wildlife Resources with copies of all licensing and inspection reports.
- (5) Each separate location of the domesticated elk operation shall be licensed separately.
- (6) (a) If a domesticated elk facility is operated under more than one business name from a single location, the name of each operation shall be listed with the department in the form and manner required by the department.
(b) The department shall require that a separate fee be paid for each business name listed.
(c) If a domesticated elk facility operates under more than one business name from a single location, the facility shall maintain separate records.
- (7) Each person or business entity with an equity interest in the domesticated elk shall be listed on the application for license.
- (8) Each domesticated elk facility license shall expire on July 1 in the year following the year of issuance.
- (9) Each licensee shall report to the department, in the form and manner required by the department, any change in the information provided in the licensee's application or in the reports previously submitted, within 15 days of each change.
- (10) Licenses issued pursuant to this section are not transferable.

(11) No license shall be issued to a domesticated elk facility operated as a domesticated elk harvest area until a study by the Division of Wildlife Resources is completed evaluating:
(a) threats to wildlife, especially to migrational routes of wild ungulates and other wildlife of special concern;
(b) threats to federally listed threatened or endangered species;
(c) threats to already established cooperative wildlife management units; and
(d) the area and elk cover requirements specified in Section 4-39-208.

Section 5. Section **4-39-208** is enacted to read:

4-39-208. Requirements of domesticated elk harvest areas.

A domesticated elk harvest area must have:

- (1) a contiguous area no less than 1,000 acres and no more than 3,000 acres; and
- (2) 75% of its area comprised of elk cover, as defined by the advisory council created in Section 4-39-104.

Section 6. Section **4-39-304** is amended to read:

Section 4-39-304. Marking domesticated elk.

- (1) Each domesticated elk, not previously tattooed, must be marked by either a tattoo, as provided in Subsection (2), or by a microchip, as provided in Subsection (3):
 - (a) within 30 days of a change of ownership; or
 - (b) in the case of newborn calves, within 15 days after being weaned, but in any case, no later than September 15.
- (2) If a domesticated elk is identified with a tattoo, the tattoo shall:
 - (a) be placed peri-anally or inside the right ear; and
 - (b) consist of a four-digit herd number assigned by the department over a three-digit individual animal number assigned by the owner.
- (3) If a domesticated elk is identified with a microchip, it must be placed in the right ear.
- (4) Antlers of domesticated elk harvested from domesticated elk harvest areas must have their antlers permanently marked in accordance with the recommendations of the advisory council before they are transported away from the domesticated elk harvest area."