

HUNTING LICENSE FEE REFUND

2002 GENERAL SESSION

STATE OF UTAH

Sponsor: Michael R. Styler

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5 **This act modifies the Wildlife Resources Code to allow armed forces** **h** **, public health, or public**
5a **safety organization** **h** **members, in certain**
6 **situations, to receive a hunting or fishing license, certificate, tag, or permit fee refund, or an**
7 **opportunity to draw a permit in a future draw.**

8 This act affects sections of Utah Code Annotated 1953 as follows:

9 ENACTS:

10 **23-19-38.2**, Utah Code Annotated 1953

11 *Be it enacted by the Legislature of the state of Utah:*

12 Section 1. Section **23-19-38.2** is enacted to read:

13 **23-19-38.2. Refunds for armed forces members -- Criteria.**

14 **(1) A member of the United States Armed Forces** **h** **OR PUBLIC HEALTH OR PUBLIC**
14a **SAFETY ORGANIZATION** **h** **who is mobilized** **h** **OR DEPLOYED** **h** **on order in the interest**
15 **of national defense** **h** **OR EMERGENCY** **h** **and is precluded from participating in the hunting or**
15a **fishing activity for which**
16 **the person purchased a license, certificate, tag, or permit, may, as provided in Subsection (2):**

17 **(a) receive a refund from the division; and**

18 **(b) if the person has drawn a permit, have all opportunities to draw that permit in a future**
19 **draw reinstated.**

20 **(2) To qualify, the person or a legal representative must:**

21 **(a) notify the division within a reasonable amount of time that the person is applying for**
22 **a refund;**

23 **(b) surrender the license, certificate, tag, or permit to the division; and**

24 **(c) furnish satisfactory proof to the division that the person:**

25 **(i) is a member of**



25a h (A) h the United States Armed Forces;
25b h (B) A PUBLIC HEALTH ORGANIZATION; OR
25c (C) A PUBLIC SAFETY ORGANIZATION; h and
26 (ii) was precluded from being able to participate in the hunting or fishing opportunity as
27 a result of being called to active duty.

28 (3) The Wildlife Board may adopt rules in accordance with Title 63, Chapter 46a, Utah
29 Administrative Rulemaking Act, necessary to administer this section **h** INCLUDING ALLOWING
29a RETROACTIVE REFUND TO SEPTEMBER 11, 2001 **h** .

Legislative Review Note
as of 12-20-01 8:42 AM

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

Office of Legislative Research and General Counsel