

**EXPANSION OF ACCESS TO FISH AND
GAME OPPORTUNITIES**

2003 GENERAL SESSION

STATE OF UTAH

Sponsor: Stephen D. Clark

This act modifies the Wildlife Resources Code to expand opportunities to certain persons to engage in hunting and fishing related activities.

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

AMENDS:

23-19-1, as last amended by Chapter 204, Laws of Utah 1999

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

Section 1. Section **23-19-1** is amended to read:

23-19-1. Possession of licenses, certificates of registration, permits, and tags required -- Nonassignability -- Exceptions -- Free fishing day.

(1) A person may not engage in hunting, trapping, fishing, or seining protected wildlife or in the sale, trade, or barter of protected wildlife or their parts without first having procured the necessary licenses, certificates of registration, permits, and tags as provided under this chapter and having at the same time the licenses, certificates of registration, permits, and tags on his or her person, except as provided under Subsection (3).

(2) (a) Except as provided in Subsection (2)(b) a person may not:

(i) lend, transfer, sell, give, or assign licenses, certificates of registration, permits, or tags belonging to the person or the rights granted by licenses, certificates of registration, permits, or tags; or

(ii) use or attempt to use a license, certificate of registration, permit, or tag of another person.

(b) The Wildlife Board may make exceptions to the prohibitions specified in Subsection (2)(a) for purposes of:

(i) transporting wildlife;

(ii) taking [~~a deer or elk~~] protected wildlife for a person who [~~is blind or a~~

quadriplegic] has a permanent physical impairment due to injury or disease, congenital or acquired, which renders the person so severely disabled as to be physically unable to use a legal hunting weapon or fishing device; or

(iii) transferring a certificate of registration to harvest brine shrimp and brine shrimp eggs to another person, if the certificate is transferred in connection with the sale or transfer of the brine shrimp harvest operation or the harvesting equipment, subject to the restrictions referred to under Subsection (2)(c).

(c) (i) A certificate of registration to harvest brine shrimp and brine shrimp eggs may not be transferred without the approval of the division.

(ii) Application to allow the transfer of a certificate of registration to harvest brine shrimp and brine shrimp eggs shall be made to the division on a form prescribed and furnished by it.

(iii) The division may grant a transfer of a certificate of registration to harvest brine shrimp and brine shrimp eggs if the proposed transferee meets all the requirements necessary to obtain an original certificate of registration.

(3) No license, certificate of registration, permit, or tag is required to:

(a) fish on a free fishing day which the Wildlife Board may establish each year under rules prescribed by the board;

(b) fish at a private fish installation operated in accordance with Section 23-15-10; or

(c) hunt birds on a commercial hunting area that the owner or operator is authorized to propagate, keep, and release for shooting pursuant to a certificate of registration issued under Section 23-17-6.