

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

3 2003 GENERAL SESSION

4 STATE OF UTAH

5 **Sponsor: Stephen D. Clark**

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

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

9 AMENDS:

10 **23-19-1**, as last amended by Chapter 204, Laws of Utah 1999

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

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

13 **23-19-1. Possession of licenses, certificates of registration, permits, and tags**
14 **required -- Nonassignability -- Exceptions -- Free fishing day.**

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

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

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

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

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



- 28 (i) transporting wildlife;
- 29 (ii) taking ~~[a deer or elk]~~ protected wildlife for a person who ~~[is blind or a~~
30 quadriplegic] has a permanent physical impairment due to injury or disease, congenital or
31 acquired, which renders the person so severely disabled as to be physically unable to use a legal
32 hunting weapon or fishing device; or
- 33 (iii) transferring a certificate of registration to harvest brine shrimp and brine shrimp
34 eggs to another person, if the certificate is transferred in connection with the sale or transfer of
35 the brine shrimp harvest operation or the harvesting equipment, subject to the restrictions
36 referred to under Subsection (2)(c).
- 37 (c) (i) A certificate of registration to harvest brine shrimp and brine shrimp eggs may
38 not be transferred without the approval of the division.
- 39 (ii) Application to allow the transfer of a certificate of registration to harvest brine
40 shrimp and brine shrimp eggs shall be made to the division on a form prescribed and furnished
41 by it.
- 42 (iii) The division may grant a transfer of a certificate of registration to harvest brine
43 shrimp and brine shrimp eggs if the proposed transferee meets all the requirements necessary to
44 obtain an original certificate of registration.
- 45 (3) No license, certificate of registration, permit, or tag is required to:
46 (a) fish on a free fishing day which the Wildlife Board may establish each year under
47 rules prescribed by the board;
48 (b) fish at a private fish installation operated in accordance with Section 23-15-10; or
49 (c) hunt birds on a commercial hunting area that the owner or operator is authorized to
50 propagate, keep, and release for shooting pursuant to a certificate of registration issued under
51 Section 23-17-6.

Legislative Review Note
as of 1-14-03 1:19 PM

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

Office of Legislative Research and General Counsel

Fiscal Note
Bill Number HB0198

Expansion of Access to Fish and Game Opportunities

23-Jan-03

7:53 AM

State Impact

This bill would allow the Wildlife Board to expand licensing exceptions to a larger number of disabled people and a broader classification of wildlife. If the Board takes no action, there would be no fiscal impact. Any fiscal impact as a result of Board action can be handled within existing budgets.

Individual and Business Impact

This bill may increase the number of permanently disabled individuals who could receive licensing exceptions from the Wildlife Board.

Office of the Legislative Fiscal Analyst