

**ELIMINATING THE AGE REQUIREMENT FOR
HUNTING SMALL GAME**

2006 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Curtis Oda

Senate Sponsor: Thomas V. Hatch

LONG TITLE

General Description:

This bill removes the age requirement for hunting small game.

Highlighted Provisions:

This bill:

- ▶ removes the age requirement to hunt turkey and small game;
- ▶ clarifies the meaning of verbal communication for adult supervision; and
- ▶ makes technical changes.

Monies Appropriated in this Bill:

None

Other Special Clauses:

This bill takes effect on August 1, 2006.

Utah Code Sections Affected:

AMENDS:

23-19-17, as last amended by Chapter 287, Laws of Utah 2004

23-19-22.6, as enacted by Chapters 66 and 287, Laws of Utah 2004

23-19-24, as last amended by Chapter 22, Laws of Utah 2001

23-19-26, as last amended by Chapter 287, Laws of Utah 2004

23-20-20, as last amended by Chapter 131, Laws of Utah 1988

REPEALS:



28 **23-19-25**, as last amended by Chapter 287, Laws of Utah 2004

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

31 Section 1. Section **23-19-17** is amended to read:

32 **23-19-17. Resident fishing and hunting license -- Use of fee.**

33 (1) A resident [~~12 years of age or older~~], upon payment of the fee prescribed by the
34 Wildlife Board, may receive a combination license to fish and to hunt for small game as
35 provided in the rules of the Wildlife Board.

36 ~~[(2) A person 11 years of age, upon payment of the fee, may obtain a license to fish and~~
37 ~~to hunt small game if that person's 12th birthday falls within the calendar year in which the~~
38 ~~license is issued.]~~

39 ~~[(3)]~~ (2) One dollar of the combination license fee shall be used for the hunter
40 education program ~~[in]~~ for any of the following:

- 41 (a) instructor and student training;
- 42 (b) assisting local organizations with development;
- 43 (c) maintenance of existing facilities; or
- 44 (d) operation and maintenance of the hunter education program.

45 ~~[(4)]~~ (3) (a) Fifty cents of the combination license fee shall be used for the upland
46 game program as follows:

- 47 (i) to acquire pen-raised birds; or
- 48 (ii) to capture and transplant upland game species.

49 (b) The combination license fee revenue designated for the upland game program by
50 Subsection ~~[(4)]~~ (3)(a) is in addition to any combination license fee revenue that may be used
51 for the upland game program as provided by Sections 23-19-43 and 23-19-47.

52 Section 2. Section **23-19-22.6** is amended to read:

53 **23-19-22.6. Turkey hunting permit.**

54 (1) A person [~~12 years of age or older~~], upon payment of the fee, may receive a permit
55 to take turkey as provided by rules of the Wildlife Board.

56 ~~[(2) A person 11 years of age, upon payment of the fee, may obtain a permit to hunt~~
57 ~~turkey if that person's 12th birthday falls within the calendar year in which the permit is~~
58 ~~issued.]~~

[~~(3)~~] (2) One dollar of each turkey permit fee collected from a resident shall be used for the hunter education program.

Section 3. Section **23-19-24** is amended to read:

23-19-24. Small game hunting license -- Resident -- Use of fee.

(1) A resident [~~14 years of age or older~~], upon payment of the fee prescribed by the Wildlife Board, may receive a license to hunt small game.

(2) One dollar of the small game hunting license fee shall be used for the hunter education program.

(3) (a) Fifty cents of the small game hunting license fee shall be used for the upland game program as follows:

(i) to acquire pen-raised birds; or

(ii) to capture and transplant upland game species.

(b) The small game license fee revenue designated for the upland game program by Subsection (3)(a) is in addition to any small game license fee revenue that may be used for the upland game program as provided by Sections 23-19-43 and 23-19-47.

Section 4. Section **23-19-26** is amended to read:

23-19-26. Nonresident small game hunting license -- Use of fee.

(1) A nonresident [~~12 years of age or older~~], upon payment of the fee prescribed by the Wildlife Board, may receive a license to hunt small game.

~~[(2) A nonresident 11 years of age, upon payment of the fee, may obtain a license to hunt small game if that person's 12th birthday falls within the calendar year in which the license is issued.]~~

[~~(3)~~] (2) (a) Fifty cents of the small game hunting license fee shall be used for the upland game program as follows:

(i) to acquire pen-raised birds; or

(ii) to capture and transplant upland game species.

(b) The small game license fee revenue designated for the upland game program by Subsection [~~(3)~~] (2)(a) is in addition to any small game license fee revenue that may be used for the upland game program as provided by Sections 23-19-43 and 23-19-47.

Section 5. Section **23-20-20** is amended to read:

23-20-20. Children accompanied by adults while hunting with weapon.

(1) As used in this section~~[-,"accompanied"]~~:

(a) "Accompanied" means at a distance within which visual and verbal communication is maintained for the purposes of advising and assisting.

(b) (i) "Electronic device" means a mechanism powered by electricity that allows communication between two or more people.

(ii) "Electronic device" includes a mobile telephone or two-way radio.

(c) "Verbal communication" means the conveyance of information through speech that does not involve an electronic device.

(2) A person ~~[under the age of]~~ younger than 14 years old who is hunting with any weapon must be accompanied by ~~[his]~~:

(a) the person's parent or legal guardian~~[-];~~ or ~~[other]~~

(b) a responsible person ~~[of the age of]~~ who is at least 21 years ~~[or older and]~~ old and who is approved by ~~[his]~~ the person's parent or guardian~~[-, while hunting with any weapon]~~.

(3) A person ~~[of at least 14 years of age and under]~~ younger than 16 years ~~[of age]~~ old who is hunting big game with any weapon must be accompanied by ~~[his]~~:

(a) the person's parent or legal guardian~~[-];~~ or ~~[other]~~

(b) a responsible person ~~[of the age of]~~ who is at least 21 years ~~[or older and]~~ old and who is approved by ~~[his]~~ the person's parent or guardian~~[-, while hunting big game with any weapon]~~.

(4) A person ~~[of]~~ who is at least 14 years ~~[of age and under]~~ old but younger than 16 years ~~[of age]~~ old must be accompanied by a person ~~[of the age of]~~ who is at least 21 years ~~[or older]~~ old while hunting wildlife, other than big game, with any weapon.

~~[(5) A person under the age of 12 years is not permitted to hunt for protected wildlife except as provided by rules of the Wildlife Board.]~~

Section 6. **Repealer.**

This bill repeals:

Section **23-19-25, Resident small game hunting license -- Use of fee.**

Section 7. **Effective date.**

This bill takes effect on August 1, 2006.

Legislative Review Note

as of 1-24-06 11:00 AM

Based on a limited legal review, this legislation has not been determined to have a high probability of being held unconstitutional.

Office of Legislative Research and General Counsel

Fiscal Note
Bill Number HB0328

Eliminating the Age Requirement for Hunting Small Game 31-Jan-06
10:50 AM

State Impact

It is estimated that 750 units of new small game permits would be issued as a result of this bill. This would generate \$8,300 of additional revenues.

	<u>FY 2007</u> <u>Approp.</u>	<u>FY 2008</u> <u>Approp.</u>	<u>FY 2007</u> <u>Revenue</u>	<u>FY 2008</u> <u>Revenue</u>
Restricted Funds	\$8,300	\$8,300	\$8,300	\$8,300
TOTAL	\$8,300	\$8,300	\$8,300	\$8,300

Individual and Business Impact

Office of the Legislative Fiscal Analyst