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1	AGRICULTURE MODIFICATIONS
2	2015 GENERAL SESSION
3	STATE OF UTAH
4	Chief Sponsor: Mike K. McKell
5	Senate Sponsor: David P. Hinkins
6	
7	LONG TITLE
8	General Description:
9	This bill regulates the killing of feral swine.
10	Highlighted Provisions:
11	This bill:
12	amends definitions;
13	defines terms;
14	prohibits an individual from releasing a:
15	 swine on public or private property for hunting purposes; or
16	 feral swine on public or private property for any purpose;
17	 describes the circumstances under which an individual may kill a feral swine;
18	 prohibits an individual from receiving, or seeking to receive, compensation for
19	killing a feral swine;
20	states that an individual who kills a swine is not liable to the owner of the swine
21	unless the swine was conspicuously identified by an ear tag or other form of visual
22	identification and the individual knew the swine was conspicuously identified; and
23	makes technical changes.
24	Money Appropriated in this Bill:
25	None
26	Other Special Clauses:
27	None
28	Utah Code Sections Affected:
29	AMENDS:

30	4-25-1, as last amended by Laws of Utah 1988, Chapter 139
31	4-25-12.1, as enacted by Laws of Utah 2012, Chapter 331
32	ENACTS:
33 34	4-25-12.3, Utah Code Annotated 1953
35	Be it enacted by the Legislature of the state of Utah:
36	Section 1. Section 4-25-1 is amended to read:
7	4-25-1. Definitions.
8	For the purpose of this chapter:
9	["estray"] (1) (a) "Estray" means [any]:
0	(i) an unbranded sheep, [cattle, horses, mules, or asses] cow, horse, mule, ass, or
1	domestic mink found running at large[, or any];
12	(ii) a branded sheep, [cattle, horses, mules, or asses] cow, horse, mule, ass, or domestic
13	mink found running at large whose owner cannot be found after reasonable search[, or any]; or
4	(iii) a swine found running at large whose owner cannot be found after reasonable
15	search[; but it].
6	(b) "Estray" does not mean [nor include] any unweaned animal specified in this section
7	that is running with its mother.
8	(2) "Feral swine" means any species, or hybrid species:
9	(a) of the family Suidae, including the European boar, the Eurasian boar, the Russian
0	boar, a feral hog, or a domestic pig;
1	(b) that is not conspicuously identified by an ear tag or other form of visual
52	identification; and
53	(c) that is roaming freely upon public land or private land without the permission of the
54	landowner.
55	(3) "Swine" means any domesticated species of the family Suidae that is conspicuously
6	identified by an ear tag or other form of visible identification.
57	Section 2. Section 4-25-12.1 is amended to read:

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58	4-25-12.1. Release of swine or feral swine for any purpose.
59	A person may not release <u>a:</u>
60	(1) swine on public or private property for hunting purposes[:]; or
61	(2) feral swine on public or private property for any purpose.
62	Section 3. Section 4-25-12.3 is enacted to read:
63	4-25-12.3. Feral swine detrimental to state's interests Seizure, capture, or
64	destruction of feral swine.
65	(1) Feral swine are detrimental to the state's interests in agriculture and wildlife.
66	(2) Feral swine may be seized, captured, or destroyed at any time, in any place, and in
67	any manner by:
68	(a) the department and its authorized agents;
69	(b) the Division of Wildlife Resources and its authorized agents; or
70	(c) a certified peace officer.
71	(3) (a) Notwithstanding Section 76-9-301, and subject to the requirements of this
72	section, an individual may kill a feral swine roaming on private or public land.
73	(b) An individual shall obtain the consent of the landowner before killing a feral swine
74	on private land.
75	(c) Feral swine may be killed:
76	(i) year-round;
77	(ii) in any number; and
78	(iii) with a firearm, bow and arrow, or crossbow.
79	(4) Feral swine may not be hunted or killed under Subsection (3)(c):
80	(a) with the use of artificial light or night vision equipment, except as authorized by
81	county ordinance; or
82	(b) from or with any airborne vehicle or device, except as provided in Section 4-23-6.
83	(5) An individual may not receive compensation, or attempt to receive compensation,
84	from hunting feral swine.
85	(6) An individual who kills a swine under this section is not liable to the owner for the

86	loss of the swine, unless:
87	(a) the swine is conspicuously identified by an ear tag or other form of visual
88	identification; and
89	(b) the individual who killed the swine knew the swine was identified by an ear tag or
90	other form of usual identification.

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