

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 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:

37 **4-25-1. Definitions.**

38 For the purpose of this chapter:

39 [~~estray~~] (1) (a) "Estray" means [~~any~~]:

40 (i) an unbranded sheep, [~~cattle, horses, mules, or asses~~] cow, horse, mule, ass, or
41 domestic mink found running at large[~~, or any~~];

42 (ii) a branded sheep, [~~cattle, horses, mules, or asses~~] cow, horse, mule, ass, or domestic
43 mink found running at large whose owner cannot be found after reasonable search[~~, or any~~]; or

44 (iii) a swine found running at large whose owner cannot be found after reasonable
45 search[~~, but it~~].

46 (b) "Estray" does not mean [~~nor include~~] any unweaned animal specified in this section
47 that is running with its mother.

48 (2) "Feral swine" means any species, or hybrid species:

49 (a) of the family Suidae, including the European boar, the Eurasian boar, the Russian
50 boar, a feral hog, or a domestic pig;

51 (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
56 identified by an ear tag or other form of visible identification.

57 Section 2. Section 4-25-12.1 is amended to read:

58 **4-25-12.1. Release of swine or feral swine for any purpose.**

59 A person may not release a:

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.