

HUNTING MENTOR PROGRAM

2017 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Allen M. Christensen

House Sponsor: Mike Schultz

LONG TITLE

General Description:

This bill modifies the requirements for a resident minor to use the hunting permit of another person.

Highlighted Provisions:

This bill:

▸ states that a resident minor may use the resident or nonresident hunting permit of another person if:

- the resident minor is otherwise legally eligible to hunt; and
- the permit holder receives no form of compensation, obtains the division's

written approval, and accompanies the minor in person; and

▸ makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

23-19-1, as last amended by Laws of Utah 2016, Chapter 258

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

S.B. 67



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

29 **23-19-1. Possession of licenses, certificates of registration, permits, and tags**
30 **required -- Nonassignability -- Exceptions -- Free fishing day -- Nature of licenses,**
31 **permits, or tags issued by the division.**

32 (1) Except as provided in Subsection (5), a person may not take, hunt, fish, or seine
33 protected wildlife or sell, trade, or barter protected wildlife or wildlife parts unless the person:

34 (a) procures the necessary licenses, certificates of registration, permits, or tags required
35 under this title, by rule made by the Wildlife Board under this title, or by an order or
36 proclamation issued in accordance with a rule made by the Wildlife Board under this title; and

37 (b) carries in the person's possession while engaging in the activities described in
38 Subsection (1) the license, certificate of registration, permit, or tag required under this title, by
39 rule made by the Wildlife Board under this title, or by an order or proclamation issued in
40 accordance with a rule made by the Wildlife Board under this title.

41 (2) Except as provided in Subsection (3) a person may not:

42 (a) lend, transfer, sell, give, or assign:

43 (i) a license, certificate of registration, permit, or tag belonging to the person; or

44 (ii) a right granted by a license, certificate of registration, permit, or tag; or

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

47 (3) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
48 Wildlife Board may, by rule, make exceptions to the prohibitions described in Subsection (2)
49 to:

50 (a) transport wildlife;

51 (b) allow a person to take protected wildlife for another person if:

52 (i) the person possessing the license, certificate of registration, permit, or tag has a
53 permanent physical impairment due to a congenital or acquired injury or disease; and

54 (ii) the injury or disease described in Subsection (3)(b)(i) results in the person having a
55 disability that renders the person physically unable to use a legal hunting weapon or fishing
56 device;

57 (c) allow a resident minor under 18 years of age to use the resident or nonresident
58 hunting permit of another person if:

- 59 (i) the resident minor is~~[:] otherwise legally eligible to hunt; and~~
60 ~~[(A) the permit holder's child, stepchild, grandchild, or legal ward, if the permit~~
61 ~~holder's guardianship of the legal ward is based solely on the minor's age; or]~~
62 ~~[(B) suffering from a life threatening medical condition; and]~~
63 (ii) the permit holder:
64 (A) receives no form of compensation or remuneration for allowing the minor to use
65 the permit;
66 (B) obtains the division's prior written approval to allow the minor to use the permit;
67 and
68 (C) accompanies the minor, for the purposes of advising and assisting during the hunt,
69 at a distance where the permit holder can communicate with the minor, in person, by voice or
70 visual signals; or
71 (d) subject to the requirements of Subsection (4), transfer to another person a certificate
72 of registration to harvest brine shrimp and brine shrimp eggs, if the certificate is transferred in
73 connection with the sale or transfer of the brine shrimp harvest operation or harvesting
74 equipment.
75 (4) A person may transfer a certificate of registration to harvest brine shrimp and brine
76 shrimp eggs if:
77 (a) the person submits to the division an application to transfer the certificate on a form
78 provided by the division;
79 (b) the proposed transferee meets all requirements necessary to obtain an original
80 certificate of registration; and
81 (c) the division approves the transfer of the certificate.
82 (5) A person is not required to obtain a license, certificate of registration, permit, or tag
83 to:
84 (a) fish on a free fishing day that the Wildlife Board may establish each year by rule
85 made by the Wildlife Board under this title or by an order or proclamation issued in accordance
86 with a rule made by the Wildlife Board under this title;
87 (b) fish at a private fish pond operated in accordance with Section [23-15-10](#); or
88 (c) hunt birds on a commercial hunting area that the owner or operator is authorized to
89 propagate, keep, and release for shooting in accordance with a certificate of registration issued

90 under Section 23-17-6.

91 (6) (a) A license, permit, tag, or certificate of registration issued under this title, or the
92 rules of the Wildlife Board issued pursuant to authority granted by this title, to take protected
93 wildlife is:

94 (i) a privilege; and

95 (ii) not a right or property for any purpose.

96 (b) A point or other form of credit issued to, or accumulated by, a person under
97 procedures established by the Wildlife Board in rule to improve the likelihood of obtaining a
98 hunting permit in a division-administered drawing:

99 (i) may not be transferred, sold, or assigned to another person; and

100 (ii) is not a right or property for any purpose.

Legislative Review Note
Office of Legislative Research and General Counsel