

**HUNTING MENTOR AMENDMENTS**

2023 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Carl R. Albrecht**

Senate Sponsor: Michael K. McKell

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**LONG TITLE**

**General Description:**

This bill modifies requirements for using a hunting permit.

**Highlighted Provisions:**

This bill:

- ▶ defines terms;
- ▶ creates a hunting mentor program;
- ▶ describes the circumstances under which a minor may use an adult's permit under the program; 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 2017, Chapter 104

ENACTS:

**23-19-50**, Utah Code Annotated 1953

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



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:~~] in accordance with Section 23-19-50; or

- 59           ~~[(i) the resident minor is otherwise legally eligible to hunt; and]~~  
60           ~~[(ii) the permit holder:]~~  
61           ~~[(A) receives no form of compensation or remuneration for allowing the minor to use~~  
62 ~~the permit;]~~  
63           ~~[(B) obtains the division's prior written approval to allow the minor to use the permit;~~  
64 ~~and]~~  
65           ~~[(C) accompanies the minor, for the purposes of advising and assisting during the hunt,~~  
66 ~~at a distance where the permit holder can communicate with the minor, in person, by voice or~~  
67 ~~visual signals; or]~~  
68           (d) subject to the requirements of Subsection (4), transfer to another person a certificate  
69 of registration to harvest brine shrimp and brine shrimp eggs, if the certificate is transferred in  
70 connection with the sale or transfer of the brine shrimp harvest operation or harvesting  
71 equipment.  
72           (4) A person may transfer a certificate of registration to harvest brine shrimp and brine  
73 shrimp eggs if:  
74           (a) the person submits to the division an application to transfer the certificate on a form  
75 provided by the division;  
76           (b) the proposed transferee meets all requirements necessary to obtain an original  
77 certificate of registration; and  
78           (c) the division approves the transfer of the certificate.  
79           (5) A person is not required to obtain a license, certificate of registration, permit, or tag  
80 to:  
81           (a) fish on a free fishing day that the Wildlife Board may establish each year by rule  
82 made by the Wildlife Board under this title or by an order or proclamation issued in accordance  
83 with a rule made by the Wildlife Board under this title;  
84           (b) fish at a private fish pond operated in accordance with Section 23-15-10; or  
85           (c) hunt birds on a commercial hunting area that the owner or operator is authorized to  
86 propagate, keep, and release for shooting in accordance with a certificate of registration issued  
87 under Section 23-17-6.  
88           (6) (a) A license, permit, tag, or certificate of registration issued under this title, or the  
89 rules of the Wildlife Board issued pursuant to authority granted by this title, to take protected

90 wildlife is:

91 (i) a privilege; and

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

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

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

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

98 Section 2. Section **23-19-50** is enacted to read:

99 **23-19-50. Hunting Mentor Program.**

100 (1) As used in this section, "immediate family member" means a spouse, child, parent,  
101 sibling, grandparent, grandchild, parent-in-law, child-in-law, sibling-in-law, or stepchild.

102 (2) A resident or nonresident minor under 18 years old may use the hunting permit of  
103 another person if:

104 (a) the permit holder:

105 (i) receives no form of compensation or remuneration for allowing the minor to use the  
106 permit;

107 (ii) obtains the division's prior written approval to allow the minor to use the permit;

108 and

109 (iii) accompanies the minor, for the purposes of advising and assisting during the hunt,  
110 at a distance where the permit holder can communicate with the minor, in person, by voice or  
111 visual signals; and

112 (b) the minor is otherwise legally eligible to hunt.

113 (3) If the permit holder dies before the hunt authorized by the permit described in this  
114 section, the minor may use the permit if the minor is:

115 (a) an immediate family member of the permit holder; and

116 (b) accompanied by an adult immediate family member while using the permit.

117 (4) This section does not convey any property interest.

118 (5) The Wildlife Board shall issue a permit in accordance with this chapter.