

Representative Scott H. Chew proposes the following substitute bill:

WILDLIFE HUNTING AMENDMENTS

2024 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Stephanie Gricius

Senate Sponsor: Scott D. Sandall

LONG TITLE

General Description:

This bill modifies provisions related to wearing hunter orange.

Highlighted Provisions:

This bill:

- ▶ moves definitions to the provision applicable to a chapter;
- ▶ addresses what is sufficient wearing of hunter orange while hunting big game;
- ▶ grants the director of the Division of Wildlife Resources authority related to the wearing of hunter orange by non-hunters; and
- ▶ makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

23A-11-101, as renumbered and amended by Laws of Utah 2023, Chapter 103

23A-11-205, as renumbered and amended by Laws of Utah 2023, Chapter 103



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

27 Section 1. Section **23A-11-101** is amended to read:

28 **23A-11-101. Definitions.**

29 As used in this chapter:

30 (1) "Big game" includes deer, elk, big horn sheep, moose, mountain goats, pronghorn,
31 and bison.

32 (2) (a) "Centerfire rifle hunt" means a hunt for which a hunter may use a centerfire
33 rifle, except as provided in Subsection (2)(b).

34 (b) "Centerfire rifle hunt" does not include:

35 (i) a bighorn sheep hunt;

36 (ii) a mountain goat hunt;

37 (iii) a bison hunt;

38 (iv) a moose hunt;

39 (v) a hunt requiring the hunter to possess a statewide conservation permit; or

40 (vi) a hunt requiring the hunter to possess a statewide sportsman permit.

41 ~~[(2)]~~ (3) "Cultivated crops" means:

42 (a) annual or perennial crops harvested from or on cleared and planted land;

43 (b) perennial orchard trees on cleared and planted land;

44 (c) crop residues that have forage value for livestock; and

45 (d) pastures.

46 ~~[(3)]~~ (4) "Management unit" means a prescribed area of contiguous land designated by
47 the division for the purpose of managing a species of big game animal.

48 ~~[(4)]~~ (5) "Predator" means a cougar, bear, or coyote.

49 (6) "Statewide conservation permit" means a permit:

50 (a) issued by the division;

51 (b) distributed through a nonprofit organization founded for the purpose of promoting
52 wildlife conservation; and

53 (c) valid:

54 (i) on open hunting units statewide; and

55 (ii) for the species of big game and time period designated by the Wildlife Board.

56 (7) "Statewide sportsman permit" means a permit:

- 57 (a) issued by the division through a public draw; and
- 58 (b) valid:
- 59 (i) on open hunting units statewide; and
- 60 (ii) for the species of big game and time period designated by the Wildlife Board.

61 Section 2. Section **23A-11-205** is amended to read:

62 **23A-11-205. Requirement to wear hunter orange -- Exceptions -- Nonhunters.**

63 [~~(1) As used in this section:~~]

64 [~~(a) (i) "Centerfire rifle hunt" means a hunt for which a hunter may use a centerfire~~
65 ~~rifle, except as provided in Subsection (1)(a)(ii):]~~

66 [~~(ii) "Centerfire rifle hunt" does not include:~~]

67 [~~(A) a bighorn sheep hunt;~~]

68 [~~(B) a mountain goat hunt;~~]

69 [~~(C) a bison hunt;~~]

70 [~~(D) a moose hunt;~~]

71 [~~(E) a hunt requiring the hunter to possess a statewide conservation permit; or]~~

72 [~~(F) a hunt requiring the hunter to possess a statewide sportsman permit.]~~

73 [~~(b) "Statewide conservation permit" means a permit:~~]

74 [~~(i) issued by the division;~~]

75 [~~(ii) distributed through a nonprofit organization founded for the purpose of promoting~~
76 ~~wildlife conservation; and]~~

77 [~~(iii) valid:~~]

78 [~~(A) on open hunting units statewide; and]~~

79 [~~(B) for the species of big game and time period designated by the Wildlife Board.]~~

80 [~~(c) "Statewide sportsman permit" means a permit:~~]

81 [~~(i) issued by the division through a public draw; and]~~

82 [~~(ii) valid:~~]

83 [~~(A) on open hunting units statewide; and]~~

84 [~~(B) for the species of big game and time period designated by the Wildlife Board.]~~

85 [~~(2) (a) A person]~~

86 (1) Except as provided in Subsection (2), an individual while hunting a species of big
87 game shall wear a minimum of 400 square inches of hunter orange material [~~while hunting a~~

88 ~~species of big game, except as provided in Subsection (3):] on the exterior so the hunter orange~~
89 ~~can be seen. The individual may wear one or a combination of the following that are primarily~~
90 ~~hunter orange to achieve the 400 square inches:~~

- 91 (a) a hat;
- 92 (b) a shirt;
- 93 (c) a jacket;
- 94 (d) a coat;
- 95 (e) a vest; or
- 96 (f) a sweater.

97 ~~[(b) A person shall wear hunter orange material on the head, chest, and back.]~~

98 ~~[(3) A person]~~

99 (2) An individual is not required to wear ~~[the]~~ hunter orange material described in
100 Subsection ~~[(2)]~~ (1):

101 (a) during the following types of hunts, unless a centerfire rifle hunt is in progress in
102 the same area:

- 103 (i) archery;
- 104 (ii) muzzle-loader;
- 105 (iii) mountain goat;
- 106 (iv) bighorn sheep;
- 107 (v) bison; or
- 108 (vi) moose; or

109 (b) as provided by a rule of the Wildlife Board made in accordance with Title 63G,
110 Chapter 3, Utah Administrative Rulemaking Act.

111 (3) The director may regulate the wearing of hunter orange by an individual who is:

112 (a) not hunting, such as a hiker, camper, or other recreational user; and

113 (b) accessing a wildlife management area while a centerfire rifle hunt for big game is in
114 progress on the wildlife management area.

115 Section 3. **Effective date.**

116 This bill takes effect on May 1, 2024.

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