

# HB0222S01 compared with HB0222

~~deleted text~~ shows text that was in HB0222 but was deleted in HB0222S01.

inserted text shows text that was not in HB0222 but was inserted into HB0222S01.

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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

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### 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:

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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

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

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

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

As used in this chapter:

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

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

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

(i) a bighorn sheep hunt;

(ii) a mountain goat hunt;

(iii) a bison hunt;

(iv) a moose hunt;

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

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

~~(2)~~ (3) "Cultivated crops" means:

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

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

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

(d) pastures.

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

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

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

(a) issued by the division;

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

(c) valid:

(i) on open hunting units statewide; and

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

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

(a) issued by the division through a public draw; and

(b) valid:

(i) on open hunting units statewide; and

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

~~[(iii) valid:]~~

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

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

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

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

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~~[(ii) valid:]~~

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

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

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

(1) ~~{An}~~ Except as provided in Subsection (2), an individual while hunting a species of big game shall wear ~~{}~~ a minimum of 400 square inches of hunter orange material ~~[while hunting a species of big game {], on the exterior so the item can be seen, one or more of the following items that are primarily hunter orange material}~~, except as provided in Subsection ~~{(3)}: {2}~~ on the exterior so the hunter orange can be seen. The individual may wear one or a combination of the following that are primarily hunter orange to achieve the 400 square inches:

(a) a hat;

(b) a shirt;

(c) a jacket;

(d) a coat;

(e) a vest; or

(f) a sweater.

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

~~[(3) A person]~~

(2) An individual is not required to wear [the ~~{a}~~ hunter orange ~~{}~~ material ~~{}~~ item] described in Subsection ~~[(2)] (1)~~:

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

(i) archery;

(ii) muzzle-loader;

(iii) mountain goat;

(iv) bighorn sheep;

(v) bison; or

(vi) moose; or

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

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

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

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

Section 3. **Effective date.**

This bill takes effect on May 1, 2024.