

Wildlife Amendments

2025 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Casey Snider

LONG TITLE**General Description:**

This bill addresses state activities related to wildlife.

Highlighted Provisions:

This bill:

- modifies definitions;
- addresses night hunting of nonprotected wildlife;
- provides limits on a political subdivision or conservation easement prohibiting or restricting hunting;
- imposes requirements for holding a hunting or combination license for service on the Wildlife Board or a regional advisory council;
- addresses target shooting on wildlife management areas;
- addresses definition of and access to wildlife management areas;
- modifies provisions related to Department of Agriculture and Food's activities related to livestock depredation and big game protection;
- corrects a definition of "big game";
- addresses feeding of big game; and
- makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

23A-1-101, as last amended by Laws of Utah 2024, Chapter 80

23A-1-103, as last amended by Laws of Utah 2024, Chapter 347

23A-1-204, as renumbered and amended by Laws of Utah 2023, Chapter 103

23A-2-201, as last amended by Laws of Utah 2024, Chapter 347

23A-2-301, as last amended by Laws of Utah 2024, Chapter 529

32 **23A-2-302**, as last amended by Laws of Utah 2023, Chapter 211 and renumbered and
33 amended by Laws of Utah 2023, Chapter 103

34 **23A-2-303**, as last amended by Laws of Utah 2024, Chapter 529

35 **23A-6-101**, as renumbered and amended by Laws of Utah 2023, Chapter 103

36 **23A-6-401**, as renumbered and amended by Laws of Utah 2023, Chapter 103

37 **23A-6-402**, as last amended by Laws of Utah 2024, Chapter 347

38 **23A-8-101**, as enacted by Laws of Utah 2023, Chapter 103

39 **23A-8-202**, as renumbered and amended by Laws of Utah 2023, Chapter 103

40 **23A-11-101**, as last amended by Laws of Utah 2024, Chapter 347

41 **23A-11-302**, as renumbered and amended by Laws of Utah 2023, Chapter 103

42 **57-18-4**, as last amended by Laws of Utah 2011, Chapter 157

43 ENACTS:

44 **23A-11-203.5**, Utah Code Annotated 1953

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

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

48 **23A-1-101 . Definitions.**

49 As used in this title:

50 (1) "Activity regulated under this title" means an act, attempted act, or activity prohibited or
51 regulated under this title or the rules and proclamations promulgated under this title
52 pertaining to protected wildlife including:

53 (a) fishing;

54 (b) hunting;

55 (c) trapping;

56 (d) taking;

57 (e) permitting a dog, falcon, or other domesticated animal to take;

58 (f) transporting;

59 (g) possessing;

60 (h) selling;

61 (i) wasting;

62 (j) importing;

63 (k) exporting;

64 (l) rearing;

65 (m) keeping;

(n) using as a commercial venture; and

(o) releasing to the wild.

(2) "Aquaculture facility" means the same as that term is defined in Section 4-37-103.

(3) "Aquatic animal" means the same as that term is defined in Section 4-37-103.

(4) "Aquatic wildlife" means species of fish, mollusks, crustaceans, aquatic insects, or amphibians.

(5) "Bag limit" means the maximum limit, in number or amount, of protected wildlife that one person may legally take during one day.

(6) "Big game" means species of hoofed protected wildlife.

(7) "Carcass" means the dead body of an animal or the animal's parts.

(8) "Certificate of registration" means a paper-based or electronic document issued under this title, or a rule or proclamation of the Wildlife Board granting authority to engage in activities not covered by a license, permit, or tag.

(9) "Closed season" means the period of time during which the taking of protected wildlife is prohibited.

(10) "Dedicated hunter program" means a program that provides:

(a) expanded hunting opportunities;

(b) opportunities to participate in projects that are beneficial to wildlife; and

(c) education in hunter ethics and wildlife management principles.

(11) "Department" means the Department of Natural Resources.

(12) "Director" means the director of the division appointed under Section 23A-2-202.

(13) "Division" means the Division of Wildlife Resources.

(14) "Division of Law Enforcement" means the division within the Department of Natural Resources created under Title 79, Chapter 2, Part 7, Division of Law Enforcement.

(15) Subject to Section 23A-1-103, "domicile" means the place:

(a) where an individual has a fixed permanent home and principal establishment;

(b) to which the individual if absent, intends to return and has an actual plan, method, and means to return to the individual's domicile within six months;

(c) in which the individual, and the individual's family voluntarily reside, not for a special or temporary purpose, but with the intention of making a permanent home; and

(d) is a place where the individual resides for the majority of the individual's time.

(16) "Endangered" means wildlife designated as endangered according to Section 3 of the federal Endangered Species Act of 1973.

- 100 (17) "Executive director" means the executive director of the Department of Natural
101 Resources.
- 102 (18) "Fee fishing facility" means the same as that term is defined in Section 4-37-103.
- 103 (19) "Feral" means an animal that is normally domesticated but has reverted to the wild.
- 104 (20) "Fishing" means to take fish or crayfish by any means.
- 105 (21) "Furbearer" means species of the Bassariscidae, Canidae, Felidae, Mustelidae, and
106 Castoridae families, except coyote and cougar.
- 107 (22) "Game" means wildlife normally pursued, caught, or taken by sporting means for
108 human use.
- 109 (23) "Hunting" means to take or pursue a reptile, amphibian, bird, or mammal by any
110 means.
- 111 (24) "Hunting guide" means the same as that term is defined in Section 58-79-102.
- 112 (25) "Intimidate or harass" means to physically interfere with or impede, hinder, or
113 diminish the efforts of an officer in the performance of the officer's duty.
- 114 (26)(a) "Light enhancement device" means a device or other technology that allows an
115 individual to see in the dark.
- 116 (b) "Light enhancement device" includes a spotlight, thermal vision, and night vision.
- 117 ~~[(26)]~~ (27)(a) "Natural flowing stream" means a topographic low where water collects
118 and perennially or intermittently flows with a perceptible current in a channel formed
119 exclusively by forces of nature.
- 120 (b) "Natural flowing stream" includes perennial or intermittent water flows in a:
121 (i) realigned or modified channel that replaces the historic, natural flowing stream
122 channel; and
123 (ii) dredged natural flowing stream channel.
- 124 (c) "Natural flowing stream" does not include a human-made ditch, canal, pipeline, or
125 other water delivery system that diverts and conveys water to an approved place of
126 use pursuant to a certificated water right.
- 127 ~~[(27)]~~ (28)(a) "Natural lake" means a perennial or intermittent body of water that collects
128 on the surface of the earth exclusively through the forces of nature and without
129 human assistance.
- 130 (b) "Natural lake" does not mean a lake where the surface water sources supplying the
131 body of water originate from groundwater springs no more than 100 yards upstream.
- 132 ~~[(28)]~~ (29) "Natural resources officer" means the same as that term is defined in Section
133 79-2-701.

(30) "Night hunting" means the practice of using a light enhancement device to aid in seeing in the dark while hunting wildlife between sunset and sunrise that is not protected wildlife.

~~[(29)]~~ (31) "Nominating committee" means the Wildlife Board Nominating Committee created in Section 23A-2-302.

~~[(30)]~~ (32) "Nonresident" means a person who does not qualify as a resident.

~~[(31)]~~ (33) "Open season" means the period of time during which protected wildlife may be legally taken.

~~[(32)]~~ (34) "Outfitter" means the same as that term is defined in Section 58-79-102.

~~[(33)]~~ (35) "Pecuniary gain" means the acquisition of money or something of monetary value.

~~[(34)]~~ (36) "Permit" means a paper-based or electronic document that grants authority to engage in specified activities under this title or a rule or proclamation of the Wildlife Board.

~~[(35)]~~ (37) "Person" means an individual, association, partnership, government agency, corporation, or an agent of the individual, association, partnership, government agency, or corporation.

~~[(36)]~~ (38) "Pollute water" means to introduce into waters within the state matter or thermal energy that:

(a) exceeds state water quality standards; or

(b) could harm protected wildlife.

~~[(37)]~~ (39) "Possession" means actual or constructive possession.

~~[(38)]~~ (40) "Possession limit" means the number of bag limits one individual may legally possess.

~~[(39)]~~ (41)(a) "Private fish pond" means a pond, reservoir, or other body of water, including a fish culture system, located on privately owned land where privately owned fish:

(i) are propagated or kept for a private noncommercial purpose; and

(ii) may be taken without a fishing license.

(b) "Private fish pond" does not include:

(i) an aquaculture facility;

(ii) a fee fishing facility;

(iii) a short-term fishing event; or

(iv) private stocking.

- 168 ~~[(40)]~~ (42) "Private stocking" means an authorized release of privately owned, live fish in
169 the waters of the state not eligible as:
- 170 (a) a private fish pond under Section 23A-9-203; or
171 (b) an aquaculture facility or fee fishing facility under Title 4, Chapter 37, Aquaculture
172 Act.
- 173 ~~[(41)]~~ (43) "Private wildlife farm" means an enclosed place where privately owned birds or
174 furbearers are propagated or kept and that restricts the birds or furbearers from:
- 175 (a) commingling with wild birds or furbearers; and
176 (b) escaping into the wild.
- 177 ~~[(42)]~~ (44) "Proclamation" means the publication that is:
- 178 (a) used to convey a statute, rule, policy, or pertinent information related to wildlife; and
179 (b) issued in accordance with a rule made by the Wildlife Board under this title.
- 180 ~~[(43)]~~ (45)(a) "Protected aquatic wildlife" means aquatic wildlife except as provided in
181 Subsection ~~[(43)]~~ (45)(b).
- 182 (b) "Protected aquatic wildlife" does not include aquatic insects.
- 183 ~~[(44)]~~ (46)(a) "Protected wildlife" means wildlife, except as provided in Subsection ~~[(44)]~~
184 (46)(b).
- 185 (b) "Protected wildlife" does not include:
- 186 (i) coyote;
187 (ii) feral swine;
188 ~~[(ii)]~~ (iii) field mouse;
189 ~~[(iii)]~~ (iv) gopher;
190 ~~[(iv)]~~ (v) ground squirrel;
191 ~~[(v)]~~ (vi) jack rabbit;
192 ~~[(vi)]~~ (vii) muskrat;~~[-or]~~
193 (viii) striped skunk;
194 ~~[(vii)]~~ (ix) raccoon~~[-]~~ ; or
195 (x) red fox.
- 196 ~~[(45)]~~ (47) "Regional advisory council" means a council created under Section 23A-2-303.
- 197 ~~[(46)]~~ (48) "Released to the wild" means to be turned loose from confinement.
- 198 ~~[(47)]~~ (49)(a) "Reservoir constructed on a natural stream channel" means a body of water
199 collected and stored on the course of a natural flowing stream by impounding the
200 stream through excavation or diking.
- 201 (b) "Reservoir constructed on a natural stream channel" does not mean an impoundment

202 on a natural flowing stream where all surface water sources supplying the
203 impoundment originate from groundwater springs no more than 100 yards upstream.

204 [(48)] (50) Subject to Section 23A-1-103, "resident" means a person who:

205 (a) has been domiciled in the state for six consecutive months immediately preceding the
206 purchase of a license; and

207 (b) does not claim residency for hunting, fishing, or trapping in another state or country.

208 [(49)] (51) "Sell" means to offer or possess for sale, barter, exchange, or trade, or the act of
209 selling, bartering, exchanging, or trading.

210 [(50)] (52) "Short-term fishing event" means an event when:

211 (a) privately acquired fish are held or confined for a period not to exceed 10 days for the
212 purpose of providing fishing or recreational opportunity; and

213 (b) no fee is charged as a requirement to fish.

214 [(51)] (53) "Small game" means species of protected wildlife:

215 (a) commonly pursued for sporting purposes;

216 (b) not classified as big game, aquatic wildlife, or furbearers; and

217 (c) excluding turkey, cougar, and bear.

218 [(52)] (54) "Spoiled" means impairment of the flesh of wildlife that renders the flesh unfit
219 for human consumption.

220 [(53)] (55) "Spotlighting" means throwing or casting the rays of a spotlight, headlight, or
221 other artificial light on a highway or in a field, woodland, or forest while having in
222 possession a weapon by which protected wildlife may be killed.

223 [(54)] (56) "Tag" means a card, label, or other paper-based or electronic means of
224 identification used to document harvest of protected wildlife.

225 [(55)] (57) "Take" means to:

226 (a) hunt, pursue, harass, catch, capture, possess, gather, angle, seine, trap, or kill
227 protected wildlife; or

228 (b) attempt an action referred to in Subsection [(55)] (57)(a).

229 (58) "Thermal vision" means the ability of a biological or artificial system to detect infrared
230 radiation by detecting temperature to capture and recognize diverse levels of infrared
231 illumination.

232 [(56)] (59) "Threatened" means wildlife designated as threatened pursuant to Section 3 of
233 the federal Endangered Species Act of 1973.

234 [(57)] (60) "Trapping" means taking protected wildlife with a trapping device.

235 [(58)] (61) "Trophy animal" means an animal described as follows:

- (a) deer - a buck with an outside antler measurement of 24 inches or greater;
- (b) elk - a bull with six points on at least one side;
- (c) bighorn, desert, or rocky mountain sheep - a ram with a curl exceeding half curl;
- (d) moose - a bull with at least one antler exceeding five inches in length;
- (e) mountain goat - a male or female;
- (f) pronghorn antelope - a buck with horns exceeding 14 inches; or
- (g) bison - a bull.

[(59)] (62) "Upland game" means pheasant, quail, partridge, grouse, ptarmigan, mourning dove, band-tailed pigeon, turkey, cottontail rabbit, or snowshoe hare.

[(60)] (63) "Waste" means to:

- (a) abandon protected wildlife; or
- (b) allow protected wildlife to spoil or to be used in a manner not normally associated with the protected wildlife's beneficial use.

[(61)] (64) "Wild" means the natural environment, including a private pond or private property.

[(62)] (65) "Wildlife" means:

- (a) crustaceans, including brine shrimp and crayfish;
- (b) mollusks; and
- (c) vertebrate animals living in nature, except feral animals.

[(63)] (66) "Wildlife Board" means the board created in Section 23A-2-301.

[(64)] (67) "Wildlife parts" means biological material derived from the body or anatomy of wildlife, including:

- (a) an antler or horn;
- (b) a hide;
- (c) a bone; or
- (d) meat.

Section 2. Section **23A-1-103** is amended to read:

23A-1-103 . Domicile or residency.

(1)(a) Subject to Subsections 23A-1-101(15) and 23A-1-101[(47)] (50), an individual is considered a resident who:

- (i) has been domiciled in the state for six consecutive months immediately preceding the purchase of a license or application of a license, permit, or tag; and
- (ii) does not claim residency for hunting, fishing, or trapping in another state or country.

(b) To create a new domicile an individual shall:

(i) abandon the old domicile; and

(ii) be able to prove that a new domicile has been established.

(2) A Utah resident retains Utah residency if that individual leaves this state:

(a) to serve in the armed forces of the United States or for religious or educational purposes; and

(b) the individual complies with Subsection 23A-1-101[(47)(b)] (50)(b).

(3)(a) A member of the armed forces of the United States and dependents are residents for the purposes of this title as of the date the member reports for duty under assigned orders in the state if the member:

(i) is not on temporary duty in this state; and

(ii) complies with Subsection 23A-1-101[(47)(b)] (50)(b).

(b) A member shall present a copy of the assignment orders to a division office to verify the member's qualification as a resident.

(4) A nonresident attending an institution of higher learning in this state as a full-time student may qualify as a resident for purposes of this title if the student:

(a) has been present in this state for 60 consecutive days immediately preceding the purchase of the license; and

(b) complies with Subsection 23A-1-101[(47)(b)] (50)(b).

(5) A Utah resident license is invalid if a resident license for hunting, fishing, or trapping is purchased in another state or country.

(6) An absentee landowner paying property tax on land in Utah does not qualify as a resident.

Section 3. Section **23A-1-204** is amended to read:

23A-1-204 . Night hunting of nonprotected wildlife -- County ordinances -- Permits.

(1)(a) For purposes of a county ordinance enacted pursuant to this section, "motor vehicle" means the same as that term is defined in Section 41-6a-102.

(b) For purposes of this section, "nonprotected wildlife" means the wildlife that is excluded from the definition of protected wildlife under Section 23A-1-101.

(2) [~~Spotlighting may be used to hunt coyote, red fox, striped skunk, or raccoon~~] A person may engage in night hunting of nonprotected wildlife when allowed by a county ordinance enacted pursuant to this section.

(3) The county ordinance shall provide that:

- (a) a hunter shall carry ~~[the artificial light used to spotlight coyote, red fox, striped skunk, or raccoon]~~ a light enhancement device used to locate nonprotected wildlife;
- (b) a motor vehicle headlight or light attached to or powered by a motor vehicle may not be used to ~~[spotlight the coyote, red fox, striped skunk, or raccoon]~~ locate nonprotected wildlife; and
- (c) while hunting with the use of ~~[an artificial light]~~ a light enhancement device, the hunter may not occupy or operate a motor vehicle.

(4) The county ordinance may specify:

- (a) the time of day and seasons when ~~[spotlighting]~~ night hunting is permitted;
- (b) areas closed or open to ~~[spotlighting]~~ night hunting within the unincorporated area of the county;
- (c) safety zones within which ~~[spotlighting]~~ night hunting is prohibited;
- (d) the weapons permitted; and
- (e) penalties for violation of the county ordinance.

(5)(a) A county may restrict the number of hunters engaging in ~~[spotlighting]~~ night hunting by requiring a permit to ~~[spotlight]~~ night hunt and issuing a limited number of permits.

(b)(i) A county may charge a fee for a ~~[spotlighting]~~ night hunting permit.

(ii) A county ordinance shall establish the permit fee.

(iii) A county shall remit revenue generated by the permit fee to the division for deposit into the Wildlife Resources Account, except the Wildlife Board may allow a county that enacts an ordinance pursuant to this section to retain a reasonable amount to pay for the costs of administering and enforcing the county ordinance if the use of the permit revenues does not affect federal funds received by the state under Wildlife Restoration Act, 16 U.S.C. Sec. 669 et seq., and Sport Fish Restoration Act, 16 U.S.C. Sec. 777 et seq.

(6) A county may require a hunter to notify the county sheriff of the time and place the hunter will be engaged in ~~[spotlighting]~~ night hunting.

(7) The requirement that a county enact an ordinance before a person may ~~[use spotlighting to hunt coyote, red fox, striped skunk, or raccoon]~~ engage in night hunting to hunt nonprotected wildlife does not apply to:

- (a) a person or the person's agent who is lawfully acting to protect the person's crops or domestic animals from predation by those animals; or
- (b) an animal damage control agent acting in the agent's official capacity under a

memorandum of agreement with the division.

Section 4. Section **23A-2-201** is amended to read:

23A-2-201 . Division of Wildlife Resources -- Limits on authority of political subdivisions -- Adjudicative proceedings -- Official seal.

(1)(a) There is created the Division of Wildlife Resources within the Department of Natural Resources under the administration and general supervision of the executive director.

(b) The division is the wildlife authority for Utah and is vested with the functions, powers, duties, rights, and responsibilities provided in this title and other law.

(2)(a) Subject to the broad policymaking authority of the Wildlife Board, the division shall protect, propagate, manage, conserve, and distribute protected wildlife throughout the state.

(b) The division is the trustee and custodian of protected wildlife and may initiate civil proceedings, in addition to criminal proceedings provided for in this title, to:

(i) recover damages;

(ii) compel performance;

(iii) compel substitution;

(iv) restrain or enjoin;

(v) initiate any other appropriate action; and

(vi) seek appropriate remedies in the division's capacity as trustee and custodian.

(3)(a) If a political subdivision of the state adopts an ordinance or regulation concerning hunting, fishing, or trapping that conflicts with this title or rules made pursuant to this title, state law prevails.

(b) A community may close areas to hunting for safety reasons after confirmation by the Wildlife Board.

(4)(a) As used in this Subsection (4), "claim involving wildlife" means:

(i) a depredation claim;

(ii) a wildlife damage claim; or

(iii) a nuisance complaint involving wildlife.

(b) Subject to Subsection (4)(c), a political subdivision of the state shall respond to and pay for a claim involving wildlife within the boundaries of the political subdivision, if the political subdivision:

(i) owns or purchases an aggregate amount of more than 500 contiguous acres of land in fee simple on which the political subdivision restricts the division's ability to

- 372 manage wildlife populations; or
- 373 (ii) enacts an ordinance or takes other action that restricts the division's ability to
- 374 manage wildlife populations within any portion of the political subdivision's
- 375 boundary.
- 376 (c) A political subdivision of the state may not be required to respond to or pay for a
- 377 claim involving wildlife under Subsection (4)(b) because the political subdivision has
- 378 enacted a law, rule, or ordinance or taken an action to prohibit the use ~~[of firing]~~ or
- 379 firing of a firearm within the boundaries of the political subdivision.
- 380 (d) The division may not expend state money for a claim listed in Subsection (4)(b)
- 381 when a political subdivision limits the division's ability to manage wildlife
- 382 populations on more than 500 contiguous acres of land.
- 383 (5)(a) Subject to Subsection (3), a political subdivision of the state that owns or
- 384 purchases an aggregate amount of more than 500 contiguous acres of land in fee
- 385 simple may not prohibit or otherwise restrict hunting within the boundaries of the
- 386 political subdivision, except that the political subdivision may prohibit the use or
- 387 firing of a firearm within the boundaries of the political subdivision.
- 388 (b) The state or a political subdivision described in Subsection (5)(a) may not enforce a
- 389 conservation easement that is recorded before May 7, 2025, and held by the state or
- 390 political subdivision to the extent that the conservation easement prohibits or
- 391 otherwise restricts hunting within the boundaries of the land subject to the
- 392 conservation easement.
- 393 ~~[(5)]~~ (6) The division shall comply with Title 63G, Chapter 4, Administrative Procedures
- 394 Act, in the division's adjudicative proceedings.
- 395 ~~[(6)]~~ (7) The division shall adopt an official seal and file an impression and a description of
- 396 the official seal with the Division of Archives.
- 397 Section 5. Section **23A-2-301** is amended to read:
- 398 **23A-2-301 . Wildlife Board created.**
- 399 (1) There is created a Wildlife Board that consists of seven members appointed by the
- 400 governor with the advice and consent of the Senate in accordance with Title 63G,
- 401 Chapter 24, Part 2, Vacancies.
- 402 (2)(a) In addition to the requirements of Section 79-2-203, the members of the Wildlife
- 403 Board shall have expertise or experience in at least one of the following areas:
- 404 (i) wildlife management or biology;
- 405 (ii) habitat management, including range or aquatic;

- 406 (iii) business, including knowledge of private land issues; and
407 (iv) economics, including knowledge of recreational wildlife uses.
- 408 (b) At least one member of the Wildlife Board shall represent each of the areas of
409 expertise under Subsection (2)(a).
- 410 (c)(i) As a qualification for service on the Wildlife Board, a member of the Wildlife
411 Board shall:
- 412 (A) have obtained a hunting or combination license for use by the member that is
413 issued under Chapter 4, Licenses, Permits, Certificates of Registration, and
414 Tags, at least three times during the five years before the day on which the
415 individual is nominated by the nominating committee for appointment to the
416 Wildlife Board; and
- 417 (B) possess a hunting or combination license issued under Chapter 4, Licenses,
418 Permits, Certificates of Registration, and Tags, while serving on the Wildlife
419 Board.
- 420 (ii) An individual is removed from the Wildlife Board as of July 1, 2025, if the
421 individual as of June 30, 2025:
- 422 (A) is a member of the Wildlife Board; and
423 (B) fails to meet the qualification requirements of Subsection (2)(c)(i).
- 424 (iii)(A) Except as provided in Subsection (2)(c)(ii), an individual is removed from
425 the Wildlife Board 15 days after the day on which the director notifies the
426 individual that the individual is not in compliance with Subsection (2)(c)(i)
427 unless during the 15-day period the individual obtains or otherwise proves that
428 the individual holds a valid hunting or combination license.
- 429 (B) The director shall send the notice required by this Subsection (2)(c)(iii), if the
430 director finds that final action has been taken to suspend the license required by
431 Subsection (2)(c)(i) or the individual fails to obtain a new license required
432 under Subsection (2)(c)(i) once the previous license expires.
- 433 (3)(a) The governor shall select a board member from a list of nominees submitted by
434 the nominating committee pursuant to Section 23A-2-302.
- 435 (b) No more than two members shall be from a single wildlife region described in
436 Subsection 23A-2-303(1).
- 437 (c) The governor may request an additional list of at least two nominees from the
438 nominating committee if the initial list of nominees for a given position is
439 unacceptable.

(d)(i) If the governor fails to appoint a board member within 60 days after receipt of the initial or additional list, the nominating committee shall make an interim appointment by majority vote.

(ii) The interim board member shall serve until the matter is resolved by the nominating committee and the governor or until the board member is replaced pursuant to this chapter.

(4)(a) Except as required by Subsection (4)(b), as terms of current board members expire, the governor shall appoint a new member or reappointed member to a six-year term.

(b) Notwithstanding the requirements of Subsection (4)(a), the governor shall, at the time of appointment or reappointment, adjust the length of terms to ensure that:

(i) the terms of board members are staggered so that approximately one-third of the Wildlife Board is appointed every two years; and

(ii) members serving from the same region have staggered terms.

(c) If a vacancy occurs, the nominating committee shall submit at least two names, as provided in Subsection 23A-2-302(4), to the governor and the governor shall appoint a replacement for the unexpired term.

(d) A board member may serve only one term unless the board member:

(i) is among the first board members appointed to serve four years or less; or

(ii) filled a vacancy under Subsection (4)(c) for four years or less.

(5) When the governor makes a new appointment or reappointment under Subsection (4)(a), or a vacancy appointment under Subsection (4)(c), the governor's new appointment, reappointment, or vacancy appointment shall be made with the advice and consent of the Senate in accordance with Title 63G, Chapter 24, Part 2, Vacancies.

(6)(a) The Wildlife Board shall elect a chair and a vice chair from the Wildlife Board's membership.

(b) Four members of the Wildlife Board constitutes a quorum.

(c) The director shall act as secretary to the Wildlife Board, but is not a voting member of the Wildlife Board.

(7)(a) The Wildlife Board shall hold a sufficient number of public meetings each year to expeditiously conduct the Wildlife Board's business.

(b) Meetings may be called by the chair upon five days notice or upon shorter notice in emergency situations.

(c) Meetings may be held at the Salt Lake City office of the division or elsewhere as

determined by the Wildlife Board.

(8) A member may not receive compensation or benefits for the member's service, but may receive per diem and travel expenses in accordance with:

(a) Section 63A-3-106;

(b) Section 63A-3-107; and

(c) rules made by the Division of Finance pursuant to Sections 63A-3-106 and 63A-3-107.

(9)(a) A member of the Wildlife Board shall complete an orientation course to assist the member in the performance of the duties of the member's office.

(b) The department shall provide the course required under Subsection (9)(a).

(10) A member shall comply with the conflict of interest provisions described in Title 63G, Chapter 24, Part 3, Conflicts of Interest.

Section 6. Section **23A-2-302** is amended to read:

23A-2-302 . Wildlife Board Nominating Committee created.

(1) There is created a Wildlife Board Nominating Committee that consists of 11 members.

(2) The governor shall appoint members to the nominating committee as follows:

(a) three members shall be appointed from a list of at least two nominees per position submitted by the agriculture industry;

(b) three members shall be appointed from a list of at least two nominees per position submitted by sportsmen groups;

(c) two members shall be appointed from a list of at least two nominees per position submitted by nonconsumptive wildlife interests;

(d) one member shall be appointed from a list of at least two nominees submitted by federal land management agencies;

(e) one local elected official shall be appointed from a list of at least two nominees submitted by the Utah Association of Counties; and

(f) one range management specialist shall be appointed from a list of at least two nominees submitted jointly by the Utah Chapter, Society of Range Management and the Utah Chapter, The Wildlife Society.

(3) A wildlife region described in Subsection 23A-2-303(1) shall be represented by at least one member. A wildlife region may not be represented by more than three members.

(4)(a) The nominating committee shall nominate at least two, but not more than four, candidates for each position or vacancy that occurs on the Wildlife Board.

(b) The nominating committee may not nominate a candidate for a position or vacancy

on the Wildlife Board who does not obtain a hunting or combination license for the candidate's use that is issued under Chapter 4, Licenses, Permits, Certificates of Registration, and Tags, at least three times during the five years before the day on which the candidate is nominated by the nominating committee.

(5)(a) Except as required by Subsection (5)(b), as terms of current nominating committee members expire, the governor shall appoint a new or reappointed member to a four-year term.

(b) Notwithstanding the requirements of Subsection (5)(a), the governor shall, at the time of appointment or reappointment, adjust the length of terms to ensure that:

(i) the terms of nominating committee members are staggered so that approximately half of the nominating committee is appointed every two years; and

(ii) members from the same wildlife region serve staggered terms.

(c) If a vacancy occurs for any reason, the governor shall appoint a replacement in the same manner that the position was originally filled to serve the remainder of the unexpired term.

(6) The nominating committee shall select a chair and vice chair from the nominating committee's membership.

(7) Six members shall constitute a quorum.

(8) A member of the nominating committee may not receive compensation or benefits for the member's service, but may receive per diem and travel expenses in accordance with:

(a) Section 63A-3-106;

(b) Section 63A-3-107; and

(c) rules made by the Division of Finance pursuant to Sections 63A-3-106 and 63A-3-107.

Section 7. Section **23A-2-303** is amended to read:

23A-2-303 . Regional advisory councils created.

(1) There are created five regional advisory councils that consist of 12 to 15 members each from the wildlife region whose boundaries are established for administrative purposes by the division.

(2)(a) The members shall include individuals who represent the following groups and interests:

~~[(a)]~~ (i) agriculture;

~~[(b)]~~ (ii) sportsmen;

~~[(c)]~~ (iii) nonconsumptive wildlife;

542 ~~[(d)]~~ (iv) locally elected public officials;

543 ~~[(e)]~~ (v) federal land agencies; and

544 ~~[(f)]~~ (vi) the public at large.

545 (b)(i) Except as provided in Subsection (2)(b)(iii), as a qualification for service on a
546 regional advisory council, a member of the regional advisory council shall:

547 (A) have obtained a hunting or combination license for use by the member that is
548 issued under Chapter 4, Licenses, Permits, Certificates of Registration, and
549 Tags, at least three times during the five years before the day on which the
550 individual is nominated for appointment to the regional advisory council under
551 Subsection (3); and

552 (B) possess a hunting or combination license issued under Chapter 4, Licenses,
553 Permits, Certificates of Registration, and Tags, while serving on the regional
554 advisory council.

555 (ii)(A) Except as provided in Subsection (2)(b)(iii), an individual is removed from
556 a regional advisory council 15 days after the day on which the director notifies
557 the individual that the individual is not in compliance with Subsection (2)(b)(i)
558 unless during the 15-day period the individual obtains or otherwise proves that
559 the individual holds a valid hunting or combination license.

560 (B) The director shall send the notice required by this Subsection (2)(b)(ii), if the
561 director finds that final action has been taken to suspend the license required by
562 Subsection (2)(b)(i) or the individual fails to obtain a new license required
563 under Subsection (2)(b)(i) once the previous license expires.

564 (iii) An individual who is a member of a regional advisory council as of May 7, 2025,
565 is not subject to Subsection (2)(b)(i), except that if the executive director
566 reappoints the member to the regional advisory council, the individual is subject
567 to Subsection (2)(b)(i) as of the new membership term.

568 (3) The executive director, in consultation with the director, shall select the members from
569 a list of nominees submitted by the respective interest group or agency.

570 (4) The regional advisory councils shall:

571 (a) hear broad input, including recommendations, biological data, and information
572 regarding the effects of wildlife;

573 (b) gather information from staff, the public, and government agencies; and

574 (c) make recommendations to the Wildlife Board in an advisory capacity.

575 (5)(a) Except as required by Subsection (5)(b), a member shall serve a four-year term.

(b) Notwithstanding the requirements of Subsection (5)(a), the executive director shall, at the time of appointment or reappointment, adjust the length of terms to ensure that the terms of council members are staggered so that approximately half of the council is appointed every two years.

(6) When a vacancy occurs in the membership for any reason, the replacement shall be appointed for the unexpired term.

(7) The councils shall determine:

(a) the time and place of meetings; and

(b) a procedural matter not specified in this chapter.

(8) Members of the councils shall complete an orientation course described in Subsection 23A-2-301(9).

(9) A member may not receive compensation or benefits for the member's service, but may receive per diem and travel expenses in accordance with:

(a) Section 63A-3-106;

(b) Section 63A-3-107; and

(c) rules made by the Division of Finance pursuant to Sections 63A-3-106 and 63A-3-107.

Section 8. Section **23A-6-101** is amended to read:

23A-6-101 . Definitions.

As used in this chapter:

(1)(a) "General plan" means a document that a municipality or county adopts that sets forth general guidelines for proposed future development of the land within the municipality or county.

(b) "General plan" includes what is commonly referred to as a "master plan."

(2) "Management plan" means a document prepared in accordance with this chapter that describes how one or more tracts of land owned or managed by the division are to be used.

~~[(3) "Wildlife management area" means:]~~

~~[(a) a single tract of land owned or managed by the division; or]~~

~~[(b) two or more tracts of land owned or managed by the division that are within close proximity of each other and managed as a single unit.]~~

(3)(a) Except as provided in Subsection (3)(b), "wildlife management area" means one or more tracts of land owned or managed by the division to:

(i) protect, conserve, and perpetuate wildlife resources;

(ii) provide public access; or

(iii) allow wildlife-based recreation.

(b) "Wildlife management area" does not include a walk-in access area, fish hatchery, angler access area, division facility, or shooting range.

Section 9. Section **23A-6-401** is amended to read:

23A-6-401 . Target shooting prohibitions.

(1) As used in this section:

(a) "County sheriff" means the individual holding the office of county sheriff in the portion of a wildlife management area where target shooting will be, or is, prohibited under this section.

(b) "Extremely hazardous" means categorized as "extreme" under a nationally recognized standard for rating fire danger.

(2) Subject to Subsections (3) and (4), the division may prohibit the use of firearms for target shooting within all or part of a wildlife management area if the director finds, and the county sheriff agrees, that conditions in that portion of the wildlife management area are extremely hazardous.

(3) A prohibition under ~~[this section]~~ Subsection (2):

(a) shall undergo a formal review by the director and the county sheriff every 14 days;

(b) may not prohibit an individual from legally possessing a firearm or lawfully participating in a hunt; and

(c) may only remain in place for as long as extremely hazardous conditions exist in the area that is subject to the prohibition.

(4) The director and the county sheriff shall:

(a) via a written document, agree to the terms of a prohibition under ~~[this section]~~

Subsection (2), including:

(i) the exact area where target shooting is prohibited; and

(ii) the date when the prohibition becomes effective; and

(b) comply with Subsection (4)(a) at each formal review under Subsection (3)(a).

(5)(a) The division may prohibit the use of firearms for target shooting within all or part of a wildlife management area if the director finds, and the county sheriff agrees, that public safety requires that target shooting within all or part of a wildlife management area be prohibited.

(b) The director and the county sheriff shall in a written document agree to the terms of a prohibition under this Subsection (5), including:

(i) the exact area where target shooting is prohibited; and

(ii) the date when the prohibition becomes effective.

(c) The division may not under this Subsection (5) prohibit an individual from legally possessing a firearm or lawfully participating in a hunt.

(d) The division may prohibit the use of firearms for target shooting under this Subsection (5) only for as long as public safety requires the prohibition in the area that is subject to the prohibition.

Section 10. Section **23A-6-402** is amended to read:

23A-6-402 . Right of access to lands for hunting, trapping, or fishing reserved to public -- Exception.

(1) Except as provided in Section 65A-2-5, there is reserved to the public the right of access to lands owned by the state, including those lands lying below the official government meander line or high water line of navigable waters, for the purpose of hunting, trapping, or fishing.

(2) When a department or agency of the state leases or sells land belonging to the state lying below the official government meander line or the high water line of the navigable waters within the state, the lease, contract of sale, or deed shall contain a provision that:

(a) the lands shall be open to the public for the purpose of hunting, trapping, or fishing during the lawful season, except as provided by Section 65A-2-5; and

(b) the lessee, contractee, or grantee may not charge a person who desires to go upon the land for the purpose of hunting, trapping, or fishing.

(3) Lands referred to in this section shall be regulated or closed to hunting, trapping, or fishing as provided in this title for other lands and waters.

(4) The division may temporarily close that portion of a highway, as defined in Section 72-1-102, that enters into or crosses land owned by the division if closure is needed for the benefit of wildlife.

(5)(a) Except as otherwise provided in this Subsection (5), an individual who is 18 years old or older may not enter that portion of a wildlife management area that is located within a county of the first or second class for any use unless the individual holds a valid hunting, fishing, or combination license.

(b) An individual may travel on a highway, as defined in Section 72-1-102, located within a wildlife management area described in Subsection (5)(a) without obtaining a hunting, fishing, or combination license.

Section 11. Section **23A-8-101** is amended to read:

23A-8-101 . Definitions.

As used in this chapter:

- (1) "72 hours" means a time period that begins with the hour a request for action is made pursuant to Section 23A-8-402 and ends 72 hours later with the exclusion of any hour that occurs on the day of a legal holiday that is on a Monday or Friday and listed in Section 63G-1-301.
- (2) "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) "Depredation" means an act causing damage or death.
- (4) "Depredation mitigation plan" means the plan described in Subsection 23A-8-402(2).
- (5) "Growing season" means the portion of a year in which local conditions permit normal plant growth.
- (6) "Livestock" means cattle, sheep, horses, goats, or turkeys.
- (7) "Management unit" means a prescribed area of contiguous land designated by the division for the purpose of managing a species of big game animal.
- (8) "Mitigation review panel" means the panel created under Section 23A-8-404.
- (9)(a) For purposes of Part 2, Damage in General, "predator" means a mountain lion or bear.
- (b) For purposes of Part 4, Damage by Big Game, "predator" means a cougar, bear, or coyote.
- (10) For purposes of Section 23A-8-302, "turkey" means a wild, free-ranging turkey and does not include a privately owned or domestic turkey.
- (11) "Wildlife [~~Services Program~~] services program" means a program of the [~~United States Department of Agriculture~~] Department of Agriculture and Food that helps resolve conflicts with wildlife to protect agriculture, other property, and natural resources, and to safeguard human health and safety.
- (12) "Wildlife specialist" means a [~~United States Department of Agriculture, Wildlife Services specialist~~] wildlife services specialist of the Department of Agriculture and Food.
- (13)(a) "Wolf" means the gray wolf *Canis lupus*.
- (b) "Wolf" does not mean a wolf hybrid with a domestic dog.

Section 12. Section **23A-8-202** is amended to read:

23A-8-202 . Livestock depredation by predators.

- (1) If a predator harasses, chases, disturbs, harms, attacks, or kills livestock, within 96 hours of the act:
- (a) in a depredation case, the livestock owner, an immediate family member, or an employee of the livestock owner on a regular payroll and not specifically hired to take a predator, may take predators subject to the requirements of this section;
 - (b) a landowner or livestock owner may notify the division of the depredation or human health and safety concerns, who may authorize a local hunter to take the offending predator or notify a wildlife specialist; or
 - (c) the livestock owner may notify a wildlife specialist of the depredation who may take the depredating predator.
- (2) A depredating predator may be taken at any time by a wildlife specialist, supervised by the ~~[Wildlife Services Program]~~ Department of Agriculture and Food, while acting in the performance of the wildlife specialist's assigned duties and in accordance with procedures approved by the division.
- (3)(a) A depredating predator may be taken by an individual authorized in Subsection (1)(a):
- (i) with a weapon authorized by the division, pursuant to rules made by the Wildlife Board in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, for taking the predator; or
 - (ii) only using snares:
 - (A) with written authorization from the director;
 - (B) subject to the conditions and restrictions set out in the written authorization; and
 - (C) if the division verifies that there has been a chronic depredation situation when numerous livestock have been killed by a predator as described in rule made by the Wildlife Board in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.
- (b) An individual authorized in Subsection (1)(a) to take depredating predators may take no more than two bears per incident.
- (4)(a) In accordance with Subsection (4)(b), the division may issue a depredation permit to take a predator on specified private lands and public land grazing allotments with a chronic depredation situation when numerous livestock have been killed by predators.
- (b) The division may:

- 746 (i) issue one or more depredation permits to an affected livestock owner or a designee
747 of the affected livestock owner, provided that the livestock owner does not receive
748 monetary consideration from the designee for the opportunity to use the
749 depredation permit;
- 750 (ii) determine the legal weapons and methods of taking allowed; and
751 (iii) specify the area and season that the depredation permit is valid.
- 752 (5)(a) A predator taken under Subsection (1)(a) or (4) remains the property of the state
753 and shall be delivered to a division office or employee with 96 hours of the take.
- 754 (b) The division may issue a predatory damage permit to a person who has taken a
755 depredating predator under Subsection (1)(a) that authorizes the individual to keep
756 the carcass.
- 757 (c) An individual who takes a predator under Subsection (1)(a) or (4) may acquire and
758 use a limited entry permit or harvest objective permit in the same year.
- 759 (d) Notwithstanding Subsections (5)(b) and (c), a person may retain no more than one
760 predator carcass annually.
- 761 (6) Money derived from the sale of a predator taken under this section shall be deposited
762 into the Wildlife Resources Account created in Section 23A-3-201.
- 763 (7) Nothing in this section prohibits the division from permitting the removal of a bear
764 causing damage to cultivated crops on cleared and planted land pursuant to rule made by
765 the Wildlife Board in accordance with Title 63G, Chapter 3, Utah Administrative
766 Rulemaking Act.
- 767 (8) Nothing in this section prohibits receiving compensation for livestock damage done by a
768 bear, mountain lion, wolf, or eagle in accordance with Section 23A-8-201.

769 Section 13. Section **23A-11-101** is amended to read:

770 **23A-11-101 . Definitions.**

771 As used in this chapter:

- 772 (1) "Big game" includes deer, elk, [~~big horn~~] bighorn sheep, moose, mountain goats,
773 pronghorn[~~]~~ , or bison.
- 774 (2)(a) "Big game byproduct" means those parts of the carcass of a lawfully taken big
775 game animal that are listed in Subsections (2)(a)(i) through (ix):
- 776 (i) bones with less than 1/2 inch of attached muscle tissue;
777 (ii) fat, tendons, ligaments, cartilage, and silverskin with less than 1/2 inch attached
778 muscle tissue;
779 (iii) muscle tissue damaged by wound channels and within one inch of damaged

- 780 tissue;
- 781 (iv) head;
- 782 (v) rib and neck meat on deer, pronghorn, mountain goat, and bighorn sheep;
- 783 (vi) antlers and horns;
- 784 (vii) legs below the knee and hock;
- 785 (viii) internal organs; and
- 786 (ix) hide.
- 787 (b) Notwithstanding Subsection (2)(a), "big game byproduct" does not include:
- 788 (i) brain or brain tissue;
- 789 (ii) spine or any part of the spinal column;
- 790 (iii) any portion of the carcass of an animal testing positive for chronic wasting
- 791 disease;
- 792 (iv) any carcass or portion of a carcass that otherwise fails to meet local, state, or
- 793 federal regulations governing processing, sale, or distribution of wild game; and
- 794 (v) spoiled product.
- 795 (3)(a) "Centerfire rifle hunt" means a hunt for which a hunter may use a centerfire rifle,
- 796 except as provided in Subsection (3)(b).
- 797 (b) "Centerfire rifle hunt" does not include:
- 798 (i) a bighorn sheep hunt;
- 799 (ii) a mountain goat hunt;
- 800 (iii) a bison hunt;
- 801 (iv) a moose hunt;
- 802 (v) a hunt requiring the hunter to possess a statewide conservation permit; or
- 803 (vi) a hunt requiring the hunter to possess a statewide sportsman permit.
- 804 (4) "Cultivated crops" means:
- 805 (a) annual or perennial crops harvested from or on cleared and planted land;
- 806 (b) perennial orchard trees on cleared and planted land;
- 807 (c) crop residues that have forage value for livestock; and
- 808 (d) pastures.
- 809 (5) "Financial advantage" means an act through which a person in lawful possession of a
- 810 protected wildlife carcass uses or disposes of that carcass or carcass parts in a
- 811 transaction for which the person receives consideration or expects to recover associated
- 812 costs.
- 813 (6) "Management unit" means a prescribed area of contiguous land designated by the

division for the purpose of managing a species of big game animal.

(7) "Predator" means a cougar, bear, or coyote.

(8) "Shed antler" means any portion of an antler that:

(a) has been dropped naturally from a big game animal as part of the big game animal's annual life cycle; and

(b) has a rounded base commonly known as the antler button or burr attached which signifies a natural life cycle process.

(9) "Shed horn" means:

(a) the sheath from a pronghorn that has been dropped naturally as part of the animal's annual life cycle; or

(b) bighorn sheep, mountain goat, or bison horn naturally detached from the horn core.

(10) "Spoiled product" means any portion of a protected wildlife carcass that is not fit for human or animal consumption due to the presence of parasites, pathogens, or rot.

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

(a) issued by the division;

(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.

(12) "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 14. Section **23A-11-203.5** is enacted to read:

23A-11-203.5 . Big game feeding prohibited.

(1) As used in this section:

(a) "Feed" means intentionally placing food or nutrient substances for the purpose of providing sustenance to big game.

(b) "Feed" does not include:

(i) the use of salt, mineral blocks, or other commonly used types of livestock supplements placed in the field by agricultural producers for normal agricultural purposes; or

(ii) standing crops, natural vegetation, harvested croplands, or lands or areas where seeds or grains have been scattered solely as the result of a normal agricultural planting, harvesting, post-harvest manipulation, or normal soil stabilization practice.

(2) Unless authorized by a certificate of registration, a person may not feed big game.

(3) The division may only issue a certificate of registration to allow for the feeding of big game if the division determines that feeding is necessary to:

(a) alleviate substantial big game depredation on cultivated crops;

(b) facilitate the removal of deer or elk causing property damage within cities or towns;
or

(c) protect wildlife.

Section 15. Section **23A-11-302** is amended to read:

23A-11-302 . Big game protection -- Director authority.

(1) It is the policy of the state that big game animals are of great importance to the citizens of the state, the citizen's quality of life, and the long term sustainability of the herds for future generations.

(2)(a) Unless the condition described in Subsection (2)(b) is determined, the director shall take immediate action to reduce the number of predators within a management unit when the big game population is under the established herd size objective for that management unit.

(b) Subsection (2)(a) does not apply if the division determines that predators are not significantly contributing to the big game population being under the herd size objective for the management unit.

(3) Immediate action under Subsection (2) includes any of the following management tools:

(a) increasing take permits or tags for cougar and bear until the herd size objective is met;

(b) allowing big game hunters to harvest predators with the appropriate permit during a big game hunting season, including issuing over-the-counter predator permits;

(c) professional trapping and predator control by ~~[the United States Department of Agriculture Wildlife Services,]~~ the following, including aerial control measures:

(i) the Department of Agriculture and Food's wildlife services;

(ii) private contracts[;] ; and

(iii) the general public[; including aerial control measures]; and

(d) other management tools as determined by the director.

- (4) The director shall annually give a status report on predator control measures implemented pursuant to this chapter and Chapter 8, Part 4, Damage by Big Game, to the Natural Resources, Agriculture, and Environmental Quality Appropriations Subcommittee and Natural Resources, Agriculture, and Environment Interim Committee.

Section 16. Section **57-18-4** is amended to read:

57-18-4 . Requirements for creation of conservation easement.

- (1) Any property owner may grant a conservation easement to any other qualified person as defined in Section 57-18-3 in the same manner and with the same effect as any other conveyance of an interest in real property.
- (2)(a) A conservation easement shall be in writing and shall be recorded in the office of the recorder of the county in which the easement is granted.
- (b) Within 10 days after a conservation easement is recorded, the owner of real property for which the conservation easement is granted shall deliver to the assessor of the county in which the property is located a copy of the conservation easement and proof that the conservation easement has been recorded.
- (c) Before January 1, 2012, each owner of property subject to a conservation easement recorded before May 10, 2011, shall deliver to the assessor of the county in which the property is located a copy of the conservation easement and proof that the conservation easement has been recorded.
- (3) The instrument that creates a conservation easement shall identify and describe the land subject to the conservation easement by legal description, specify the purpose for which the easement is created, and include a termination date or a statement that the easement continue in perpetuity.
- (4) Any qualified person, as defined in Section 57-18-3, that receives a conservation easement shall disclose to the easement's grantor, at least three days prior to the granting of the easement, the types of conservation easements available, the legal effect of each easement, and that the grantor should contact an attorney concerning any possible legal and tax implications of granting a conservation easement.
- (5) For a conservation easement recorded on or after May 7, 2025, the instrument creating the conservation easement may not prohibit or otherwise restrict hunting on the land included in the legal description required by Subsection (3).

Section 17. **Effective Date.**

This bill takes effect on May 7, 2025.