

Casey Snider proposes the following substitute bill:

Wildlife Amendments

2025 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Casey Snider

Senate Sponsor:

LONG TITLE

General Description:

This bill addresses state activities related to wildlife.

Highlighted Provisions:

This bill:

- modifies definitions;
- addresses night hunting of nonprotected wildlife;
- imposes requirements for holding a hunting or combination license for service on the Wildlife Board or a regional advisory council;
- addresses definition of and access to wildlife management areas;
- modifies provisions concerning the 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-2-301, as last amended by Laws of Utah 2024, Chapter 529

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

amended by Laws of Utah 2023, Chapter 103

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

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

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

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

23A-8-201, as renumbered and amended by Laws of Utah 2023, Chapter 103

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

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

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

ENACTS:

23A-11-203.5, Utah Code Annotated 1953

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

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

23A-1-101 . Definitions.

As used in this title:

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

(a) fishing;

(b) hunting;

(c) trapping;

(d) taking;

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

(f) transporting;

(g) possessing;

(h) selling;

(i) wasting;

(j) importing;

(k) exporting;

(l) rearing;

(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.
- (17) "Executive director" means the executive director of the Department of Natural Resources.

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

131 wildlife.

132 ~~[(29)]~~ (31) "Nominating committee" means the Wildlife Board Nominating Committee
133 created in Section 23A-2-302.

134 ~~[(30)]~~ (32) "Nonresident" means a person who does not qualify as a resident.

135 ~~[(31)]~~ (33) "Open season" means the period of time during which protected wildlife may be
136 legally taken.

137 ~~[(32)]~~ (34) "Outfitter" means the same as that term is defined in Section 58-79-102.

138 ~~[(33)]~~ (35) "Pecuniary gain" means the acquisition of money or something of monetary
139 value.

140 ~~[(34)]~~ (36) "Permit" means a paper-based or electronic document that grants authority to
141 engage in specified activities under this title or a rule or proclamation of the Wildlife
142 Board.

143 ~~[(35)]~~ (37) "Person" means an individual, association, partnership, government agency,
144 corporation, or an agent of the individual, association, partnership, government agency,
145 or corporation.

146 ~~[(36)]~~ (38) "Pollute water" means to introduce into waters within the state matter or thermal
147 energy that:

148 (a) exceeds state water quality standards; or
149 (b) could harm protected wildlife.

150 ~~[(37)]~~ (39) "Possession" means actual or constructive possession.

151 ~~[(38)]~~ (40) "Possession limit" means the number of bag limits one individual may legally
152 possess.

153 ~~[(39)]~~ (41)(a) "Private fish pond" means a pond, reservoir, or other body of water,
154 including a fish culture system, located on privately owned land where privately
155 owned fish:

156 (i) are propagated or kept for a private noncommercial purpose; and
157 (ii) may be taken without a fishing license.

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

159 (i) an aquaculture facility;
160 (ii) a fee fishing facility;
161 (iii) a short-term fishing event; or
162 (iv) private stocking.

163 ~~[(40)]~~ (42) "Private stocking" means an authorized release of privately owned, live fish in
164 the waters of the state not eligible as:

- 165 (a) a private fish pond under Section 23A-9-203; or
166 (b) an aquaculture facility or fee fishing facility under Title 4, Chapter 37, Aquaculture
167 Act.
- 168 ~~[(41)]~~ (43) "Private wildlife farm" means an enclosed place where privately owned birds or
169 furbearers are propagated or kept and that restricts the birds or furbearers from:
170 (a) commingling with wild birds or furbearers; and
171 (b) escaping into the wild.
- 172 ~~[(42)]~~ (44) "Proclamation" means the publication that is:
173 (a) used to convey a statute, rule, policy, or pertinent information related to wildlife; and
174 (b) issued in accordance with a rule made by the Wildlife Board under this title.
- 175 ~~[(43)]~~ (45)(a) "Protected aquatic wildlife" means aquatic wildlife except as provided in
176 Subsection ~~[(43)]~~ (45)(b).
177 (b) "Protected aquatic wildlife" does not include aquatic insects.
- 178 ~~[(44)]~~ (46)(a) "Protected wildlife" means wildlife, except as provided in Subsection ~~[(44)]~~
179 (46)(b).
180 (b) "Protected wildlife" does not include:
181 (i) coyote;
182 (ii) feral swine;
183 ~~[(ii)]~~ (iii) field mouse;
184 ~~[(iii)]~~ (iv) gopher;
185 ~~[(iv)]~~ (v) ground squirrel;
186 ~~[(v)]~~ (vi) jack rabbit;
187 ~~[(vi)]~~ (vii) muskrat;~~[-or]~~
188 (viii) striped skunk;
189 ~~[(vii)]~~ (ix) raccoon~~[-]~~ ; or
190 (x) red fox.
- 191 ~~[(45)]~~ (47) "Regional advisory council" means a council created under Section 23A-2-303.
192 ~~[(46)]~~ (48) "Released to the wild" means to be turned loose from confinement.
- 193 ~~[(47)]~~ (49)(a) "Reservoir constructed on a natural stream channel" means a body of water
194 collected and stored on the course of a natural flowing stream by impounding the
195 stream through excavation or diking.
196 (b) "Reservoir constructed on a natural stream channel" does not mean an impoundment
197 on a natural flowing stream where all surface water sources supplying the
198 impoundment originate from groundwater springs no more than 100 yards upstream.

- 199 ~~[(48)]~~ (50) Subject to Section 23A-1-103, "resident" means a person who:
- 200 (a) has been domiciled in the state for six consecutive months immediately preceding the
- 201 purchase of a license; and
- 202 (b) does not claim residency for hunting, fishing, or trapping in another state or country.
- 203 ~~[(49)]~~ (51) "Sell" means to offer or possess for sale, barter, exchange, or trade, or the act of
- 204 selling, bartering, exchanging, or trading.
- 205 ~~[(50)]~~ (52) "Short-term fishing event" means an event when:
- 206 (a) privately acquired fish are held or confined for a period not to exceed 10 days for the
- 207 purpose of providing fishing or recreational opportunity; and
- 208 (b) no fee is charged as a requirement to fish.
- 209 ~~[(51)]~~ (53) "Small game" means species of protected wildlife:
- 210 (a) commonly pursued for sporting purposes;
- 211 (b) not classified as big game, aquatic wildlife, or furbearers; and
- 212 (c) excluding turkey, cougar, and bear.
- 213 ~~[(52)]~~ (54) "Spoiled" means impairment of the flesh of wildlife that renders the flesh unfit
- 214 for human consumption.
- 215 ~~[(53)]~~ (55) "Spotlighting" means throwing or casting the rays of a spotlight, headlight, or
- 216 other artificial light on a highway or in a field, woodland, or forest while having in
- 217 possession a weapon by which protected wildlife may be killed.
- 218 ~~[(54)]~~ (56) "Tag" means a card, label, or other paper-based or electronic means of
- 219 identification used to document harvest of protected wildlife.
- 220 ~~[(55)]~~ (57) "Take" means to:
- 221 (a) hunt, pursue, harass, catch, capture, possess, gather, angle, seine, trap, or kill
- 222 protected wildlife; or
- 223 (b) attempt an action referred to in Subsection ~~[(55)]~~ (57)(a).
- 224 ~~(58)~~ "Thermal vision" means the ability of a biological or artificial system to detect infrared
- 225 radiation by detecting temperature to capture and recognize diverse levels of infrared
- 226 illumination.
- 227 ~~[(56)]~~ (59) "Threatened" means wildlife designated as threatened pursuant to Section 3 of
- 228 the federal Endangered Species Act of 1973.
- 229 ~~[(57)]~~ (60) "Trapping" means taking protected wildlife with a trapping device.
- 230 ~~[(58)]~~ (61) "Trophy animal" means an animal described as follows:
- 231 (a) deer - a buck with an outside antler measurement of 24 inches or greater;
- 232 (b) elk - a bull with six points on at least one side;

- 233 (c) bighorn, desert, or rocky mountain sheep - a ram with a curl exceeding half curl;
234 (d) moose - a bull with at least one antler exceeding five inches in length;
235 (e) mountain goat - a male or female;
236 (f) pronghorn antelope - a buck with horns exceeding 14 inches; or
237 (g) bison - a bull.
- 238 [(59)] (62) "Upland game" means pheasant, quail, partridge, grouse, ptarmigan, mourning
239 dove, band-tailed pigeon, turkey, cottontail rabbit, or snowshoe hare.
- 240 [(60)] (63) "Waste" means to:
241 (a) abandon protected wildlife; or
242 (b) allow protected wildlife to spoil or to be used in a manner not normally associated
243 with the protected wildlife's beneficial use.
- 244 [(61)] (64) "Wild" means the natural environment, including a private pond or private
245 property.
- 246 [(62)] (65) "Wildlife" means:
247 (a) crustaceans, including brine shrimp and crayfish;
248 (b) mollusks; and
249 (c) vertebrate animals living in nature, except feral animals.
- 250 [(63)] (66) "Wildlife Board" means the board created in Section 23A-2-301.
- 251 [(64)] (67) "Wildlife parts" means biological material derived from the body or anatomy of
252 wildlife, including:
253 (a) an antler or horn;
254 (b) a hide;
255 (c) a bone; or
256 (d) meat.
- 257 Section 2. Section **23A-1-103** is amended to read:
258 **23A-1-103 . Domicile or residency.**
- 259 (1)(a) Subject to Subsections 23A-1-101(15) and 23A-1-101[(47)] (50), an individual is
260 considered a resident who:
261 (i) has been domiciled in the state for six consecutive months immediately preceding
262 the purchase of a license or application of a license, permit, or tag; and
263 (ii) does not claim residency for hunting, fishing, or trapping in another state or
264 country.
- 265 (b) To create a new domicile an individual shall:
266 (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-2-301** is amended to read:

23A-2-301 . Wildlife Board created.

- (1) There is created a Wildlife Board that consists of seven members appointed by the governor with the advice and consent of the Senate in accordance with Title 63G, Chapter 24, Part 2, Vacancies.
- (2)(a) In addition to the requirements of Section 79-2-203, the members of the Wildlife Board shall have expertise or experience in at least one of the following areas:
- (i) wildlife management or biology;
 - (ii) habitat management, including range or aquatic;
 - (iii) business, including knowledge of private land issues; and
 - (iv) economics, including knowledge of recreational wildlife uses.
- (b) At least one member of the Wildlife Board shall represent each of the areas of expertise under Subsection (2)(a).
- (c)(i) As a qualification for service on the Wildlife Board, a member of the Wildlife Board shall:
- (A) have obtained a hunting or combination license for use by the member 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 individual is nominated by the nominating committee for appointment to the Wildlife Board; and
 - (B) possess a hunting or combination license issued under Chapter 4, Licenses, Permits, Certificates of Registration, and Tags, while serving on the Wildlife Board.
- (ii) An individual is removed from the Wildlife Board as of July 1, 2025, if the individual as of June 30, 2025:
- (A) is a member of the Wildlife Board; and
 - (B) fails to meet the qualification requirements of Subsection (2)(c)(i).
- (iii) The director shall remove an individual from the Wildlife Board if the director determines that the individual does not meet the requirement of Subsection (2)(c)(i)(A).
- (iv)(A) Except as provided in Subsection (2)(c)(ii), the director shall remove an individual from the Wildlife Board 15 days after the day on which the director notifies the individual that the individual is not in compliance with Subsection (2)(c)(i)(B) unless during the 15-day period the individual obtains or otherwise proves that the individual holds a valid hunting or combination license.

- (B) The director shall send the notice required by this Subsection (2)(c)(iv), if the director finds that final action has been taken to suspend the license required by Subsection (2)(c)(i)(B) or the individual fails to obtain a new license required under Subsection (2)(c)(i)(B) once the previous license expires.
- (3)(a) The governor shall select a board member from a list of nominees submitted by the nominating committee pursuant to Section 23A-2-302.
- (b) No more than two members shall be from a single wildlife region described in Subsection 23A-2-303(1).
- (c) The governor may request an additional list of at least two nominees from the nominating committee if the initial list of nominees for a given position is 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 5. 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 ~~noneconsumptive~~ watchable wildlife interests;

(d) one member shall be appointed from a list of at least two nominees submitted by

437 federal land management agencies;

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

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

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

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

447 (b) The nominating committee may not nominate a candidate for a position or vacancy
448 on the Wildlife Board who does not obtain a hunting or combination license for the
449 candidate's use that is issued under Chapter 4, Licenses, Permits, Certificates of
450 Registration, and Tags, at least three times during the five years before the day on
451 which the candidate is nominated by the nominating committee.

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

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

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

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

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

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

465 (7) Six members shall constitute a quorum.

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

468 (a) Section 63A-3-106;

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

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

63A-3-107.

Section 6. 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]~~ watchable wildlife;

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

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

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

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

(A) have obtained a hunting or combination license for use by the member 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 individual is nominated for appointment to the regional advisory council under Subsection (3); and

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

(ii) Except as provided in Subsection (2)(b)(iv), the director shall remove an individual from a regional advisory council if the director determines that the individual does not meet the requirement of Subsection (2)(b)(i)(A).

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

(B) The director shall send the notice required by this Subsection (2)(b)(iii), if the

505 director finds that final action has been taken to suspend the license required by
506 Subsection (2)(b)(i)(B) or the individual fails to obtain a new license required
507 under Subsection (2)(b)(i)(B) once the previous license expires.

508 (iv) An individual who is a member of a regional advisory council as of May 7, 2025,
509 is not subject to Subsection (2)(b)(i), except that if the executive director
510 reappoints the member to the regional advisory council, the individual is subject
511 to Subsection (2)(b)(i) as of the new membership term.

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

514 (4) The regional advisory councils shall:

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

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

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

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

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

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

526 (7) The councils shall determine:

527 (a) the time and place of meetings; and

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

529 (8) Members of the councils shall complete an orientation course described in Subsection
530 23A-2-301(9).

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

533 (a) Section 63A-3-106;

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

535 (c) rules made by the Division of Finance pursuant to Sections 63A-3-106 and
536 63A-3-107.

537 Section 7. Section **23A-6-101** is amended to read:

538 **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 8. 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 provided in Subsections (5), (6), and (7), 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:

(i) holds a valid hunting, fishing, or combination license;

(ii) is permitted to engage in the use under a contract with, or other permission given by, the division; or

(iii) is permitted to engage in the use or to access the land in accordance with a property right giving the individual the right to use or access land within the wildlife management area.

(b) If the use engaged in by an individual described in Subsection (5)(a) would require a specific license, permit, cooperative agreement, or certificate of registration under this title if engaged in on other lands or waters, the individual shall hold the correct license, permit, cooperative agreement, or certificate of registration to engage in the use.

(6)(a) If an individual is expressly exempt under this title from a requirement to hold a license, permit, cooperative agreement, or certificate of registration to engage in hunting, trapping, or fishing if engaged in on other lands or waters, the individual is not required to hold a hunting, fishing, or combination license to enter a wildlife management area described in Subsection (5)(a).

(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.

(c) An individual may participate in an educational program or visit an education or visitor center located within a wildlife management area described in Subsection (5)(a) without obtaining a hunting, fishing, or combination license.

(7)(a) The Wildlife Board may make rules, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, to define for purposes of Subsection (6):

(i) what is meant to be "expressly exempt under this title from a requirement to hold a license, permit, cooperative agreement, or certificate of registration to engage in hunting, trapping, or fishing"; or

(ii) what constitutes an "educational program" or "education or visitor center."

(b) The Wildlife Board may not exempt an individual under Subsection (6)(a), on the basis that the individual is not engaged in hunting, trapping, or fishing within a wildlife management area.

Section 9. 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) "Predator control program" means a program of the 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.
- (11) "State trapper" means an individual of the Department of Agriculture and Food within the predator control program.
- ~~[(10)]~~ (12) 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" means a program of the United States Department of Agriculture 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.]

(13)(a) "Wolf" means the gray wolf *Canis lupus*.

(b) "Wolf" does not mean a wolf hybrid with a domestic dog.

Section 10. Section **23A-8-201** is amended to read:

23A-8-201 . Procedure to obtain compensation for livestock damage done by bear, mountain lion, wolf, or eagle.

(1)(a)(i) Except as provided by Subsection (1)(a)(ii), if livestock are damaged by a bear, mountain lion, wolf, or an eagle, the owner may receive compensation for the fair market value of the damage to the livestock.

(ii) The owner of livestock may not receive compensation if the livestock is damaged by a wolf within an area where a wolf is endangered or threatened under the Endangered Species Act of 1973, 16 U.S.C. Sec. 1531, et seq.

(b) To obtain compensation under this section, the owner of the damaged livestock shall notify the division of the damage as soon as possible, but no later than four days after the damage to the livestock is discovered.

(c) The owner shall notify the division each time damage to livestock is discovered.

(2) The livestock owner shall file a proof of loss form, provided by the division, no later than 30 days after the original notification of damage to livestock was given to the division by the owner.

(3)(a)(i) The division, with the assistance of the Department of Agriculture and Food, shall:

(A) within 30 days after the owner files the proof of loss form, either accept or deny the claim for damages; and

(B) subject to Subsections (3)(a)(ii) through (3)(a)(iv), pay the accepted claims to the extent money appropriated by the Legislature is available for this purpose.

(ii) Money appropriated from the Wildlife Resources Account may be used to provide compensation for only up to 50% of the fair market value of damaged livestock.

(iii) Money appropriated from the Wildlife Resources Account may not be used to

- 675 provide compensation for livestock damaged by an eagle or a wolf.
- 676 (iv) The division may not pay an eagle damage claim until the division has paid all
677 accepted mountain lion and bear livestock damage claims for the fiscal year.
- 678 (b) The division may not pay mountain lion, bear, wolf, or eagle damage claims to a
679 livestock owner unless the owner has filed a completed livestock form and the
680 appropriate fee as outlined in Section 4-23-107 for the immediately preceding and
681 current year.
- 682 (c) The division's payment is subject to a 3:1 multiplier for a bear or mountain lion
683 damage claim if the livestock owner has demonstrated and documented husbandry
684 practices to prevent losses including daily contact with the livestock and the use of
685 guardian animals.
- 686 (d) The division may not pay damage claims in excess of the total number of animals of
687 a single species owned by an individual producer.
- 688 [(e)] (e)(i) Unless the division denies a claim for the reason identified in Subsection
689 (3)(b), the owner may appeal the decision to a panel consisting of one person
690 selected by the owner, one person selected by the division, and a third person
691 selected by the first two panel members.
- 692 (ii) The panel shall decide whether the division should pay all of the claim, a portion
693 of the claim, or none of the claim.
- 694 (4) The Wildlife Board may make rules, in accordance with Title 63G, Chapter 3, Utah
695 Administrative Rulemaking Act, and enforce rules to administer and enforce this section.
696 Section 11. Section **23A-8-202** is amended to read:
697 **23A-8-202 . Livestock depredation by predators.**
- 698 (1) If a predator harasses, chases, disturbs, harms, attacks, or kills livestock, within 96
699 hours of the act:
- 700 (a) in a depredation case, the livestock owner, an immediate family member, or an
701 employee of the livestock owner on a regular payroll and not specifically hired to
702 take a predator, may take predators subject to the requirements of this section;
- 703 (b) a landowner or livestock owner may notify the division of the depredation or human
704 health and safety concerns, who may authorize a local hunter to take the offending
705 predator or notify a ~~[wildlife specialist]~~ state trapper; or
- 706 (c) the livestock owner may notify a ~~[wildlife specialist]~~ state trapper of the depredation
707 who may take the depredating predator.
- 708 (2) A depredating predator may be taken at any time by a ~~[wildlife specialist]~~ state trapper,

709 supervised by the [~~Wildlife Services Program~~] Department of Agriculture and Food,
710 while acting in the performance of the [~~wildlife specialist's~~] state trapper assigned duties
711 and in accordance with procedures approved by the division.

712 (3)(a) A depredating predator may be taken by an individual authorized in Subsection

713 (1)(a):

714 (i) with a weapon authorized by the division, pursuant to rules made by the Wildlife
715 Board in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking
716 Act, for taking the predator; or

717 (ii) only using snares:

718 (A) with written authorization from the director;

719 (B) subject to the conditions and restrictions set out in the written authorization;
720 and

721 (C) if the division verifies that there has been a chronic depredation situation
722 when numerous livestock have been killed by a predator as described in rule
723 made by the Wildlife Board in accordance with Title 63G, Chapter 3, Utah
724 Administrative Rulemaking Act.

725 (b) An individual authorized in Subsection (1)(a) to take depredating predators may take
726 no more than two bears per incident.

727 (4)(a) In accordance with Subsection (4)(b), the division may issue a depredation permit
728 to take a predator on specified private lands and public land grazing allotments with a
729 chronic depredation situation when numerous livestock have been killed by predators.

730 (b) The division may:

731 (i) issue one or more depredation permits to an affected livestock owner or a designee
732 of the affected livestock owner, provided that the livestock owner does not receive
733 monetary consideration from the designee for the opportunity to use the
734 depredation permit;

735 (ii) determine the legal weapons and methods of taking allowed; and

736 (iii) specify the area and season that the depredation permit is valid.

737 (5)(a) A predator taken under Subsection (1)(a) or (4) remains the property of the state
738 and shall be delivered to a division office or employee with 96 hours of the take.

739 (b) The division may issue a predatory damage permit to a person who has taken a
740 depredating predator under Subsection (1)(a) that authorizes the individual to keep
741 the carcass.

742 (c) An individual who takes a predator under Subsection (1)(a) or (4) may acquire and

use a limited entry permit or harvest objective permit in the same year.

(d) Notwithstanding Subsections (5)(b) and (c), a person may retain no more than one predator carcass annually.

(6) Money derived from the sale of a predator taken under this section shall be deposited into the Wildlife Resources Account created in Section 23A-3-201.

(7) Nothing in this section prohibits the division from permitting the removal of a bear causing damage to cultivated crops on cleared and planted land pursuant to rule made by the Wildlife Board in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.

(8) Nothing in this section prohibits receiving compensation for livestock damage done by a bear, mountain lion, wolf, or eagle in accordance with Section 23A-8-201.

Section 12. 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]~~ bighorn sheep, moose, mountain goats, pronghorn[-] , or bison.

(2)(a) "Big game byproduct" means those parts of the carcass of a lawfully taken big game animal that are listed in Subsections (2)(a)(i) through (ix):

(i) bones with less than 1/2 inch of attached muscle tissue;

(ii) fat, tendons, ligaments, cartilage, and silverskin with less than 1/2 inch attached muscle tissue;

(iii) muscle tissue damaged by wound channels and within one inch of damaged tissue;

(iv) head;

(v) rib and neck meat on deer, pronghorn, mountain goat, and bighorn sheep;

(vi) antlers and horns;

(vii) legs below the knee and hock;

(viii) internal organs; and

(ix) hide.

(b) Notwithstanding Subsection (2)(a), "big game byproduct" does not include:

(i) brain or brain tissue;

(ii) spine or any part of the spinal column;

(iii) any portion of the carcass of an animal testing positive for chronic wasting disease;

- 777 (iv) any carcass or portion of a carcass that otherwise fails to meet local, state, or
778 federal regulations governing processing, sale, or distribution of wild game; and
779 (v) spoiled product.
- 780 (3)(a) "Centerfire rifle hunt" means a hunt for which a hunter may use a centerfire rifle,
781 except as provided in Subsection (3)(b).
- 782 (b) "Centerfire rifle hunt" does not include:
- 783 (i) a bighorn sheep hunt;
784 (ii) a mountain goat hunt;
785 (iii) a bison hunt;
786 (iv) a moose hunt;
787 (v) a hunt requiring the hunter to possess a statewide conservation permit; or
788 (vi) a hunt requiring the hunter to possess a statewide sportsman permit.
- 789 (4) "Cultivated crops" means:
- 790 (a) annual or perennial crops harvested from or on cleared and planted land;
791 (b) perennial orchard trees on cleared and planted land;
792 (c) crop residues that have forage value for livestock; and
793 (d) pastures.
- 794 (5) "Financial advantage" means an act through which a person in lawful possession of a
795 protected wildlife carcass uses or disposes of that carcass or carcass parts in a
796 transaction for which the person receives consideration or expects to recover associated
797 costs.
- 798 (6) "Management unit" means a prescribed area of contiguous land designated by the
799 division for the purpose of managing a species of big game animal.
- 800 (7) "Predator" means a cougar, bear, or coyote.
- 801 (8) "Shed antler" means any portion of an antler that:
- 802 (a) has been dropped naturally from a big game animal as part of the big game animal's
803 annual life cycle; and
804 (b) has a rounded base commonly known as the antler button or burr attached which
805 signifies a natural life cycle process.
- 806 (9) "Shed horn" means:
- 807 (a) the sheath from a pronghorn that has been dropped naturally as part of the animal's
808 annual life cycle; or
809 (b) bighorn sheep, mountain goat, or bison horn naturally detached from the horn core.
- 810 (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 13. Section **23A-11-203.5** is enacted to read:

23A-11-203.5 . Big game feeding.

(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:

(a) feed big game in a management unit that is chronic wasting disease positive, as determined by the division; or

(b) feed elk in management units where elk populations exceed objectives described in unit management plans.

(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 14. 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 predator control program;

(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 15. **Effective Date.**

This bill takes effect on May 7, 2025.