

HOUSE BILL 938

By Sparks

AN ACT to amend Tennessee Code Annotated, Title 70,
relative to hunting with bait.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 70-4-113, is amended by deleting the section and substituting:

(a) Except as otherwise expressly provided, it is unlawful for a person to use any pitfall, deadfall, cage, snare, trap, net, baited hooks, poison, chemicals, explosives, set guns, spotlights, electric lights or torches, bait, which includes any grain or mixture of ingredients, used as or for food purposes or to lure or attract wildlife to a particular area for the purpose of being killed or taken, or other devices for the purpose of killing, injuring, or capturing birds or animals protected by the wildlife laws of this state.

(b) A person may hunt, chase, trap, kill, or take wildlife using properly shocked corn or standing crops of corn, wheat, or other grain or feed and grains scattered solely as a result of normal agricultural harvesting.

(c)

(1) This section does not apply to a person hunting whitetail deer or wild-appearing swine, as defined in § 70-4-133, with the aid of bait on privately owned or leased lands if the person has purchased and is in possession of a valid bait privilege license.

(2) A bait privilege license required by this section must be obtained in the same manner as an annual hunting license.

(3) A person who is exempt from purchasing a hunting license is not exempt from the requirement to purchase a bait privilege license pursuant to this section.

(4) The agency may, without refund, suspend the use of a baiting privilege and adopt rules to manage the feeding of wildlife populations on a county, regional, or statewide basis to prevent the spread of diseases among wildlife by announcing the suspension in a news release.

(d) The executive director or the executive director's designees may use any chemical, biological substance, poison, or device under controlled conditions to capture or kill a bird or animal for scientific, propagating, enforcement, humane, or rescue purposes, or when it is considered necessary by the executive director to reduce or control any species that may be detrimental to human safety, health, or property. The executive director shall not take an action directed to the control of rabies or other diseases spread from wildlife to human beings until the following conditions have been met:

(1) The county board of health in the affected county met in open session and, by appropriate resolution, declared that a condition detrimental to human safety, health, or property exists within the affected county;

(2) An official quarantine by the county board of health has been established on all dogs, cats, and pets in the county; and

(3) An official request has been made by the county board of health, through and with the concurrence of the commissioner of health, to the executive director to take such action as is necessary by the executive director or the executive director's designees and by such means as are authorized in this

section to bring the disease under control in the affected county. This subsection (d) is effective in every county in this state.

(e) A violation of this section is a Class C misdemeanor; provided, that spot, electric, or torch lights may be used in the hunting and taking of raccoons, opossums, and frogs, and box traps may be used for the taking of rabbits during the open shooting season for the same.

SECTION 2. This act takes effect July 1, 2025, the public welfare requiring it.