



KENTUCKY DEPARTMENT OF FISH & WILDLIFE RESOURCES

Rich Storm
Commissioner

#1 Sportsman's Lane
Frankfort, Kentucky 40601
Phone (502) 564-3400
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Gabe Jenkins
Deputy Commissioner

September 29, 2025

Senator Stephen West, Co-Chair
Representative Derek Lewis, Co-Chair
c/o Emily Caudill, Regulation Compiler
Administrative Regulation Review Subcommittee
Legislative Research Commission
Rm 083, Capitol Annex
Frankfort KY 40601

Re: 301 KAR 1:185. Pay lakes.

Dear Co-Chairs:

After discussions with Administrative Regulation Review Subcommittee staff of the issues raised by 301 KAR 1:185, Kentucky Department of Fish and Wildlife Resources proposes the attached amendment to 301 KAR 1:185.

Sincerely,

A handwritten signature in black ink that reads "Jenny Gilbert".

Jenny Gilbert
Legislative Liaison
Commissioner's Office
Kentucky Department of Fish and Wildlife Resources
1 Sportsmen's Lane
Frankfort, KY 40601

9/24/2025 10:53 AM
SUGGESTED AMENDMENT

TOURISM, ARTS AND HERITAGE CABINET
Department of Fish and Wildlife Resources
(Amendment)

301 KAR 1:185. Pay lakes.

RELATES TO: KRS **13B**, 150.470, 150.990

STATUTORY AUTHORITY: KRS 150.025(1)(h), 150.175(24), 150.660

CERTIFICATION STATEMENT: The Kentucky Department of Fish and Wildlife Resources, pursuant to statutory authority to promulgate administrative regulations to carry out the provisions of KRS Chapter 150 as established in KRS 150.025 and as an independent department of state government within the meaning of KRS Chapter 12 as established in KRS 150.021(1), promulgated by the Commissioner with approval of the Commission in accordance with KRS 150.010(1), does hereby certify this administrative regulation is promulgated in compliance with Section 8 of 2025 RS HB 6.

NECESSITY, FUNCTION, AND CONFORMITY: KRS 150.025(1)(h) authorizes the Kentucky Department of Fish and Wildlife Resources~~[department]~~ to promulgate administrative regulations reasonably necessary to carry out the purposes of KRS Chapter 150. KRS 150.175(24) **authorizes the department to promulgate administrative regulations relating to**~~[establishes]~~ a pay lake license that authorizes the holder to operate privately-owned impounded waters for fishing purposes for which a fee is charged. KRS 150.660 authorizes a person to establish a pay lake subject to the approval of the Commissioner of the department. This administrative regulation establishes the requirements for pay lake operators.

Section 1. Pay Lake License Application Procedures.

(1) Before operating a pay lake in Kentucky, an individual shall obtain the appropriate pay lake license by:

(a) Submitting a completed Pay Lake License Application to the department; and

(b) Paying the applicable fee as referenced at <https://fw.ky.gov/Licenses/Pages/Fees.aspx> and established in 301 KAR 5:022.~~[Definitions.]~~

~~[(1)] ["Pay lake" means a privately-owned, impounded body of water where a daily fee is charged to fish, and is open to the public.]~~

~~[(2)] ["Pay lake operator" means a person who holds a valid pay lake license, as established in 301 KAR 3:022.]~~

~~[(3)] ["Trophy catfish" means a:]~~

~~[(a)] [Blue or flathead catfish that is a minimum of thirty-five (35) inches in length; or]~~

~~[(b)] [Channel catfish that is a minimum of twenty-eight (28) inches in length.]~~

~~[Section 2.] [Pay Lake License and Signage.]~~

~~[(1)] [A person shall not operate a pay lake without a valid pay lake license.]~~

(2) A pay lake license shall be transferable, but only for the same pay lake, except that ~~a[no]~~ license **shall not[may]** be transferred while an enforcement action is pending.

Section 2.~~[(3)]~~ Pay Lake Signage. A pay lake operator shall post clearly visible signage stating:

~~(1)[(a)]~~ The water body of origin of stocked catfish and any associated consumption advisories, if applicable; and

~~(2)[(b)]~~ Fish handling policies if catch and release fishing is offered.

Section 3. Documentation and Fish Stocking Requirements.

(1) A pay lake shall not accept catfish that have been gifted to them.

(2) A pay lake shall save all receipts for three (3) years from the date of purchase, for each fish order received, and the receipts shall include:

(a) The name, address, and telephone number of:

1. The hatchery, if obtained from a hatchery; or

2. The commercial ~~fisher~~**fisherman** and driver who provided the fish, if obtained from public waters;

(b) Purchase dates; and

(c) The following details of fish by species, except catfish shall be recorded with separate entries for trophy and non-trophy catfish of each species, which includes the:

1. Estimated number of fish;

2. Poundage; and

3. Waterbody of origin.

(3) A pay lake may stock trophy catfish from public waters up to 750 pounds per surface acre of water per stocking, with a maximum annual limit of up to 2,250 pounds per surface acre of water per calendar year.

Section 4. Non-conforming Pay Lakes. Any lake not meeting the definition of a pay lake, as ~~defined~~**established** in 301 KAR 1:001~~[Section 1 of this administrative regulation]~~, shall not qualify for a pay lake license, except that any non-conforming pay lake that was previously licensed as a pay lake for all license years 2008 through 2018 inclusive, shall be permitted to renew a pay lake license until the pay lake operator does not purchase a pay lake license for one (1) annual license period or the pay lake license is revoked as established in Section 6 of this administrative regulation. Notwithstanding any other provision, non-conforming pay lake licenses are non-transferable, and shall not be renewed after the 2054-2055 license year.

Section 5. Pay Lakes with Trophy Catfish from Public Waters.

(1) There shall be a maximum of thirty-five (35) pay lakes with trophy catfish originating from public waters in any pay lake license year.

(2) If there are more than thirty-five (35) licensed pay lakes, as established in subsection (1) of this section, **as of November 1st 2019**~~[at the effective date of this administrative regulation]~~, each licensed pay lake shall be permitted to renew a pay lake license until the pay lake operator does not purchase a pay lake license for one (1) annual license period.

(3) If at the end of a pay lake license year, less than thirty-five (35) pay lake licenses were issued, as established in subsection (1) of this section, then the department shall issue pay lake licenses on a first-come, first-served basis beginning on the first work day of the next license year.

Section 6. Pay Lake License Revocation.

(1) A pay lake operator who violates this administrative regulation or is convicted or enters a guilty plea to any state or federal fish or game violation shall have his or her pay lake license revoked for a period of:

(a) Three (3) months for a first offense;

(b) One (1) year for a second offense;

(c) Two (2) years for a third or subsequent offense; **and**

(d) Permanently if the license is for a[, except any revocation of] non-conforming pay lake [licenses shall be permanent].

(2) A pay lake operator whose pay lake license is denied, revoked, or suspended may request an administrative hearing as established in KRS Chapter 13B.

(3) A request for a hearing shall be in writing and postmarked or delivered in person to the department no later than thirty (30) days after notification of the denial or revocation.

(4) Upon receipt of the request for a hearing, the department shall proceed as established in KRS Chapter 13B.

(5) The hearing officer's recommended order shall be considered by the Commissioner and the Commissioner shall issue a final order as established in KRS Chapter 13B. ~~Approved by the Fish and Wildlife Commission.~~

Section 7. Incorporation by Reference.

(1) "Pay Lake License Application", 2025 Edition, is incorporated by reference.

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Kentucky Department of Fish and Wildlife Resources, #1 Sportsman's Lane, Frankfort, Kentucky, Monday through Friday, 8:00 a.m. to 4:30 p.m. or online at <https://fw.ky.gov/Licenses/Documents/Pay-Lake-Lic-App.pdf>.



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Rich Storm
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Deputy Commissioner

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Senator Stephen West, Co-Chair
Representative Derek Lewis, Co-Chair
c/o Emily Caudill, Regulation Compiler
Administrative Regulation Review Subcommittee
Legislative Research Commission
Rm 083, Capitol Annex
Frankfort KY 40601

Re: 301 KAR 2:041. Shooting areas, dog training areas, commercial and noncommercial foxhound training enclosures, and bobwhite shoot-to-train season., 301 KAR 2:075. Wildlife rehabilitation permit., 301 KAR 2:083. Holding and intrastate transportation of captive cervids., 301 KAR 2:195. Falconry, raptor take, and raptor propagation., 301 KAR 2:230. Shoot-to-retrieve field trial permits and procedures.

Dear Co-Chairs:

After discussions with Administrative Regulation Review Subcommittee staff of the issues raised by 301 KAR 2:041; 2:075; 2:083; 2:195; and 2:230 Kentucky Department of Fish and Wildlife Resources proposes the attached suggested substitute to 301 KAR 2:041., 2:075., 2:083., 2:195., 2:230 to this ordinary regulation.

Sincerely,

Jenny Gilbert
Legislative Liaison
Commissioner's Office
Kentucky Department of Fish and Wildlife Resources
1 Sportsmen's Lane
Frankfort, KY 40601

9/24/2025 10:58 AM
SUGGESTED AMENDMENT

TOURISM, ARTS AND HERITAGE CABINET
Department of Fish and Wildlife Resources
(Amendment)

301 KAR 2:041. Shooting areas, dog training areas, commercial and noncommercial foxhound training enclosures, and bobwhite shoot-to-train season.

RELATES TO: KRS ~~13B~~, 150.010, 150.170, 150.180, 150.280, 150.630, 150.990

STATUTORY AUTHORITY: KRS 150.025(1), ~~150.175(29)~~~~[150.175(28)]~~, 150.240(2)

CERTIFICATION STATEMENT: The Kentucky Department of Fish and Wildlife Resources, pursuant to statutory authority to promulgate administrative regulations to carry out the provisions of KRS Chapter 150 as established in KRS 150.025 and as an independent department of state government within the meaning of KRS Chapter 12 as established in KRS 150.021(1), promulgated by the Commissioner with approval of the Commission in accordance with KRS 150.010(1), does hereby certify this administrative regulation is promulgated in compliance with Section 8 of 2025 RS HB6.

NECESSITY, FUNCTION, AND CONFORMITY: KRS 150.025(1) authorizes the Kentucky Department of Fish and Wildlife Resources~~[department]~~ to promulgate administrative regulations establishing hunting seasons, bag limits, and methods of taking wildlife, and to make these requirements apply to a limited area or to the entire state. KRS ~~150.175(29)~~~~[150.175(28)]~~ authorizes the issuance of a special license for residents and nonresidents for the purpose of hunting on licensed shooting areas. KRS 150.240(2) authorizes the department to promulgate administrative regulations governing public or commercial shooting areas. This administrative regulation establishes a bobwhite shoot-to-train season and other requirements to ensure uniform operation of shooting areas, dog training areas, and commercial and noncommercial foxhound training enclosures.

Section 1. Definitions.

(1) "Commercial foxhound training enclosure" means a fenced area where red fox (*Vulpes vulpes*), coyote (*Canis latrans*), or both species are to be held for the purposes of dog training and for which business transactions occur to accumulate compensations, payments, or profits.

(2) "Dog training area permit" means a permit that designates an area to allow dog training and shooting of captive-reared bobwhite quail.

(3) "Hoofed animal" means ungulate wildlife except wild hogs and javelinas.

(4) "Noncommercial foxhound training enclosure" means a fenced area where red fox (*Vulpes vulpes*), coyote (*Canis latrans*), or both species are to be held for the purposes of

(5) A person shall comply with the holding and permit requirements established in 301 KAR 2:081 if:

- (a) Captive-reared bobwhite quail are possessed for more than ten (10) days; or
- (b) More than 100 captive-reared bobwhite quail are possessed.

Section 4. Permits, Applications, and Transfers.

(1) A person shall obtain a permit from the department before operating the following:

- (a) A shooting area for birds;
- (b) A dog training area; or
- (c) A commercial or noncommercial foxhound training enclosure, except that:

1. A commercial or noncommercial foxhound training enclosure permit shall not be issued after January 1, 2026 for a new enclosure occurring within the Enhanced Rabies Surveillance Zone defined in 301 KAR 2:081;

2. An enclosure within the Enhanced Rabies Surveillance Zone that is permitted prior to January 1, 2026 may remain permitted so long as the permit coverage is continuously maintained; and

3. A permitted enclosure within the Enhanced Rabies Surveillance Zone may expand acreage upon existing enclosures but may not create a new, separate enclosure within the Enhanced Rabies Surveillance Zone.

(2) A new shooting area permit shall not be issued for hoofed animals.

(3) The following permits shall be valid from July 1 through June 30:

- (a) Dog training area permit;
- (b) Shooting area permit for birds; and
- (c) For hoofed animals, a shooting area permit in existence prior to March 8, 2002.

(4) A commercial or noncommercial foxhound training enclosure permit shall be valid for one (1) year from the date of issuance.

(5) A person shall apply using the appropriate form provided by the department:

- (a) Shooting Area Permit Application;
- (b) Foxhound Training Enclosure Permit Application and Checklist; or
- (c) Dog Training Area Permit Application.

(6) Applications for dog training areas and commercial and noncommercial foxhound training enclosures shall not be approved until a department game warden~~[law enforcement personnel]~~ inspects the area to determine if it meets the requirements established in Sections 6 and 8 of this administrative regulation.

(7) An applicant for a shooting area, dog training area, or commercial or noncommercial foxhound training enclosure shall provide documentation proving:

- (a) The applicant is the owner of the land where the facility is to be located;
- (b) The applicant is the lessee of the land where the facility is to be located; and
- (c) The acreage meets the requirements of a commercial or noncommercial foxhound training enclosure by providing:

- (1) The boundary of a shooting area shall be marked with signs:
 - (a) At least eight (8) inches by twelve (12) inches;
 - (b) Having a white background with contrasting letters at least one (1) inch high;
 - (c) That read "Shooting Area"; and
 - (d) Placed no more than 500 feet apart.
- (2) A person shall check in at a designated check station or with the operator of a shooting area before hunting.
- (3) A permit holder shall maintain a daily record of people using the area, which **shall include [includes]** each person's:
 - (a) Name;
 - (b) Address; and
 - (c) Hunting license number.
- (4) A permit holder shall:
 - (a) Obtain a bill of sale or receipt for each purchase that contains the number of:
 1. Game birds purchased; or
 2. Game bird eggs purchased; and
 - (b) Retain previous year's records and receipts for at least one (1) full year.
- (5) A permit holder shall possess a commercial captive wildlife permit, if applicable, pursuant to 301 KAR 2:081.
- (6) A field trial may be held on a shooting area year-round.

Section 6. Dog Training Area Requirements.

- (1) A dog training area shall be between ten (10) and seventy-five (75) acres in size.
- (2) The dog training area shall:
 - (a) Be contiguous;
 - (b) Consist of at least ninety (90) percent mowed or cut grass no greater than ten (10) inches in height; and
 - (c) Have a marked boundary with signs:
 1. At least eight (8) inches by twelve (12) inches high;
 2. Having a white background with contrasting letters at least one (1) inch high;
 3. That read "Dog Training Area"; and
 4. Placed no more than 150 feet apart.
- (3) A permit holder shall maintain a daily record of people using the area, which **shall include [includes]** each person's:
 - (a) Name;
 - (b) Address; and
 - (c) Hunting license number.
- (4) A permit holder shall retain previous year's records and receipts for at least one (1) full year.
- (5) A person using a dog training area shall possess:

(d) Have a minimum of twelve (12) inches of additional fence bent inward at a ninety (90) degree angle or at least one (1) strand of electric wire at the top of the fence capable of preventing red fox and coyote from climbing out;

(e) Have modifications in place at gates, creeks, and similar weaknesses to prevent escape of red fox or coyote; and

(f) Maintain fences and electric wire to be in working order at all times and free of debris or vegetation that enable red fox or coyote to escape.

(5) A commercial or noncommercial foxhound training permit holder shall:

(a) Limit the number of dogs to no more than one (1) dog per two (2) acres for enclosures 100 acres or greater and no more than one (1) dog per three (3) acres for enclosures less than 100 acres.

(b) Limit the number of red fox and coyote combined to no more than one (1) animal per five (5) acres maximum at any time.

(c) Only obtain red fox or coyote:

1. From a licensed trapper who has a noncommercial captive wildlife permit as established in 301 KAR 2:081;

2. During the furbearer trapping season; and

3. Within the county of the permitted commercial or noncommercial foxhound training enclosure.

(d) Quarantine red fox and coyote:

1. In a separate quarantine enclosure from the training enclosure where animals in quarantine cannot come in contact with free ranging wildlife or red fox and coyote within the training enclosure;

2. Within a separate quarantine enclosure that meets or exceeds the minimum size requirements for red fox and coyote as specified in 301 KAR 2:081; and

3. For a minimum of seven (7) days.

(e) Acclimate newly introduced red fox and coyote within the commercial or noncommercial foxhound training enclosure for a minimum of an additional seven (7) days following quarantine prior to dog training.

(f) Only release healthy and unaltered red fox and coyote that have not been physically altered in any way into commercial and noncommercial foxhound training enclosures.

(g) Only maintain red fox and coyote in captivity in a sanitary and safe condition and in a manner that does not result in the maltreatment or neglect of wildlife.

(h) Only allow dog training within an enclosure for a maximum of sixteen (16) hours within a twenty-four (24) hour period.

(i) Provide red fox and coyote with the following:

1. A diet that meets the nutritional needs of the animals;

2. Clean water;

3. Shelter from inclement weather; and

(a) Allow a department game warden~~[law enforcement personnel]~~ to inspect the facility at any reasonable time;

(b) Maintain a registry of names, addresses, phone numbers, and dates hunted for one (1) year of all participants engaging in foxhound training activities or field trials to be provided to department staff upon request for purposes of disease response; and

(c) Maintain the following records and report to the department annually by submitting a Foxhound Training Enclosure Annual Report form:

1. The number of all red foxes and coyotes trapped for release into the enclosure;
2. The name, address, phone number, trapping license number, and noncommercial captive wildlife permit number of the trapper associated with each red fox and coyote;
3. The county of origin for each red fox and coyote;
4. The capture and release dates for each red fox and coyote; and
5. All missing, escaped, or killed red fox and coyote.

(d) Report shall be provided to the department within thirty (30) days of the expiration date of the permit.

Section 9. Revocation for Dog Training Area, Shooting Area, and Bobwhite Quail Shoot to Train Permits.

(1) Revocation. A person who is convicted of a fish and wildlife violation, including KRS Chapter 150, KAR Title 301, or any federal fish and wildlife laws, shall have ~~the~~his or her permit revoked for a period of one (1) year.

(2) Appeal Procedures. An individual whose request for a permit has been denied or revoked may request an administrative hearing pursuant to KRS Chapter 13B.

Section 10. Permit Denial and Revocation for Commercial and Noncommercial Foxhound Training Enclosures.

(1) Denial. The department shall deny the issuance of a new permit, deny a renewal of an existing or lapsed permit, and may confiscate wildlife of a person who:

(a) Is convicted of a violation of any provisions of:

1. KRS Chapter 150;
2. KAR Title 301; or
3. Any federal statute or regulation related to hunting, fishing, or wildlife;

(b) Provides false information on a commercial or noncommercial foxhound training enclosure permit application;~~;~~ captive wildlife permit application, **incorporated by reference in 301 KAR 2:081;** reports;~~;~~ facility inspection;~~;~~ or records;

(c) Acquires red fox or coyote prior to receiving an approved commercial or noncommercial foxhound training enclosure permit;

(d) Acquires red fox or coyote from an illegal source, location, or outside the legal season;

(e) Fails a facility inspection;

grounds established in this section shall be ineligible to reapply, and all applications denied:

(a) Permanently for commercial and noncommercial foxhound training enclosures within the rabies surveillance zone; and

(b) For commercial and noncommercial foxhound training enclosures outside the rabies surveillance zone:

1. The initial denial period, for one (1) year;
2. A second denial period, for three (3) years; and
3. A third or subsequent denial period, for five (5) years.

(5) Confiscated wildlife.

(a) All red fox and coyote may be confiscated if a commercial and noncommercial foxhound training enclosure permit is revoked or denied or if a person possesses red fox or coyote without a valid commercial or noncommercial foxhound training enclosure permit.

(b) Confiscated wildlife shall be released, transferred, or dispatched as ordered by the department.

(c) Wildlife shall not be returned to the person, entity, or facility from which they were confiscated.

(d) Wildlife shall be surrendered to the department, for processing and disposition pursuant to this administrative regulation, upon being presented with a written order by the commissioner.

(6) Administrative hearings.

(a) An individual whose permit has been denied or revoked may request an administrative hearing, which shall be conducted pursuant to KRS Chapter 13B.

(b) A request for a hearing shall be in writing and postmarked or delivered in person to the department no later than thirty (30) days after notification of the denial or the revocation.

(c) Upon receipt of the request for a hearing, the department shall proceed according to the provisions of KRS Chapter 13B.

(d) The hearing officer's recommended order shall be considered by the commissioner, and the commissioner shall issue a final order, pursuant to KRS Chapter 13B.

Section 11. Incorporation by Reference.

(1) The following material is incorporated by reference:

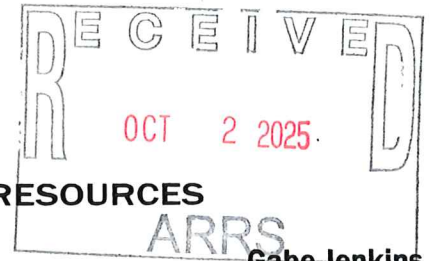
(a) "Bobwhite Quail Shoot-to-Train Application", July 2012 edition;

(b) "Dog Training Area Permit Application", May 2025~~[July 2012]~~ edition;

(c) "Foxhound Training Enclosure Permit Application and Checklist", May 2025~~[2024]~~ edition;

(d) "Foxhound Training Enclosure Permit Annual Report", 2024 edition;

(e) "Shooting Area Permit Application", May 2025~~[July 2012]~~ edition; and



KENTUCKY DEPARTMENT OF FISH & WILDLIFE RESOURCES

Rich Storm
Commissioner

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Gabe Jenkins
Deputy Commissioner

September 29, 2025

Senator Stephen West, Co-Chair
Representative Derek Lewis, Co-Chair
c/o Emily Caudill, Regulation Compiler
Administrative Regulation Review Subcommittee
Legislative Research Commission
Rm 083, Capitol Annex
Frankfort KY 40601

Re: 301 KAR 2:041. Shooting areas, dog training areas, commercial and noncommercial foxhound training enclosures, and bobwhite shoot-to-train season., 301 KAR 2:075. Wildlife rehabilitation permit., 301 KAR 2:083. Holding and intrastate transportation of captive cervids., 301 KAR 2:195. Falconry, raptor take, and raptor propagation., 301 KAR 2:230. Shoot-to-retrieve field trial permits and procedures.

Dear Co-Chairs:

After discussions with Administrative Regulation Review Subcommittee staff of the issues raised by 301 KAR 2:041; 2:075; 2:083; 2:195; and 2:230 Kentucky Department of Fish and Wildlife Resources proposes the attached suggested substitute to 301 KAR 2:041., 2:075., 2:083., 2:195., 2:230 to this ordinary regulation.

Sincerely,

Jenny Gilbert
Legislative Liaison
Commissioner's Office
Kentucky Department of Fish and Wildlife Resources
1 Sportsmen's Lane
Frankfort, KY 40601

**9/24/2025 11:06 AM
SUGGESTED SUBSTITUTE**

**TOURISM, ARTS AND HERITAGE CABINET
Department of Fish and Wildlife Resources
(Amendment)**

301 KAR 2:083. Holding and intrastate transportation of captive cervids.

RELATES TO: KRS 13B, 150.010(42), 150.290, 150.725, 150.730, 150.735, 150.740

STATUTORY AUTHORITY: KRS 150.025(1), 150.280, 150.720, 150.730, 150.735

CERTIFICATION STATEMENT: The Kentucky Department of Fish and Wildlife Resources, pursuant to statutory authority to promulgate administrative regulations to carry out the provisions of KRS Chapter 150 as established in KRS 150.025 and as an independent department of state government within the meaning of KRS Chapter 12 as established in KRS 150.021(1), promulgated by the Commissioner with approval of the Commission in accordance with KRS 150.010(1), does hereby certify this administrative regulation is promulgated in compliance with Section 8 of 2025 RS HB6.

NECESSITY, FUNCTION, AND CONFORMITY: KRS 150.025 authorizes the department to regulate the buying, selling, or transportation of wildlife. KRS 150.280 requires the department to promulgate administrative regulations relating to propagating and holding of wildlife. KRS 150.720 requires the department to promulgate administrative regulations pertaining to the importation and holding of cervids, including privately-owned and farm-raised cervids. KRS 150.730 authorizes the department to issue or deny permits to hold captive cervids. KRS 150.735 authorizes the department to promulgate administrative regulations relating to the expansion of captive cervid facilities and the transfer of permits. This administrative regulation establishes the requirements for holding and intrastate transporting of cervids in Kentucky.

Section 1. Definitions.

(1) "Approved laboratory" means:

- (a) The National Veterinary Service Laboratory in Ames, Iowa; or
- (b) Any other laboratory approved by the Administrator of the Animal and Plant Health Inspection Service of the United States Department of Agriculture.

(2) "Captive cervid" means a cervid that is privately owned, born, and raised in captivity, and not considered wildlife as established in KRS 150.010.

(3) "Captive cervid permit" means a permit issued by the Kentucky Department of Fish and Wildlife Resources that authorizes the holding of~~is required to hold~~ cervids in captivity, with the exception of~~and does not include~~ shooting areas, which are~~preserves as~~ permitted under 301 KAR 2:041.

(4) "Cervid" is defined by KRS 150.010(4)~~means a member of the family Cervidae~~.

(5) "Chronic Wasting Disease" or "CWD" means a transmissible spongiform encephalopathy found in cervids.

(6) "Flop tag" means a commercial plastic ear tag used to identify livestock.

(7) "Line post" means a post in a fence that is not a corner or end post.

(8) "Noncommercial captive cervid permit" means a permit issued prior to March 1, 2016, that allows a person to possess captive cervids that are not intended for sale, offered for sale, traded, or bartered.

Section 2. Fencing and Holding Requirements.

(1)

(a) An exterior fence shall:

1. Be at least eight (8) feet above ground level for its entire length: ~~and~~

2. Consist of twelve and one-half (12 1/2) gauge woven wire, fourteen and one-half (14 1/2) gauge high-tensile woven wire, wood planks, or chain link.

(b) A single or double strand of barbed wire strung across the top to bring the total fence height to eight (8) feet shall be acceptable.

(c) Strands of barbed wire shall not be more than six (6) inches apart and shall not be more than five (5) inches from the top of the fencing, as established in this subsection and subsection (2) of this section.

(d) Spacing between vertical wires shall not exceed:

1. Six and one-half (6 1/2) inches for captive deer or species whose adult size is less than 400 pounds; and

2. Twelve (12) inches for captive elk or species whose adult size is 400 pounds or more.

(e) If two (2) woven wire fences are combined, one (1) above the other, the woven wire fences shall be overlapped at least six (6) inches and firmly attached to each other at intervals no greater than three (3) feet.

(f) The fence bottoms shall be installed to provide not more than three (3) inches of ground clearance.

(2) Right-of-way.

(a) **Except as established in paragraph (b) of this subsection,** the fence right-of-way shall be cleared for a distance of six (6) feet on each side.

(b) If the fence is a property boundary fence, the fence right-of-way shall be cleared for a distance of six (6) feet on the inside only.

(c) If dead timber with a height greater than the distance of the fence exists on the permittee's property, it shall be felled.

(3)

(a) Fence posts shall:

1. Extend a minimum of eight (8) feet above the ground; and

2. ~~shall~~ Be of sufficient strength to maintain the fence integrity.

(b) Pine wood posts shall be treated.

(c) Posts shall be set to a minimum depth of three (3) feet.

(d) T-posts shall be installed according to manufacturers' specifications.

(4) Line posts.

(a) Wooden line posts shall be a minimum of four (4) inches in diameter and shall not be spaced more than twenty-four (24) feet apart.

(b) Steel pipeline posts shall:

1. Be a minimum of two and three-eighths (2 3/8) inches in outside diameter;
2. Weigh a minimum of three (3) pounds per foot; and
3. Not be spaced more than twenty-four (24) feet apart.

(c) Metal "T" posts shall be:

1. A minimum of one and one-quarter (1.25) pounds per foot; and
2. ~~[shall be]~~ Spaced no more than twenty (20) feet apart.

(d) If the woven wire is not high tensile, there shall be a wooden or steel pipe post every sixty (60) feet.

(5) Corner and end posts.

(a) Wooden corner and end posts shall be a minimum of five (5) inches in diameter.

(b) Steel pipe corner and end posts shall be a minimum of two and seven-eighths (2 7/8) inches in outside diameter.

(c) Corner and end posts of other materials shall be of sufficient strength to maintain the fence integrity.

(6) Gates shall be:

(a) Substantially constructed to meet the specifications of the fence; and

(b) Equipped with at least one (1) latching and one (1) locking device.

(7)

(a) Swinging water gaps and stream crossings shall be constructed to equal or exceed the standards of the fence.

(b) Crossings shall be adequate to prevent ingress and egress during high water.

(c) **The following shall be** permissible water gaps ~~[are established in subparagraphs 1. through 4. of this paragraph]~~:

1. **For larger water gaps:**

a. Swinging gates constructed to match the contour of the stream supported by cable or hinge ~~[(larger water gaps)]~~; **and**

b. ~~[2.]~~ Pipe with swinging barrier ~~[(larger water gaps)]~~;

2. **For smaller water gaps:**

a. ~~[3.]~~ Pipe with fixed mesh barrier ~~[(smaller water gaps)]~~; and

b. ~~[4.]~~ Heavy gauge woven barrier contoured to fit the gap ~~[(smaller water gaps)]~~.

(8) If topographic, natural, or other conditions exist that enable cervids to pass through, under, or over the fence, the permittee shall be required to supplement the fence with:

(a) Additional, stronger, or higher fence posts;

(b) ~~[.]~~ Special grading;

(c) ~~[.]~~ Additional wire to increase fence height; ~~[.]~~ or

(d) Other measures to prevent escape.

(9) Maintenance. The fence shall continuously be maintained in a game-proof condition.

(10) A noncommercial captive cervid permit holder shall:

(a) Separate all adult males and females with fencing as established in this section;

(b) Not allow breeding, either by natural or artificial insemination;

(c) Not introduce any additional captive cervids to the facility;

- (d) Complete and submit to the department a Captive Cervid Annual Reporting Form by February 28 of each year;
- (e) Report any cervid deaths to the department by telephone at 800-858-1549 within forty-eight (48) hours; and
- (f) Submit tissue specimens of all captive cervids that die in the permit holder's facility to an approved laboratory for CWD testing.

Section 3. Capture and Handling Facilities.

- (1) Except as established in subsection (2) of this section, each captive facility shall have a squeeze chute or crush that facilitates inspection, handling, or capture of an individual animal.
- (2) If a permittee's facility does not have the handling or capture facilities established in subsection (1) of this section, the alternative shall be a dart gun or tranquilizer that immobilizes the animal.

Section 4. Tagging.

- (1) Captive cervids shall be identified in accordance with the Kentucky Department of Agriculture's Chronic Wasting Disease program requirements established in 302 KAR 22:150.
- (2) Except as established in subsection (3) of this section, captive cervids over six (6) months old shall be uniquely identified with a plastic flop tag in at least one (1) ear that is clearly visible and identifiable.
- (3) Upon written request, the department shall approve one (1) of the alternatives for plastic flop tags established in paragraphs (a) through (c) of this subsection for bona fide zoos, nature centers, or similar educational institutions:
 - (a) Lip or ear tattoo;
 - (b) Microchip; or
 - (c) Branding.

Section 5. Ingress and Egress.

- (1) The permit holder shall be responsible for immediately capturing or destroying escaped animals upon discovering their escape.
- (2) If the permit holder is unable to capture an escaped animal within forty-eight (48) hours from discovering its escape, the permit holder shall report each escape to the department by telephone at 1-800-858-1549.
- (3) The permit holder shall send a written report to the Kentucky Department of Fish and Wildlife Resources, #1 Sportsman's Lane, Frankfort, Kentucky 40601, ATTN: Captive Cervid Permits, within ten (10) days, describing what escaped and the reason for the escape.
- (4) The permit holder shall report known ingress of wild cervids into the enclosure by sending a written report to the department at the same address established in subsection (3) of this section.
- (5) The department or any peace officer may seize, capture, or destroy escaped animals or those that have ingressed if necessary.

Section 6. Space Requirements.

- (1) For species whose adult weight is less than 400 pounds, each individual animal shall be allowed at least 1,000 square feet of space.
- (2) One (1) individual animal of a species whose adult weight is 400 pounds or more, shall require at least 1,500 square feet of space, with each additional animal requiring an additional 1,000 square feet of space.

Section 7. Prohibited Species. Except for cervids legally held prior to November 12, 2002, a captive cervid permit shall not be issued for the species established in subsections (1) through (4) of this section:

- (1) Genus Cervus spp., except Cervus elaphus nelsoni;
- (2) Genus Axis spp.;
- (3) Roe deer (Capreolus and Capreolus pygargus); or
- (4) Hybrids **of any of the species named in subsections (1) through (3) of this section[thereof].**

Section 8. Captive Cervid Permits.

- (1) Permit application and issuance. An application for a new or renewed captive cervid permit shall be processed in accordance with the provisions of KRS 150.730.
- (2) A captive cervid permit shall be valid only for the property and facility identified in the application and that is inspected as established in subsection (11) of this section. A cervid shall not be moved into a new or expanded facility until the facility has been issued a captive cervid permit by the department.
- (3) Zoos and other facilities fully accredited by and in good standing with the American Zoo and Aquarium Association shall not be required to obtain or renew a captive cervid permit, but facilities not accredited by the American Zoo and Aquarium Association shall be required to obtain and renew a captive cervid permit.
- (4) A captive cervid permit shall be required for a facility owned or leased by a person wishing to hold captive cervids.
- (5) A new noncommercial captive cervid permit shall not be issued to a facility after February 28, 2016.
- (6) All wild cervids shall be removed from the facility prior to initial inspection.
- (7) A permit shall identify the species ~~[and numbers]~~ of cervids being held.
- (8) Duration.
 - (a) A captive cervid permit shall be valid for one (1) year beginning March 1 through the last day of February and may be renewed annually upon payment of the annual fee, **established in 301 KAR 5:022,** and proof of compliance with all applicable statutes and administrative regulations.
 - (b) A noncommercial captive cervid permit shall be valid for three (3) years beginning March 1 through the last day of February and may be renewed every third year upon payment of the fee and proof of compliance with all applicable statutes and administrative regulations.
- (9) A holder of a noncommercial captive cervid permit prior to March 1, 2016, shall be allowed to hold captive cervids for the life of the animals, after which the permit shall not be valid.

(10) Transfers. A captive cervid permit may be transferred if an existing and currently permitted facility is sold or leased to a person or entity who shall maintain and operate the facility pursuant to KRS 150.735(3).

(a) The original captive cervid permit holder who is transferring the permit shall be compliant with all provisions of this administrative regulation prior to transfer.

(b) Prior to transfer of the permit to a new owner or lessee, the facility shall be inspected for compliance as provided by subsection (11) of this section.

(c) The purchaser or lessee of the facility shall:

1. Apply for transfer of the existing captive cervid permit on a department Captive Cervid Permit Transfer Application form;

2. Attach a copy of the deed indicating change of ownership or the lease agreement between the parties conducting the transfer; and

3. Send all application materials to the department at #1 Sportsman's Lane, Frankfort, Kentucky 40601, ATTN: Captive Cervid Permits, within thirty (30) days after the inspection.

(d) A transferred captive cervid permit may be renewed by the new owner or lessee completing a Captive Cervid Permit Application.

(e) A noncommercial captive cervid permit shall not be transferred.

(11) Inspections.

(a) Before a captive cervid permit or noncommercial captive cervid permit is issued, renewed, or transferred, each facility or facility expansion shall pass an inspection that certifies it is in compliance with all applicable statutes and administrative regulations.

(b) Upon completion of a facility or facility expansion, or if a facility is to be sold or otherwise transferred, the permit applicant or holder shall notify the department to request an inspection that shall be conducted within thirty (30) days of receipt of the request.

(c) Each facility shall be inspected annually after issuance of a captive cervid permit or noncommercial captive cervid permit to certify and document that the facility is in compliance with this administrative regulation.

(d) A Captive Cervid Facility Inspection Form shall be completed by a department law enforcement captain, who shall then forward the original copy to department headquarters for processing.

(12) Revocation or suspension.

(a) The department shall issue a notice of violation in the form of a certified letter to a person who is not in compliance with this administrative regulation, 302 KAR 22:150, or a Kentucky statute pertaining to the holding of captive cervids.

(b) The department shall suspend the permit of a person who has received a notice of violation until the person complies with this administrative regulation and applicable statutes.

(c) The department shall issue a citation to a person who has failed to comply with this administrative regulation or applicable statutes within sixty (60) days from the date of the notice of violation.

(d) If convicted of a violation of this administrative regulation, the department shall:

1. Revoke the permit; and

2. Seize the captive cervids.

(e) A person who has a captive cervid permit revoked or suspended shall not, without the written approval of the department:

1. Transfer or expand the facility; or
2. Sell, offer to sell, trade, transport, hunt, or slaughter captive cervids that are housed in that facility.

(13) Appeal procedures. An individual whose request for a permit has been denied or revoked may request an administrative hearing pursuant to KRS Chapter 13B.

(14) Expansions.

(a) A facility may be expanded and shall conform to the fencing specifications established in this administrative regulation.

(b) Facility expansions shall be adjacent and connected to the currently permitted facility.

(c) Cervids shall not be introduced into the expanded portion of a facility until that expansion has been inspected and approved by the department as established in subsection (11) of this section.

Section 9. Origin and Disposition of Captive Cervids.

(1) Cervids obtained from the wild shall only be held by a permitted wildlife rehabilitator pursuant to 301 KAR 2:075.

(2) Captive cervids shall not be released into the wild except for wild-born cervids released by a permitted wildlife rehabilitator pursuant to 301 KAR 2:075.

(3) Wild-born cervids held in captivity for rehabilitation purposes shall not:

- (a) Be housed in the same pen or otherwise housed in direct physical contact with cervids that were born in captivity; and
- (b) Be housed in a pen that has ever housed cervids that were born in captivity.

Section 10. Intrastate Movement of Cervids.

(1) Before a person may move a captive cervid within the state, an authorization number shall be obtained from the Kentucky Department of Agriculture pursuant to 302 KAR 22:150.

(2) A person transporting cervids shall have the authorization number issued by the Kentucky Department of Agriculture, and if applicable, the required health papers, in possession while transporting cervids.

Section 11. Selling Cervids. A permit holder who holds a captive cervid permit may sell live cervids, parts thereof, or products produced by captive cervids, if those animals were not obtained from the wild in Kentucky.

Section 12. Incorporation by Reference.

(1) The following material is incorporated by reference:

- (a) "Captive Cervid Permit Application", May 2025~~[2016]~~ edition;
- (b) "Captive Cervid Permit Transfer Application", June 2025~~[2016]~~ edition;
- (c) "Captive Cervid Facility Inspection Form", 2016 edition; and
- (d) "Captive Cervid Annual Reporting Form", 2017 edition.

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the office of the Department of Wildlife Resources, #1 Sportsman's Lane, Frankfort, Kentucky 40601, Monday through Friday, 8 a.m. to 4:30 p.m. or online at:

(a) [https://fw.ky.gov/Wildlife/Documents/Captive Cervid Permit Application Form.pdf](https://fw.ky.gov/Wildlife/Documents/Captive_Cervid_Permit_Application_Form.pdf) for the "Captive Cervid Permit Application";

(b) <https://fw.ky.gov/Wildlife/Documents/CaptiveCervidPermitTransferForm.pdf> for the "Captive Cervid Permit Transfer Application";

(c) <https://fw.ky.gov/Wildlife/Documents/CaptiveCervidInspectionForm.pdf> for the "Captive Cervid Facility Inspection Form"; ***and***

(d) <https://fw.ky.gov/Wildlife/Documents/Captive-Cervid-Ann-Rpt-Form.pdf> for the "Captive Cervid Annual Reporting Form".



KENTUCKY DEPARTMENT OF FISH & WILDLIFE RESOURCES

Rich Storm
Commissioner

#1 Sportsman's Lane
Frankfort, Kentucky 40601
Phone (502) 564-3400
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September 29, 2025

Senator Stephen West, Co-Chair
Representative Derek Lewis, Co-Chair
c/o Emily Caudill, Regulation Compiler
Administrative Regulation Review Subcommittee
Legislative Research Commission
Rm 083, Capitol Annex
Frankfort KY 40601

Re: 301 KAR 2:041. Shooting areas, dog training areas, commercial and noncommercial foxhound training enclosures, and bobwhite shoot-to-train season., 301 KAR 2:075. Wildlife rehabilitation permit., 301 KAR 2:083. Holding and intrastate transportation of captive cervids., 301 KAR 2:195. Falconry, raptor take, and raptor propagation., 301 KAR 2:230. Shoot-to-retrieve field trial permits and procedures.

Dear Co-Chairs:

After discussions with Administrative Regulation Review Subcommittee staff of the issues raised by 301 KAR 2:041; 2:075; 2:083; 2:195; and 2:230 Kentucky Department of Fish and Wildlife Resources proposes the attached suggested substitute to 301 KAR 2:041., 2:075., 2:083., 2:195., 2:230 to this ordinary regulation.

Sincerely,

Jenny Gilbert
Legislative Liaison
Commissioner's Office
Kentucky Department of Fish and Wildlife Resources
1 Sportsmen's Lane
Frankfort, KY 40601

**9/24/2025 11:09 AM
SUGGESTED SUBSTITUTE**

**TOURISM, ARTS AND HERITAGE CABINET
Department of Fish and Wildlife Resources
(Amendment)**

301 KAR 2:195. Falconry, raptor take, and raptor propagation.

RELATES TO: KRS **13B**, 150.010, **150.170**, 150.180, 150.183, 150.290, 150.305, 150.320, 150.330, 150.360

STATUTORY AUTHORITY: KRS 150.025(1), 150.280(1), 50 C.F.R. Parts 13, 17, 21, 22

CERTIFICATION STATEMENT: The Kentucky Department of Fish and Wildlife Resources, pursuant to statutory authority to promulgate administrative regulations to carry out the provisions of KRS Chapter 150 as established in KRS 150.025 and as an independent department of state government within the meaning of KRS Chapter 12 as established in KRS 150.021(1), promulgated by the Commissioner with approval of the Commission in accordance with KRS 150.010(1), does hereby certify this administrative regulation is promulgated in compliance with Section 8 of 2025 RS HB6.

NECESSITY, FUNCTION, AND CONFORMITY: KRS 150.025(1) authorizes the department to promulgate administrative regulations establishing open seasons for the taking of wildlife, bag limits, and methods of taking wildlife, and to make these requirements apply to a limited area. KRS 150.280(1) requires the department to promulgate administrative regulations establishing procedures for propagating and holding of protected wildlife. 50 C.F.R. Parts 13, 17, 21, and 22 establish requirements for permitting, taking, possessing, and selling of raptors and endangered and threatened species. This administrative regulation establishes permitting, taking, possessing, and reporting requirements for people engaged in falconry and raptor propagation.

Section 1. Definitions.

- (1) "Adult" means a raptor that is at least one (1) year old.
- (2) "Captive-bred raptor" means a raptor, or the eggs thereof, hatched in captivity from parents in captivity.
- (3) "Eyas" means a young raptor that is still in the nest and not capable of flight.
- (4) "Falconry" means caring for and training wild or captive-bred raptors for the pursuit of wild game.
- (5) "Hack" means the temporary release of a raptor held for falconry to the wild so that it can survive on its own.
- (6) "Hybrid raptor" means an offspring produced by two (2) distinct raptor species.
- (7) "Imprinted" means a raptor that has been hand-raised by a human in isolation from the sight of other raptors from two (2) weeks of age through fledging.
- (8) "Native raptor" means a raptor species which has historically existed or currently exists in the wild in Kentucky without introduction by humans.

- (9) "Passage bird" means a raptor less than one (1) year of age that is capable of sustained flight and is no longer dependent on parental care.
- (10) "Wild raptor" means a raptor that was originally taken from the wild.

Section 2. Federal requirements. Except as established in Sections 3 through 11 of this administrative regulation, a person shall be in compliance with the federal requirements established in 50 C.F.R. Parts **13, 17, 21, and 22**:

~~(1) 13;~~

~~(2) 17;~~

~~(3) 21; and~~

~~(4) 22].~~

Section 3. Permits and Licenses.

- (1) A person shall be required to obtain and possess a valid falconry permit to take or possess a raptor for use in falconry.
- (2) A raptor obtained with a valid falconry permit shall not be used or kept for purposes other than falconry.
- (3) A person with a valid state or federal falconry permit:
- (a) May take wildlife pursuant to applicable statewide requirements if the falconer:
 - 1. Has a valid Kentucky hunting license; or
 - 2. Is hunting license exempt pursuant to KRS 150.170; and
 - (b) Shall not be required to obtain a wildlife transportation permit pursuant to 301 KAR 2:081 and 2:082 if the person:
 - 1. Is importing or transporting a legally held falconry raptor into Kentucky; or
 - 2. Is transporting a legally held falconry raptor into and through Kentucky to a destination outside of Kentucky.

Section 4. Falconry Permit Requirements, Classes of Permits, and Apprentice Sponsors.

- (1) To obtain a falconry permit of any class, a person shall:
- (a) Complete a Kentucky Falconry Permit Application form provided by the Department; and
 - (b) Submit to the department:
 - 1. The completed application;
 - 2. The appropriate fee, as referenced at <https://fw.ky.gov/Licenses/Pages/Fees.aspx> and established in 301 KAR 5:022~~established in 301 KAR 3:022~~; and
 - 3. A completed Raptor Facilities and Equipment Inspection Report form signed by a department conservation officer, department biologist, or department approved representative.
- (2) An apprentice falconry permit applicant shall:
- (a) Be at least twelve (12) years old;
 - (b) Obtain a sponsor who holds a valid Kentucky general or master falconry permit pursuant to subsection (12) of this section;
 - (c) If under eighteen (18) years old, have a parent or legal guardian co-sign the application;

- (d) Contact the department to schedule a time to take a written exam administered by the department;
 - (e) Provide photo identification prior to taking the exam;
 - (f) Complete the written exam within ninety (90) minutes;
 - (g) Only take the written exam one (1) time in a given day; and
 - (h) Pass the written examination by scoring a minimum of eighty (80) percent.
- (3) An applicant shall not take more than three (3) exams in any twelve (12) month period.
- (4) A person shall submit an application within twelve (12) months of passing the falconry exam, or the application shall be invalid.
- (5) An apprentice class falconry permit holder shall:
- (a) Only possess one (1) of the following wild or captive-bred raptors at any given time:
 - 1. American kestrel (*Falco sparverius*);
 - 2. Red-tailed hawk (*Buteo jamaicensis*);
 - 3. Red-shouldered hawk (*Buteo lineatus*); or
 - 4. Harris's hawk (*Parabuteo unicinctus*);
 - (b) Not possess a raptor:
 - 1. Taken from the wild as a nestling; or
 - 2. That is imprinted on humans; and
 - (c) Only take a wild raptor under the direct supervision of the permit holder's sponsor.
- (6) A general class falconry permit applicant shall:
- (a) Be at least sixteen (16) years old;
 - (b) If under eighteen (18) years old, have a parent or legal guardian co-sign the application;
 - (c) Have practiced falconry at the apprentice level for at least two (2) years; and
 - (d) Have complied with all previous year reporting requirements, if applicable, pursuant to Section 7 of this administrative regulation.
- (7) A first time general class permit applicant shall:
- (a) Submit to the department a completed Kentucky Apprentice Falconer Activity Report;
 - (b) Practice falconry with a wild raptor at the apprentice level for at least two (2) years; and
 - (c) Maintain, train, and hunt with a raptor for an average of six (6) months per year with at least four (4) months in each year.
- (8) A general class falconry permit holder shall:
- (a) Be allowed to possess the following:
 - 1. A raptor obtained from the wild;
 - 2. A hybrid raptor; or
 - 3. A captive-bred raptor; and
 - (b) Not possess more than three (3) of the following raptors at any given time:
 - 1. Great horned owl (*Bubo virginianus*); or
 - 2. Any member of the Order Falconiformes, except for the following species which shall not be possessed:
 - a. Golden eagle (*Aquila chrysaetos*);
 - b. Bald eagle (*Haliaeetus leucocephalus*);
 - c. White-tailed eagle (*Haliaeetus albicilla*); or

- d. Stellar's sea eagle (*Haliaeetus pelagicus*).
- (9) A master class falconry permit applicant shall:
- (a) Have held a valid general class falconry permit for at least five (5) years; and
 - (b) Have complied with all previous year reporting requirements, pursuant to Section 7 of this administrative regulation.
- (10) A first time master class permit applicant shall submit to the department a completed Kentucky General Falconer Upgrade Report, signed by the applicant and one (1) reference who is a permitted master or general class falconer, attesting that the applicant has practiced falconry:
- (a) At the general class permit level for at least five (5) years; and
 - (b) For an average of four (4) months a year, in at least four (4) out of the last five (5) years.
- (11) A master class falconry permit holder:
- (a) Shall not possess more than five (5) of the following wild raptors at any given time:
 - 1. Great horned owl; and
 - 2. Any member of the Order Falconiformes except a bald eagle;
 - (b) Shall obtain prior approval from the department pursuant to the requirements of 50 C.F.R. 21 and 22 to possess any of the following raptors:
 - 1. Golden eagle;
 - 2. White-tailed eagle; or
 - 3. Stellar's sea eagle; and
 - (c) May possess any number of captive-bred raptors of the species allowed in paragraph (a) and (b) of this subsection.
- (12) An apprentice sponsor shall:
- (a) Not have more than three (3) apprentices at any given time;
 - (b) Be at least eighteen (18) years old;
 - (c) Possess a valid Kentucky general or master class falconry permit;
 - (d) Have held a general class falconry permit for a minimum of two (2) years; and
 - (e) Submit a signed letter to the department:
 - 1. Attesting that the sponsor will assist the apprentice in:
 - a. Learning about the husbandry and training of raptors held for falconry;
 - b. Learning relevant wildlife laws and regulations;
 - c. Deciding which species of raptor is most appropriate for the apprentice to possess;
 - d. Providing direct supervision to the apprentice while trapping wild raptors; and
 - e. Evaluating the apprentice's facility and bird a minimum of one (1) time every twelve (12) months; and
 - 2. Containing the sponsor's:
 - a. Name;
 - b. Falconry permit number;
 - c. Address; and
 - d. Telephone number.
- (13) A sponsor who is withdrawing sponsorship of an apprentice shall:
- (a) Notify the department in writing within five (5) days of withdrawing the sponsorship; and

- (b) Provide the apprentice with a signed and dated document stating the length of time that the apprentice practiced falconry under the sponsor's guidance.
- (14) An apprentice who loses sponsorship shall obtain a new sponsor within thirty (30) days from the sponsor's notification of withdrawal.
- (15) A new sponsor shall be in compliance with the requirements established in subsection (7) of this section.
- (16) If an apprentice fails to obtain a new sponsor within thirty (30) days, the department shall:
- (a) Revoke the apprentice's falconry permit; and
 - (b) Confiscate any raptor in the apprentice's possession if the apprentice does not transfer ownership of the raptor to another licensed falconer.
- (17) A non-resident falconer who moves to Kentucky to establish residency shall apply for the appropriate Kentucky falconry permit within thirty (30) days after moving.
- (18) A resident falconry applicant who is a new resident of the United States shall obtain the appropriate Kentucky falconry permit by:
- (a) Meeting the application requirements established in subsection (1) of this section;
 - (b) Contacting the department to schedule a time to take a written examination administered by the department;
 - (c) Passing the written examination by scoring a minimum of eighty (80) percent; and
 - (d) Providing to the department written documentation of previous falconry experience including:
 - 1. The number of years the applicant has practiced falconry;
 - 2. The raptor species used in falconry; and
 - 3. The game species taken with falconry.
- (19) A person who held a valid Kentucky falconry permit within the last five (5) years, but has allowed the permit to lapse, may apply for reinstatement at the class level previously held by:
- (a) Complying with the application requirements established in subsection (1) of this section; and
 - (b) Providing the department with proof of previous certification at that class level.
- (20) An apprentice or general falconer whose Kentucky falconry permit has lapsed for a period greater than five (5) years may apply for reinstatement at the class level previously held by:
- (a) Complying with the application requirements established in subsection (1) of this section;
 - (b) Complying with the examination requirements established in subsection (2) of this section; and
 - (c) Providing the department with proof of previous certification at that class level.
- (21) A master class permittee whose Kentucky falconry permit has lapsed for a period greater than five (5) years will be reinstated at the general class level, provided he satisfies the application requirements in subsection (1) of this section.
- (a) A person formerly permitted at the master class level and reinstated at the general class level shall actively practice falconry for an average of four (4) months a year in at least two (2) out of the last three (3) years prior to upgrading to a master class permit.
 - (b) A person applying for master class reinstatement shall:
 - 1. Submit to the department a Kentucky General Falconer Upgrade Report;

2. Have complied with all previous years' reporting requirements, as established in Section 7; and
 3. Provide the department with proof of previous certification at the master class level.
- (22) A falconry permit holder shall not be required to pay the permit fee referenced at <https://fw.ky.gov/Licenses/Pages/Fees.aspx> and established in 301 KAR 5:022~~established in 301 KAR 3:022~~ if the permit holder's current permit has not yet expired and the permit holder is applying for:
- (a) An upgrade to the next falconry class; or
 - (b) A facility relocation.

Section 5. Facility, Equipment, and Care Requirements.

- (1) A falconry permit holder shall comply with all federal requirements established in 50 C.F.R. Part 21 for the permit holder's:
 - (a) Facility;
 - (b) Equipment; and
 - (c) Treatment and care for possessed raptors.
- (2) A permittee shall keep all:
 - (a) Raptors in humane and healthy condition; and
 - (b) Facilities and equipment in serviceable, safe, and sanitary condition, as established in 50 C.F.R. Part 21.
- (3) A falconry permit holder who is relocating a raptor facility shall:
 - (a) Notify the department within five (5) business days of relocation; and
 - (b) Have a relocated raptor facility inspected and approved by a department conservation officer, department biologist, or department approved representative within thirty (30) days of relocation.
- (4) A department conservation officer, department biologist, or department approved representative shall only inspect a raptor facility:
 - (a) In the presence of the permit holder;
 - (b) On a weekday; and
 - (c) Between 8 a.m. and 8 p.m. local time.

Section 6. Banding, Tagging, and Telemetry Requirements.

- (1) A falconry permit holder shall comply with federal banding, tagging, and telemetry requirements established in 50 C.F.R. Part 21.
- (2) A falconry permit holder who is required by federal regulations to band a raptor shall:
 - (a) Contact the department to request leg bands at least fifteen (15) days prior to obtaining a raptor; and
 - (b) Only use U.S. Fish and Wildlife Service leg bands that are issued by the department.
- (3) A falconry permit holder shall attach at least two (2) radio transmitters to a hybrid raptor if the permit holder is flying it untethered in the wild.

Section 7. Raptor Take and Release, Recordkeeping, and Reporting Requirements.

- (1) Unless exempted by KRS 150.170, a Kentucky falconry permit holder shall have in possession a valid Kentucky hunting license **if[when]** taking a raptor from the wild.
- (2) **if[when]** taking a raptor from the wild, a nonresident shall have in possession:
 - (a) A valid Kentucky nonresident hunting license;
 - (b) A valid falconry permit or equivalent from the nonresident's home state; and
 - (c) An approved Kentucky Nonresident Raptor Take Form.
- (3) To obtain a Kentucky Nonresident Raptor Take Form, a person shall:
 - (a) Print a copy of the form from the department's Web site at fw.ky.gov; or
 - (b) Contact the department at 800-858-1549 and request a mailed copy.
- (4) A person shall submit to the department a completed and signed Kentucky Nonresident Raptor Take Form at least fifteen (15) working days prior to the requested take date.
- (5) A falconry permit holder shall be responsible for complying with all applicable federal requirements if taking raptors on federal land.
- (6) A falconry permit holder who is a nonresident shall only take one (1) legal raptor in Kentucky per calendar year.
- (7) An approved Kentucky Nonresident Raptor Take Form shall only be issued to a person whose state of residence allows a Kentucky resident to legally take a raptor from that state.
- (8) A nonresident falconer who takes a raptor in Kentucky shall submit to the department a completed and signed Falconry Take Location Report within five (5) days of taking a bird.
- (9) A licensed falconer shall comply with all raptor take requirements established in 50 C.F.R. 21 in addition to the requirements established in this section.
- (10) A resident falconry permit holder shall not take more than two (2) raptors from the wild in any calendar year.
- (11) An eyas shall only be taken:
 - (a) By a general or master class falconry permit holder; and
 - (b) From January 1 through July 31.
- (12) A person shall not take more than one (1) sharp-shinned hawk (*Accipiter striatus*) eyas per calendar year.
- (13) There shall be an annual maximum quota for sharp-shinned hawk eyases of:
 - (a) Ten (10) for Kentucky residents; and
 - (b) Five (5) for nonresidents.
- (14) Prior to taking a sharp-shinned hawk eyas, a person shall be responsible for calling the department at 800-858-1549 to check if the sharp-shinned hawk eyas annual quota has been reached.
- (15) A person shall not take a sharp-shinned hawk eyas from a nest unless there are at least three (3) eyases in the nest.
- (16) Each person who takes a sharp-shinned hawk eyas shall submit to the department the Falconry Take Location Report within five (5) days of possession.
- (17) Any permit class falconer may take a passage bird if it is a species the falconer is allowed to possess as established in Section 4 of this administrative regulation.
- (18) The allowable period of take for:
 - (a) A passage bird, other than a great horned owl, shall be September 1 through January 31;

- (b) An adult or passage bird great horned owl shall be September 1 through October 31; and
- (c) An adult American kestrel shall only be taken from September 1 through January 31.
- (19) An adult American kestrel or adult great horned owl shall only be taken by a:
 - (a) General class permit holder; or
 - (b) Master class permit holder.
- (20) A person shall not release the following raptors into the wild:
 - (a) A non-native raptor;
 - (b) A hybrid raptor; or
 - (c) A captive-bred, native raptor.
- (21) Prior to releasing a raptor into the wild, a person shall remove all leg bands from the bird, except that a falconer who intends to release a wild caught peregrine falcon previously used in falconry shall contact the department's Falconry Coordinator to:
 - (a) Have the department band the bird with a permanent band; and
 - (b) Release the bird only in a county approved in writing by the department's Falconry Coordinator.
- (22) A falconry permit holder shall complete and submit to the department a federal form 3-186A or enter the required information in the federal database at <https://epermits.fws.gov/falcP/> within five (5) days if a raptor is:
 - (a) Acquired;
 - (b) Transferred;
 - (c) Released;
 - (d) Lost;
 - (e) Rebanded;
 - (f) Microchipped;
 - (g) Stolen; or
 - (h) Dead.
- (23) A falconer shall retain copies of each submitted 3-186A form or the electronically submitted data for a minimum of five (5) years following a raptor's:
 - (a) Transfer;
 - (b) Release;
 - (c) Loss; or
 - (d) Death.

Section 8. Transfer of Ownership and Propagation.

- (1) A falconry permit holder may transfer ownership of a wild-caught raptor pursuant to 50 C.F.R. Part 21, but shall not engage in the following activities with wild-caught raptors:
 - (a) Selling;
 - (b) Purchasing;
 - (c) Trading; or
 - (d) Bartering.
- (2) A falconry permit holder may transfer a wild-caught raptor to a person who possesses a valid federal raptor propagation permit if:

(a)

1. The raptor has been used in falconry for at least one (1) year for the following species:
 - a. Sharp-shinned hawk;
 - b. Cooper's hawk (*Accipiter cooperii*);
 - c. Merlin (*Falco columbarius*); or
 - d. American kestrel; or
2. The raptor has been used in falconry for at least two (2) years for all other legal species of raptor; and

(b) The person receiving the transferred bird possesses a valid state captive wildlife permit.

(3) A person who legally possesses a captive-bred raptor may engage in the activities listed in subsection (1)(a) through (d) of this section if:

(a)

1. The transferred bird is marked with a metal leg band; or
2. The transferred bird is implanted with a microchip pursuant to 50 C.F.R. Part 21; and

(b) The person in receipt of the bird possesses:

1. The appropriate class falconry permit; or
2. A valid federal raptor propagation permit.

(4) A person shall not breed or propagate a native raptor without first obtaining:

- (a) A federal raptor propagation permit, pursuant to 50 C.F.R. Part 21; and
- (b) The appropriate Kentucky captive wildlife permit, pursuant to 301 KAR 2:081.

(5) A person who is propagating a native raptor shall submit to the department copies of all the following materials required by 50 C.F.R. Part 21:

- (a) The raptor propagation application;
- (b) Propagation records; and
- (c) Propagation reports.

(6) The materials required in subsection (5) of this section shall be submitted to the department by the same dates required in 50 C.F.R. Part 21.

Section 9. Other Activities.

(1) A falconry permit holder may use a raptor for conservation education programs, pursuant to 50 C.F.R. Part 21.

(2) A falconry permit holder who is in compliance with the permit requirements for Special Purpose Abatement, pursuant to 50 C.F.R. Part 21, may receive payment for nuisance wildlife control work if the permit holder also possesses a valid Kentucky Commercial Nuisance Wildlife Control permit, pursuant to 301 KAR 3:120.

(3) A person may assist a permitted wildlife rehabilitator, as established in 301 KAR 2:075, in conditioning raptors for subsequent release into the wild if the person is:

- (a) A general or master class falconry permit holder; and
- (b) Working with a species the falconry permit holder is allowed to possess.

(4) A general or master class permit holder may hack a raptor, previously used for falconry, if the permit holder is in compliance with 50 C.F.R. 21 and contacts the department to provide the information established in paragraph (a) through (d) of this subsection: [s]

- (a) The hack site location;
- (b) The species of raptor;
- (c) The origin of the raptor; and
- (d) The planned hacking dates.

Section 10. Passage Tundrius Peregrine Falcon Take Opportunity Drawing.

- (1) Dependent upon the number of passage tundrius peregrine falcon take opportunities allocated to the department by the U.S. Fish and Wildlife Service, the department shall administer a random drawing annually for the passage tundrius peregrine falcon take opportunities allocated.
- (2) One passage tundrius peregrine falcon take opportunity, authorizing the take of one (1) passage tundrius peregrine falcon, will be awarded per drawn falconer.
- (3) To be eligible for the passage tundrius peregrine falcon take opportunity drawing, falconers shall:
 - (a) Be a resident of Kentucky;
 - (b) Have a valid Kentucky resident hunting license or be license exempt, as established in KRS 150.170;
 - (c) Have a valid Kentucky master class falconry permit, pursuant to Section 4 of this administrative regulation;
 - (d) Submit to the department a complete and accurate online application at fw.ky.gov by July 31; and
 - (e) Not have been convicted of violating any Kentucky falconry regulation in the past five (5) years.
- (4) The department **shall[will]** notify the drawn falconer, by their preferred method of contact as indicated on the application, no later than August 15.
- (5) Upon notification, drawn falconers **shall[must]** contact the department's Falconry Coordinator by phone or email within ten (10) calendar days to accept the passage tundrius peregrine falcon take opportunity. Failure to accept a passage tundrius peregrine falcon take opportunity within ten (10) calendar days **shall[will]** result in a forfeiture of the passage tundrius peregrine falcon take opportunity.
- (6) If the passage tundrius peregrine falcon take opportunity is forfeited, the department shall conduct additional random drawings until the passage tundrius peregrine falcon take opportunity is accepted or until the take period has passed, as established in this section.
- (7) If a passage tundrius peregrine falcon take opportunity is awarded and accepted, the drawn falconer shall:
 - (a) Carry on his or her person an authorization letter provided by the department to take one (1) passage tundrius peregrine falcon;
 - (b) Only take a passage tundrius peregrine falcon between September 20 and October 20 of the year the passage tundrius peregrine falcon take opportunity is awarded;
 - (c) Not take or attempt to take a passage tundrius peregrine falcon from a county in which the trapping of a passage tundrius peregrine falcon is prohibited, as established by the department;

(d) Immediately release any captured peregrines of non-tundrius subspecies or birds with a band or research marker, except that bands and research marker information **shall[must]** be photographed or otherwise recorded and reported to the department within forty-eight (48) hours of release;

(e) Report to the department's Falconry Coordinator the take of a passage tundrius peregrine falcon within twenty-four (24) hours by phone or email at FWFalconry@ky.gov;

(f) Within ten (10) calendar days of taking of a passage tundrius peregrine falcon, make arrangements for the department to:

1. Inspect the passage tundrius peregrine falcon. If the captured falcon is determined not to be a passage tundrius peregrine falcon, the bird shall be surrendered to the department on site; and

2. Band the captured passage tundrius peregrine falcon with a U.S. Fish and Wildlife Service falconry band; and

(g) Not be eligible to participate in the random drawing for the subsequent two (2) years.

(8) The passage tundrius peregrine falcon take opportunity is nontransferable.

Section 11. Revocation of Permits and Appeal Procedure.

(1) The department shall revoke the permit, deny the issuance of a new permit, or deny a renewal of an existing or lapsed permit for a period of one (1) year of a person who:

- (a) Violates any provision of KRS Chapter 150;

- (b) Violates any department **administrative** regulation;

- (c) Violates any federal statute or regulation related to hunting, fishing, or wildlife; or

- (d) Falsifies a falconry permit application.

(2) A person whose permit is denied or revoked may request an administrative hearing pursuant to KRS Chapter 13B.

(3) A request for a hearing shall be in writing and postmarked or delivered in person to the department no later than thirty (30) days after notification of the denial or revocation.

(4) Upon receipt of the request for a hearing, the department shall proceed according to the provisions of KRS Chapter 13B.

(5) The hearing officer's recommended order shall be considered by the commissioner and the commissioner shall issue a final order pursuant to KRS Chapter 13B.

Section 12. Incorporation by Reference.

(1) The following material is incorporated by reference:

- (a) "Kentucky Falconry Permit Application", **May 2025**[2018] edition;

- (b) "Raptor Facilities and Equipment Inspection Report", 2013 edition;

- (c) "Falconry Take Location Report", 2013 edition;

- (d) "Kentucky Nonresident Raptor Take Form", 2013 edition;

- (e) "Kentucky Apprentice Falconer Activity Report", 2018 edition;

- (f) "Kentucky General Falconer Upgrade Report", 2018 edition;

- (g) "Kentucky Passage Tundrius Peregrine Falcon Falconry Take Opportunity Application", 2019 edition; and

(h) "Kentucky Counties Where Trapping Of Passage Tundrius Peregrine Falcons Is Prohibited", 2019 edition.

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Department of Fish and Wildlife Resources, #1 Sportsman's Lane, Frankfort, Kentucky 40601, Monday through Friday, 8 a.m. to 4:30 p.m. Eastern Time or online at:

(a) Kentucky Falconry Permit Application: <https://fw.ky.gov/Licenses/Documents/Falconry-App.pdf>;

(b) Raptor Facilities and Equipment Inspection Report: <https://fw.ky.gov/Wildlife/Documents/falconryinspectionform.pdf>;

(c) Falconry Take Location Report: <https://fw.ky.gov/Wildlife/documents/newfalconrytakereport.pdf>;

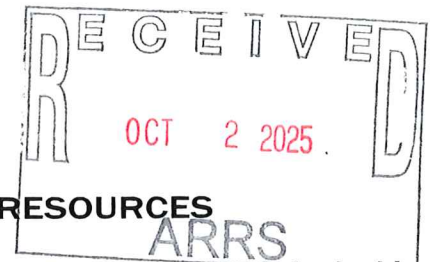
(d) Kentucky Nonresident Raptor Take Form: <https://fw.ky.gov/Wildlife/Documents/Nonresraptortakeform.pdf>;

(e) Kentucky Apprentice Falconer Activity Report: [https://fw.ky.gov/Wildlife/Documents/Kentucky Apprentice Falconer Activity Report.pdf](https://fw.ky.gov/Wildlife/Documents/KentuckyApprenticeFalconerActivityReport.pdf);

(f) Kentucky General Falconer Upgrade Report: [https://fw.ky.gov/Wildlife/Documents/Kentucky General Falconer Upgrade Report.pdf](https://fw.ky.gov/Wildlife/Documents/KentuckyGeneralFalconerUpgradeReport.pdf);

(g) "Kentucky Passage Tundrius Peregrine Falcon Falconry Take Opportunity Application: <https://app.fw.ky.gov/specialDrawing/Wildlife/falcon.aspx>;

(h) "Kentucky Counties Where Trapping Of Passage Tundrius Peregrine Falcons Is Prohibited: <https://fw.ky.gov/Wildlife/Documents/Falconry-Prohibited-Trapping-Counties.pdf>.



KENTUCKY DEPARTMENT OF FISH & WILDLIFE RESOURCES

Rich Storm
Commissioner

#1 Sportsman's Lane
Frankfort, Kentucky 40601
Phone (502) 564-3400
Fax (502) 564-0506

Gabe Jenkins
Deputy Commissioner

September 29, 2025

Senator Stephen West, Co-Chair
Representative Derek Lewis, Co-Chair
c/o Emily Caudill, Regulation Compiler
Administrative Regulation Review Subcommittee
Legislative Research Commission
Rm 083, Capitol Annex
Frankfort KY 40601

Re: 301 KAR 2:041. Shooting areas, dog training areas, commercial and noncommercial foxhound training enclosures, and bobwhite shoot-to-train season., 301 KAR 2:075. Wildlife rehabilitation permit., 301 KAR 2:083. Holding and intrastate transportation of captive cervids., 301 KAR 2:195. Falconry, raptor take, and raptor propagation., 301 KAR 2:230. Shoot-to-retrieve field trial permits and procedures.

Dear Co-Chairs:

After discussions with Administrative Regulation Review Subcommittee staff of the issues raised by 301 KAR 2:041; 2:075; 2:083; 2:195; and 2:230 Kentucky Department of Fish and Wildlife Resources proposes the attached suggested substitute to 301 KAR 2:041., 2:075., 2:083., 2:195., 2:230 to this ordinary regulation.

Sincerely,

Jenny Gilbert
Legislative Liaison
Commissioner's Office
Kentucky Department of Fish and Wildlife Resources
1 Sportsmen's Lane
Frankfort, KY 40601

**9/24/2025 11:12 AM
SUGGESTED SUBSTITUTE**

**TOURISM, ARTS AND HERITAGE CABINET
Department of Fish and Wildlife Resources
(Amendment)**

301 KAR 2:230. Shoot-to-retrieve field trial permits and procedures.

RELATES TO: KRS 150.025(1), 150.170, 150.175(1)(p), 150.330

STATUTORY AUTHORITY: KRS 150.025(1), 150.175(16)

CERTIFICATION STATEMENT: The Kentucky Department of Fish and Wildlife Resources, pursuant to statutory authority to promulgate administrative regulations to carry out the provisions of KRS Chapter 150 as established in KRS 150.025 and as an independent department of state government within the meaning of KRS Chapter 12 as established in KRS 150.021(1), promulgated by the Commissioner with approval of the Commission in accordance with KRS 150.010(1), does hereby certify this administrative regulation is promulgated in compliance with Section 8 of 2025 RS HB6.

NECESSITY, FUNCTION, AND CONFORMITY: KRS 150.175(16) authorizes the *Kentucky Department of Fish and Wildlife Resources*~~[department]~~ to require permits for shoot-to-retrieve field trials. KRS 150.025(1) authorizes the department to set seasons and limits, and to promulgate administrative regulations necessary to carry out the provisions of KRS Chapter 150. This administrative regulation establishes seasons, permit application procedures, game bird marking, and other requirements for conducting a shoot-to-retrieve field trial.

Section 1. Definitions.

- (1) "Field trial" means an organized event at which hunting dogs are worked and judged.
- (2) "Game birds" means quail, chukar, mallard duck, or pheasant species.
- (3) "Shoot to retrieve field trial" means a field trial where game birds are taken.
- (4) "Take" is defined by KRS **150.010(46)**~~[150.010(42)]~~.

Section 2.

- (1) A person may conduct a shoot-to-retrieve field trial:
 - (a) From August 15 through May 15 for quail; and
 - (b) Year-round for other game birds.
- (2) Daily bag or possession limits shall not apply to birds taken during a shoot-to retrieve field trial.

Section 3. A person conducting a shoot-to retrieve field trial shall:

- (1) Apply for a permit at least thirty (30) days before the event to the:
 - (a) Department ~~[law enforcement officer]~~ game warden in the county where the event will be conducted; or

(b) Department's law enforcement captain in the wildlife district where the event will be conducted.

(2) A permit application shall:

(a) Be made on the Shoot-to-Retrieve Field Trial Application; and

(b) Include:

1. The annual permit fee as referenced at <https://fw.ky.gov/Licenses/Pages/Fees.aspx> and established in 301 KAR 5:022~~[fee specified in 301 KAR 3:022]~~; and

2. Permission from the landowner or manager of public land where the event will be conducted.

(3) Provide pen-raised game birds for the trial.

(4) If the date or location of the trial changes:

(a) Notify the person from whom the permit application was obtained; and

(b) If the location changes, submit written permission to hold the trial at the new location.

Section 4. A person participating in a shoot-to-retrieve field trial shall not:

(1) Knowingly take a game bird that was not:

(a) Raised in captivity; and

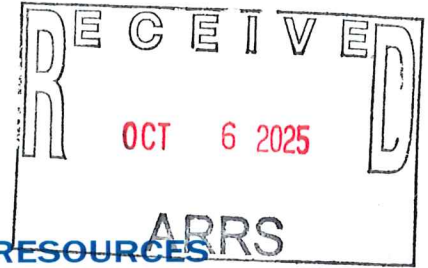
(b) Provided by the organizer of the event.

(2) Hunt on land not specified in the permit.

Section 5. Incorporation by Reference.

(1) "Shoot-to-Retrieve Field Trial Application", **May 2025 Edition is incorporated by reference**~~[5/19 edition, is incorporated by reference]~~.

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Department of Fish and Wildlife Resources, #1 Sportsman's Lane, Frankfort, Kentucky 40601, from 8 a.m. through 4:30 p.m. eastern time on normal business days or at <https://fw.ky.gov/Licenses/Documents/Shoot-to-Retrieve-App.pdf>~~[https://fw.ky.gov/Licenses/Documents/shootToRetrieveFieldTrialApplicationIncludesFees.pdf]~~.



KENTUCKY DEPARTMENT OF FISH & WILDLIFE RESOURCES

Rich Storm
Commissioner

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Gabe Jenkins
Deputy Commissioner

October 6, 2025

Senator Stephen West, Co-Chair
Representative Derek Lewis, Co-Chair
c/o Emily Caudill, Regulation Compiler
Administrative Regulation Review Subcommittee
Legislative Research Commission
Rm 083, Capitol Annex
Frankfort KY 40601

Re: 301 KAR 3:120. Commercial [nuisance] wildlife control., 301 KAR 3:150. Hunting and Fishing Outfitter and Guide Licenses.

Dear Co-Chairs:

After discussions with Administrative Regulation Review Subcommittee staff of the issues raised by 301 KAR 3:120 and 3:150, the Kentucky Department of Fish and Wildlife Resources proposes the attached suggested substitute to 301 KAR 3:120 and 3:150 to this ordinary regulation.

Sincerely,

Jenny Gilbert
Legislative Liaison
Commissioner's Office
Kentucky Department of Fish and Wildlife Resources
1 Sportsmen's Lane
Frankfort, KY 40601

Subcommittee Substitute

TOURISM, ARTS AND HERITAGE CABINET Department of Fish and Wildlife Resources (Amendment)

301 KAR 3:120. Commercial ~~[nuisance-]~~wildlife control.

RELATES TO: KRS 150.183, 150.275, 150.330, 150.410, 50 C.F.R. 21.41

STATUTORY AUTHORITY: KRS 150.025(1)(i)~~[(h)]~~, 150.105, 150.170, 150.235, 150.275, 150.365

CERTIFICATION STATEMENT: The Kentucky Department of Fish and Wildlife Resources, pursuant to statutory authority to promulgate administrative regulations to carry out the provisions of KRS Chapter 150 as established in KRS 150.025 and as an independent department of state government within the meaning of KRS Chapter 12 as established in KRS 150.021(1), promulgated by the Commissioner with approval of the Commission in accordance with KRS 150.010(1), does hereby certify this administrative regulation is promulgated in compliance with Section 8 of 2025 RS HB6.

NECESSITY, FUNCTION, AND CONFORMITY: KRS 150.025(1)(i)~~[(h)]~~ authorizes the department to promulgate any other administrative regulations reasonably necessary to implement or carry out the purposes of KRS Chapter 150. KRS 150.105 authorizes the commissioner, with the approval of the commission, to authorize any person to destroy or bring under control any wild animal, fish, or wild birds, protected or unprotected, which are causing damage to persons, property, other animals, or spreading diseases. KRS 150.275 authorizes the department to issue permits to qualified persons to take and transport wildlife at any time for commercial ~~[nuisance-]~~wildlife control. This administrative regulation establishes the requirements for commercial ~~[nuisance-]~~wildlife control permits, and ~~[nuisance-]~~wildlife control operators. KRS 150.235 prohibits persons from performing acts authorized to be performed by a permit without first procuring the permit and the permit or license shall be kept on their person while conducting acts. KRS 150.170 prevents persons from doing any act or assisting a person with an act authorized by any kind of license or permit unless they hold the kind of permit that authorizes the act. 50 C.F.R. 21.41 provides federal permitting requirements for depredating migratory birds and allows a WCO~~[NWC]~~ to herd or scare depredating migratory birds without a federal permit, except that federally endangered or threatened species and bald or golden eagles shall not be scared or herded.

Section 1. ~~[Definitions.]~~

~~[(1)] ["Commercial purposes" means taking nuisance wildlife in exchange for payment, trade, or associated with job duties as part of employment.]~~

~~[(2)] ["Enhanced Rabies Surveillance Zone" means Bell, Boyd, Bracken, Carter, Clay, Elliot, Fleming, Floyd, Greenup, Harlan, Johnson, Knott, Knox, Laurel, Lawrence, Leslie, Letcher, Lewis, Martin, Mason, McCreary, Pike, Perry, Robertson, and Whitley counties.]~~

~~[(3)] ["Federally-protected wildlife" means any wildlife species listed by the U.S. Fish and Wildlife Service as threatened or endangered, and any birds protected under the Migratory Bird Treaty Act or the Bald and Golden Eagle Protection Act.]~~

~~[(4)] ["Nuisance wildlife" means vertebrate wildlife that causes or may cause damage or threat to agriculture, human health, safety, or property.]~~

~~[(5)] ["Nuisance wildlife control operator" means the holder of a valid permit, issued by the department, which authorizes the taking of nuisance wildlife for commercial purposes.]~~

~~[(6)] ["NWCO" means a nuisance wildlife control operator as defined in this administrative regulation.]~~

~~[(7)] ["Permit" means the nuisance wildlife control operator's permit issued pursuant to this administrative regulation.]~~

~~[(8)] ["Rabies vector species" means a:]~~

~~[(a)] [Coyote (Canis latrans);]~~

~~[(b)] [Gray fox (Urocyon cinereoargenteus);]~~

~~[(c)] [Raccoon (Procyon lotor);]~~

~~[(d)] [Red fox (Vulpes vulpes);]~~

~~[(e)] [Spotted skunk (Spilogale putorius); or]~~

~~[(f)] [Striped skunk (Mephitis mephitis).]~~

~~[(9)] ["Rural habitat" means an area of the state not included within the boundaries of an incorporated or unincorporated city, village or borough, and having a population in excess of 1,500 inhabitants.]~~

~~[Section 2.] Permitting Requirements.~~

(1) A WCO permit authorizes a WCO~~[NWCO]~~ to take ~~[nuisance-]~~wildlife year-round using lethal or non-lethal capture methods, provided the WCO~~[NWCO]~~ has written or oral authorization from the person requesting control.

(2) A person shall apply for and obtain a valid WCO~~[NWCO]~~ permit, prior to conducting WCO~~[NWCO]~~ activities, by submitting:

(a) A correct and complete Commercial WCO~~[NWCO]~~ Permit Application; and

(b) A Commercial WCO~~[NWCO]~~ Annual Activity Report for renewal applications.

(3) The department shall only grant a permit to a person who:

(a) Is eighteen (18) years old or over;

(b) Has not been convicted of a violation of KRS Chapter 150 or the administrative regulations promulgated under its authority within the denial period established in this administrative regulation;

(c) Provides proof of a passing score on the National Wildlife Control Training Program course, except a person who passed the department issued examination prior to the effective date of this administrative regulation shall not be required to complete the National Wildlife Control Training Program course;

(d) Remits the correct annual permit fee as referenced at <https://fw.ky.gov/Licenses/Pages/Fees.aspx> and established in 301KAR 5:022~~[established in 301KAR 3:022]~~;

(e) Provides a complete and correct Commercial WCO~~[NWCO]~~ Permit Application; and

(f) Provides a valid email address.

(4) A WCO~~[NWCO]~~ shall always have their permit in their possession when performing the acts authorized by a WCO~~[NWCO]~~ permit.

(5) The WCO~~[NWCO]~~ permit shall be valid from March 1 through the last day of February.

(6) A permitted WCO~~[NWCO]~~ wishing to sell the pelts of a furbearer taken during the statewide furbearer hunting and trapping season shall also possess a valid trapping license or hunting license, if applicable.

Section 2.~~[Section 3.]~~ Reporting Requirements.

(1) A WCO~~[NWCO]~~ shall keep records of all wildlife taken in the course of WCO~~[NWCO]~~ duties on the WCO~~[NWCO]~~ Annual Activity Report.

(2) A WCO~~[NWCO]~~ shall submit a Commercial WCO~~[NWCO]~~ Annual Activity Report to the Department:

(a) No later than March 30; and

(b) Prior to a permit being renewed.

(3) The Commercial WCO~~[NWCO]~~ Annual Activity Report shall contain the information regarding the activity for the period from February 1 of the previous year through January 31 of the current year. If white-tailed deer are taken, a WCO shall also include copies of all valid Wildlife Damage Designee Forms for landowners they worked with to take white-tailed deer (Odocoileus virginianus) during this period.

(4) A WCO shall submit tissue or other biological samples from dispatched animals as determined by the department.

(a) White-tailed deer taken in CWD Surveillance Zone Counties shall be submitted for testing as determined by a department representative. **A WCO shall[:]**

1. Request sample submission instructions from the Wildlife Health Program by email at wildlifehealth@ky.gov; and[:]

2. Submit deer heads to the department within forty-eight (48) hours of take or freeze and retain the head for submission as directed by a department representative.

(b) A list of other tissues and biological samples from dispatched animals to be removed by **WCOs shall**~~[WCO's will]~~ be maintained on the department's website at: <https://fw.ky.gov/Wildlife/Pages/Commercial-Wildlife-Control-Operator.aspx>~~[https://fw.ky.gov/Wildlife/Pages/Commercial-Nuisance-Wildlife-Control-Operator.aspx].~~

(5)~~[(4)]~~ The department shall not renew the WCO permit of an operator who does not:

(a) Submit the Commercial WCO~~[NWCO]~~ Annual Activity Report as required by this section;~~[~~
~~or]~~

(b) Provide the information required by the Commercial WCO~~[NWCO]~~ Annual Activity Report;
~~or[:]~~

(c) Submit tissue or other biological samples to the department as established in this section.

(6)~~[(5)]~~ Report documents and all records of WCO~~[NWCO]~~ activity, including the current or previous year's activity and written permission for releases, shall be made available to department staff upon request.

Section 3.~~[Section 4.]~~ Restrictions on Taking Wildlife.

(1) A WCO~~[NWCO]~~ shall only dispatch or release captured wildlife according to the requirements in this administrative regulation, except for federally protected species that meet the criteria in Sections 3, 5, and 6~~[4, 6, and 7]~~ of this administrative regulation.

(2) A WCO shall only take white-tailed deer in an area that has been deemed to be experiencing wildlife damage by a department representative as established in 301 KAR 2:176.[:]

(a) Only the WCO designated on a valid Wildlife Damage Designee Form, **pursuant to [per]** 301 KAR 2.176, **shall be [is]** permitted to take white-tailed deer under this section.[:]

(b) **A WCO shall [Must]** be in possession of a valid Wildlife Damage Designee Form while performing WCO duties to take white-tailed deer and maintain copies for submission with the Commercial WCO Annual Activity Report.[: ~~and~~]

(c) **A WCO shall** adhere to all CWD Surveillance Zone Regulations as established in 301 KAR 2.172.

(3)[(2)] A WCO[NWCO] shall not:

(a) Transport [~~nuisance~~]wildlife to a wildlife rehabilitator or any person or facility that holds wildlife captive, except that a WCO[NWCO] shall immediately transport injured, ill, orphaned, or exhausted federally protected species to a permitted wildlife rehabilitator within Kentucky;

(b) Release wildlife in any area that restricts their free movement or holds them captive;

(c) Hold wildlife for more than forty-eight (48) hours;

(d) Take federally protected wildlife unless a valid permit for the activity is issued by the U. S. Fish and Wildlife Service for the species of [~~nuisance~~]wildlife, except that a federal permit is not required to herd or scare migratory birds, excluding bald and golden eagles and endangered or threatened species;

(e) Take the species established in subparagraphs 1. Through **7. [8.]** of this paragraph unless authorized by the commissioner:

1. Copperbelly water snake (Nerodia erythrogaster neglecta);

~~2. [White-tailed deer (Odocoileus virginianus);]~~

~~3. [Elk (Cervus canadensis);]~~

~~4. [Black bear (Ursus americanus);]~~

~~5. [Wild turkey (Meleagris gallopavo);]~~

~~6. [Kirtland's snake (Clonophis kirtlandii);]~~

~~7. [Alligator Snapping turtle (Macrochelys temminckii);]~~

~~8. [Hellbender (Cryptobranchus alleganiensis); or]~~

(f) Dispatch or cause death to bats.

Section 4.[Section 5.] Legal Means of Take.

(1) A WCO[NWCO] using traps shall comply with:

(a) KRS 150.410; and

(b) The trapping requirements in 301 KAR 2:251.

(2) A WCO shall comply with weapon restrictions as established in 301 KAR 2:172 when taking white-tailed deer.[:]

(a) **A WCO shall [Must]** comply with all local ordinances regarding the discharge of firearms in city limits.

(b) **A WCO shall not** use traps to take white-tailed deer.[: ~~or~~]

(c) **A WCO shall not** use chemical immobilization drugs in free-ranging wildlife as established in 301 KAR 4:110.

(3)[(2)] A WCO[NWCO] using a firearm, air gun[gun], archery, or crossbow equipment shall provide proof of completion of the Kentucky Hunter Education Program or a course offered by

another jurisdiction that meets the course standards set by the International Hunter Education Association.

Section 5.~~[Section 6.]~~ Dispatch of Captured Wildlife.

(1) The department may, upon issuing a WCO permit, specify that certain species shall be dispatched.

(a) The requirement that a species be dispatched may apply statewide or to certain geographical regions.

(b) If the requirement that a species be dispatched is made to apply:

1. Statewide, all WCO permits issued in that permit year shall contain the same requirement; or

2. To a limited geographical area, all WCO permits issued in that area shall contain the same requirement.

(2) A WCO~~[NWCO]~~ shall dispatch:

(a) House sparrow (*Passer domesticus*);

(b) European starling (*Sturnus vulgaris*);

(c) Pigeon (*Columba domestica* or *Columba livia*);

(d) Nutria (*Myocaster coypus*);

(e) House mouse (*Mus musculus*);

(f) ~~[:]~~ Rat (*Rattus norvegicus* or *Rattus rattus*);

(g) Wildlife that shows obvious symptoms of disease or injury, except for federally protected species and bats; or

(h) Any rabies vector species captured within the Enhanced Rabies Surveillance Zone at the capture site before being moved.

(3) Legal methods of dispatching wildlife shall include:

(a) Captive bolt;

(b) Gunshot;

(c) Submersion, for wildlife trapped in water sets, pursuant to 301 KAR 2:251;

(d) Cervical dislocation or thoracic compression for small mammals and birds, except for federally protected species and bats;

(e) Mechanical stunning, if followed immediately by an acceptable dispatch method;

(f) Inhalants, including halothane, isoflurane, carbon monoxide, or carbon dioxide;

(g) Commercially available agents for striped skunks, in accordance with manufacturer's specifications, except that prohibited methods of dispatch listed in this section shall not be used;~~[-or]~~

(h) Commercially available rodenticides used on small rodents in accordance with manufacturer specifications, except that prohibited methods of dispatch listed in this section shall not be used;or~~[-:]~~

(i) Archery or crossbow equipment as established in 301 KAR 2:172 when taking white-tailed deer only.

(4) Prohibited methods of dispatch:

(a) Extra-label use of chemicals, toxicants, or poisons is prohibited.

(b) Per KRS 150.365, the following methods of take are prohibited:

1. Fire;

2. Explosives;
3. Mechanical, electrical, or hand operated sonic recording devices; or
4. Gas or smoke in a den, hole, or nest of wildlife.

Section 6.~~[Section 7.]~~ Release of Captured Wildlife.

(1) A WCO~~[NWCO]~~ shall:

- (a) Transport wildlife for release in a safe manner that minimizes stress to the animal;
- (b) Only release non-rabies vector species of wildlife:
 1. On-site; or
 2. In a rural habitat suitable for the particular species in which wildlife movement is unrestricted; and
 3. With the written permission of:
 - a. The private landowner of at least 100 contiguous acres;
 - b. The private landowners of contiguous properties totaling at least 100 acres; or
 - c. The agency responsible for management of public land totaling at least 300 acres.
- (c) Only release rabies vector species of wildlife captured outside the Enhanced Rabies Surveillance Zone;
 1. On-site;
 2. In a rural habitat suitable for the particular species within the county of capture in which wildlife movement is unrestricted; and
 3. With the written permission of:
 - a. The private landowner of at least 100 contiguous acres;
 - b. The private landowners of contiguous properties totaling at least 100 acres; or
 - c. The agency responsible for management of public land totaling at least 300 acres.

(2) A WCO~~[NWCO]~~ shall not:

- (a) Transport a rabies vector species into, out of, or within the enhanced rabies surveillance zone;
- (b) Release ~~[nuisance]~~ wildlife in unsuitable habitat including any enclosed area that restricts free movement of wildlife or holds wildlife captive.

Section 7.~~[Section 8.]~~ Disposal of Carcasses. A WCO~~[NWCO]~~ shall dispose of all wildlife carcasses~~[carcass by:]~~, except white tail deer and elk, by:

- (1) Complete incineration of the entire carcass and all of its parts and products;
- (2) Placing the carcass in a contained landfill as established in KRS Chapter 224;
- (3) Burying the carcass and all its parts and products in the earth:
 - (a) In a location that is never covered with the overflow of ponds or streams;
 - (b) Not less than 100 feet from any watercourse, sinkhole, well, spring, public highway, residence, or stable; and
 - (c) At least one (1) foot deep and covered with one (1) foot of earth; or
- (4) Removing the carcass by a duly licensed rendering establishment.
- (5) A WCO shall comply with carcass disposal requirements for white-tailed deer and elk as established in 301 KAR 2:245. A WCO shall[: and]
 - (a) Relinquish to the department, destroy, or leave afield all inedible parts; and[:]

(b) Adhere to carcass movement restrictions when taking deer inside of a CWD Surveillance Zone as established in 301 KAR 2:172.

Section 8.~~[Section 9.]~~ Revocation and Denial of Permits and Appeal Procedure.

(1) The department shall revoke the WCO permit without refund, deny the issuance of a new WCO permit, or deny a renewal of an existing or lapsed WCO permit and confiscate wildlife of a person who:

(a) Is convicted of a violation of any provisions of:

1. KRS Chapter 150;
2. 301 KAR Chapters 1 through 5;
3. Any federal statute or regulation related to hunting, fishing, or wildlife; or
4. Another state's fish and wildlife law.

(b) Fails to comply with the provisions of this administrative regulation or 301 KAR 2:041, 301 KAR 2:075, 301 KAR 2:081, or 301 KAR 2:251;

(c) Provides false information on a Commercial WCO~~[NWCO]~~ Permit Application, Commercial WCO~~[NWCO]~~ Annual Activity Report, federal permit, written permission for wildlife release, or records;

(d) Takes ~~[nuisance-]~~wildlife with methods not approved in this regulation or 301 KAR 2:251;

(e) Takes ~~[nuisance-]~~wildlife for commercial purposes without a valid commercial ~~[nuisance]~~ wildlife control permit;

(f) Takes federally protected species without a federal permit;

(g) Possesses wildlife over forty-eight (48) hours;

(h) Fails to dispatch rabies vector species at capture site in the Enhanced Rabies Surveillance Zone;

(i) Transports rabies vector species into, out of, or within the Enhanced Rabies Surveillance Zone;

(j) Transports rabies vector species captured outside the Enhanced Rabies Surveillance Zone to a location outside the county of capture;

(k) Fails to comply with any provision of KRS Chapter 150, any administrative regulation of the department, or hunting, fishing, or wildlife laws of the federal government;~~[-or]~~

(l) Allows non-permitted persons to assist or conduct WCO~~[NWCO]~~ activities or have direct contact with wildlife;~~or[-]~~

(m) Fails to submit tissue or other biological samples from dispatched animals to the department.

(2) A person whose WCO permit is denied or revoked may request an administrative hearing pursuant to KRS Chapter 13B.

(a) A request for a hearing shall be in writing and postmarked or delivered in person to the department no later than thirty (30) days after notification of the denial or revocation.

(b) Upon receipt of the request for a hearing, the department shall proceed according to the provisions of KRS Chapter 13B.

(c) The hearing officer's recommended order shall be considered by the commissioner and the commissioner shall issue a final order pursuant to KRS Chapter 13B.

(3) Denial period.

(a) An applicant for a WCO~~[NWCO]~~ permit whose permit has been revoked or denied for the grounds established in this section shall be ineligible to reapply, and all applications shall be denied for the period established below:

1. The initial denial period shall be one (1) year;
2. A second denial period shall be three (3) years; and
3. A third or subsequent denial period shall be five (5) years.

(b) During the denial period, a person whose ~~[nuisance]~~ wildlife control operator permit has been denied or revoked shall not operate as a WCO~~[NWCO]~~ or assist in ~~[nuisance-]~~wildlife control activities.

Section 9.~~[Section 10.]~~ Incorporation by Reference.

(1) The following material is incorporated by reference:

(a) "Commercial ~~[Nuisance-]~~Wildlife Control (WCO~~[NWCO]~~) Permit Application," 2025~~[2022]~~ edition; and

(b) "Commercial ~~[Nuisance-]~~Wildlife Control Operator (WCO~~[NWCO]~~) Annual Activity Report," 2022 edition.

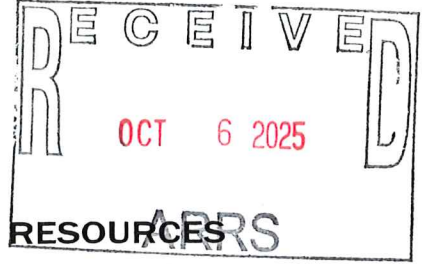
(2) The material may be inspected, copied, or obtained subject to applicable copyright law, at the Kentucky Department of Fish and Wildlife Resources, #1 Sportsman's Lane, Frankfort, Kentucky, Monday through Friday from 8 a.m. to 4:30 p.m. or online at:

(a) <https://fw.ky.gov/Licenses/Documents/WCO-Permit-App.pdf> for the "Commercial ~~[Nuisance-]~~Wildlife Control (WCO~~[NWCO]~~) Permit Application~~[?]~~"; and

(b) <https://fw.ky.gov/Wildlife/Documents/nwcoreportform.pdf> for the "Commercial ~~[Nuisance]~~Wildlife Control Operator (WCO~~[NWCO]~~) Annual Activity Report".

(3) This material may also be found on the department's website~~[Web—site]~~ at: <https://fw.ky.gov/Wildlife/Pages/Commercial-Wildlife-Control-Operator.aspx>~~[https://fw.ky.gov/Wildlife/Pages/Commercial-Nuisance-Wildlife-Control-Operator.aspx]~~ for general WCO~~[NWCO]~~ information.

CONTACT PERSON: Jenny Gilbert, Legislative Liaison, Kentucky Department of Fish and Wildlife Resources, 1 Sportsman's Lane, (502) 564-3400, fax (502) 564-0506, email fwpubliccomments@ky.gov.



KENTUCKY DEPARTMENT OF FISH & WILDLIFE RESOURCES

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Gabe Jenkins
Deputy Commissioner

October 6, 2025

Senator Stephen West, Co-Chair
Representative Derek Lewis, Co-Chair
c/o Emily Caudill, Regulation Compiler
Administrative Regulation Review Subcommittee
Legislative Research Commission
Rm 083, Capitol Annex
Frankfort KY 40601

Re: 301 KAR 3:120. Commercial [nuisance] wildlife control., 301 KAR 3:150. Hunting and Fishing Outfitter and Guide Licenses.

Dear Co-Chairs:

After discussions with Administrative Regulation Review Subcommittee staff of the issues raised by 301 KAR 3:120 and 3:150, the Kentucky Department of Fish and Wildlife Resources proposes the attached suggested substitute to 301 KAR 3:120 and 3:150 to this ordinary regulation.

Sincerely,

Jenny Gilbert
Legislative Liaison
Commissioner's Office
Kentucky Department of Fish and Wildlife Resources
1 Sportsmen's Lane
Frankfort, KY 40601

Subcommittee Substitute

TOURISM, ARTS AND HERITAGE CABINET Department of Fish and Wildlife Resources

301 KAR 3:150. Hunting and Fishing Outfitter and Guide Licenses.

RELATES TO: KRS 150.170, 150.412, 164.772

STATUTORY AUTHORITY: KRS 150.025, 150.175, 150.190

CERTIFICATION STATEMENT: The Kentucky Department of Fish and Wildlife Resources, pursuant to statutory authority to promulgate administrative regulations to carry out the provisions of KRS Chapter 150 as established in KRS 150.025 and as an independent department of state government within the meaning of KRS Chapter 12 as established in KRS 150.021(1), promulgated by the Commissioner with approval of the Commission in accordance with KRS 150.010(1), does hereby certify this administrative regulation is promulgated in compliance with Section 8 of 2025 RS HB6.

NECESSITY, FUNCTION, AND CONFORMITY: KRS 150.025 authorizes the department to promulgate administrative regulations to establish open seasons for the taking of wildlife, to regulate bag limits and methods of take, and to make these requirements apply statewide or to a limited area. KRS 150.175 authorizes the department to issue an outfitter and guide license. KRS 150.190 authorizes the department to ensure that an applicant for an outfitter or guide license is qualified to act as an outfitter or guide. This administrative regulation establishes the requirements for an outfitter and guide license.

Section 1. Outfitter License Requirements and Application.

- (1) A person who possesses a valid Hunting Outfitter license may guide clients in the take or attempt to take wildlife.
- (2) A person who possesses a valid Fishing Outfitter License may guide clients in the take or the attempt to take fish.
- (3) A person who possesses an outfitter license who guides clients in the take, or in the attempt to take, fish or wildlife ***shall [must]*** comply with the guide reporting requirements established in Section 7 of this administrative regulation.
- (4) Outfitter License Types.
 - (a) A Fishing Outfitter License Tier 1 is required for a fishing outfitter that operates without any fishing guides working for, or contracted with, the license holder.
 - (b) A Fishing Outfitter License Tier 2 is required for a fishing outfitter that operates with one (1) or more fishing guides working for, or contracted with, the license holder.
 - (c) A Hunting Outfitter License Tier 1 is required for a hunting outfitter that operates without any hunting guides working for, or contracted with, the license holder.
 - (d) A Hunting Outfitter License Tier 2 is required for a hunting outfitter that operates with one (1) hunting guide working for, or contracted with, the license holder.
 - (e) A Hunting Outfitter License Tier 3 is required for a hunting outfitter that operates with two (2) to four (4) hunting guides working for, or contracted with, the license holder.

- (f) A Hunting Outfitter License Tier 4 is required for a hunting outfitter that operates with five (5) or more hunting guides working for, or contracted with, the license holder.
- (5) A fishing or hunting outfitter license shall be valid from March 1 through the last day of February.
- (6) An applicant for an outfitter license shall:
- (a) Be eighteen (18) years of age or older;
 - (b) Have not been convicted of any state or federal fish, boat, or wildlife violation during the previous three (3) years;
 - (c) Have not been convicted of a felony;
 - (d) Possess a valid annual fishing license and trout permit if applicable; and
 - (e) Possess a valid annual hunting license and all applicable game permits, except elk.
- (7) **[In-order]** To obtain an outfitter license, a person shall submit to the department by mail or online at fw.ky.gov/dclapp:
- (a) A completed Fishing or Hunting Outfitter License Application form to the Division of Law Enforcement, #1 Sportsman's Lane, Frankfort, Kentucky 40601;
 - (b) A Law Information Network of Kentucky National Crime Information Center (LINK/NCIC) background check obtained through the Kentucky State Police;
 - (c) Proof of a valid and current certification in:
 - 1. Cardiopulmonary resuscitation (CPR); and
 - 2. First aid.
 - (d) Proof of completion of a boater education course upon applying for:
 - 1. A fishing outfitter license for fishing in a boat; or
 - 2. A hunting outfitter license for hunting in or with a boat.**[;]**
 - (e) Proof of completion of a hunter education course upon applying for a hunting outfitter license;
 - (f) A copy of the applicant's valid driver's license, or state issued identification card;
 - (g) The applicable fee for the appropriate outfitter license as referenced at <https://fw.ky.gov/Licenses/Pages/Fees.aspx> and established in 301 KAR 5:022 or the price difference between the license tier levels if license holder is modifying the application during the license year; and
 - (h) If applying for a Fishing Outfitter License and the license holder plans to utilize a fishing helper, provide the fishing **helper's [helper(s)]** name, address, and Kentucky Fish and Wildlife Customer Identification Number.
- (8) An outfitter license applicant who possesses a valid United States Coast Guard Captain's License, or Six-pack, may submit a copy of this license in lieu of the boater education course requirements and the CPR and first aid requirements for obtaining a license.
- (9) An outfitter shall not facilitate, promote, or assist a client in the violation of, or attempt of, any state or federal fish or wildlife law or regulation.
- (10) An outfitter shall not participate in the taking of fish or game beyond the daily limit of the person or persons being guided, except that an outfitter may take a daily limit of fish or game, as applicable, while guiding.
- (11) An outfitter shall obtain the applicable permits, provide the applicable boater education documentation, and update their application during the license year:
- (a) To add or remove a guide under their outfitter license;

- (b) To add or remove a fishing helper under their fishing outfitter license; ~~[or]~~
- (c) Prior to guiding for a species not selected on their most recent application; or
- (d) Prior to guiding from a boat, if they did not select that they intended to guide from a boat on their most recent application.

(12) If an outfitter **employs [employees]** or contracts with a guide under the outfitter license **[in]** which results in an increase in license tier level, the outfitter shall pay the remaining fee balance between the previous license tier and the new license tier level. The new guide shall not be approved until all the pertinent documents are submitted and approved as established in Section 3 of this administrative regulation.

(13) A Fishing Outfitter License holder **may [shall be allowed to]** use a fishing helper as established in Section 6 of this administrative regulation.

(14) The department shall not refund the payment for an outfitter license if the license holder's outfitter license is suspended, revoked, or if the outfitter license tier level decreases within the license year.

Section 2. Outfitter License Prohibitions and Revocation.

(1) The department shall revoke and not renew the outfitter license for a period of three (3) years of a person who:

- (a) Is convicted of any state or federal fish, boat, or game violation;
- (b) Knowingly aides a client in the illegal take of fish or wildlife;
- (c) Intentionally falsifies the license application; or
- (d) Intentionally falsifies the Guiding Activity Report.

(2) The department shall deny or permanently revoke the outfitter license of a person convicted of a felony.

(3) The department may suspend or revoke an outfitter license if one (1) or more licensed guide working under the outfitter license holder is convicted of any state or federal fish, boat, or game violation.

(4) The guide license for any guides working under an outfitter whose outfitter license has been suspended, denied, or revoked, shall also be suspended or denied until **[such time]** the supervising outfitter's license is reinstated or until their guide license is transferred under an outfitter with a valid license.

(5) The department shall deny an outfitter license to a person who:

- (a) Fails to meet the eligibility requirements;
- (b) Fails to properly complete the application process;
- (c) Has not yet submitted all required reporting information from a prior license year; or
- (d) Otherwise meets the grounds for revocation or suspension of an outfitter license.

Section 3. Guide License Requirements and Application.

(1) A person shall possess a valid fishing guide license issued under a fishing outfitter license holder **[in order]** to guide others in the taking of fish.

(2) A person shall possess a valid hunting guide license issued under a hunting outfitter license holder **[in order]** to guide others in the taking of wildlife.

(3) A guide license shall be valid from March 1 through the last day of February.

(4) An applicant for a guide license shall:

- (a) Be eighteen (18) years of age or older;
 - (b) Have not been convicted of any state or federal fish, boat, or wildlife violation during the previous three (3) years;
 - (c) Have not been convicted of a felony;
 - (d) Possess a valid annual fishing license if applying for a fishing guide license; and
 - (e) Possess a valid annual hunting license and all applicable game permits, except elk, if applying for a hunting guide license.
- (5) **[In-order]** To obtain a guide license, a person shall submit to the department by mail or online at fw.ky.gov/dclapp:
- (a) A completed Fishing or Hunting Guide License Application form to the Division of Law Enforcement, #1 Sportsman's Lane, Frankfort, Kentucky 40601;
 - (b) A Law Information Network of Kentucky National Crime Information Center (LINK/NCIC) background check obtained through the Kentucky State Police;
 - (c) Proof of a valid and current certification in:
 - 1. Cardiopulmonary resuscitation (CPR); and
 - 2. First aid. **[;]**
 - (d) Proof of completion of a boater education course upon applying for:
 - 1. A fishing guide license for fishing in a boat; or
 - 2. A hunting guide license for hunting in or with a boat. **[;]**
 - (e) Proof of completion of a hunter education course upon applying for a hunting guide license; **[and]**
 - (f) A copy of the applicant's valid driver's license, or state issued identification card;
 - (g) The applicable fee as referenced at <https://fw.ky.gov/Licenses/Pages/Fees.aspx> and established in 301 KAR 5:022; and
 - (h) If applying for a Fishing Guide License and the license holder plans to utilize a fishing helper, provide the fishing **helper's [helper(s)]** name, address, and the Kentucky Fish and Wildlife Customer Identification Number.
- (6) A completed guide application **shall [must]** be accompanied with the appropriate corresponding outfitter license application as established in Section 1 of this administrative regulation.
- (7) A guide applicant who possesses a valid United States Coast Guard Captain's License, or Six-pack, may submit a copy of this license in lieu of the boater education course requirements and the CPR and first aid requirements for obtaining a license.
- (8) A guide shall not facilitate, promote, or assist a client in the violation of, or attempt of, any state or federal fish, boat or wildlife law or regulation.
- (9) A Fishing or Hunting Guide License shall only be issued to a person who is approved to work for, or contracted with, a licensed Hunting or Fishing Outfitter.
- (10) A fishing guide shall only work under a fishing outfitter who has listed the fishing guide on their fishing outfitter license application.
- (11) A hunting guide shall only work under a hunting outfitter who has listed the hunting guide on their hunting outfitter license application.
- (12) A Fishing Guide License holder may be allowed to use a fishing helper as established in Section 6 of this administrative regulation.

(13) If the license of the outfitter under which a guide operates is suspended or revoked, the guide shall not be allowed to perform guiding activities until ~~[such time]~~ the outfitter's license is reinstated or the guide's affiliation is moved under a different outfitter with a valid license.

(14) A guide shall obtain the applicable permits, provide the applicable boater education documentation, and update their application during the license year:

- (a) To add or remove a fishing helper from under their fishing guide license;
- (b) Prior to guiding for a species not selected on their most recent application; or
- (c) Prior to guiding from a boat, if they did not select that they intended to guide from a boat on their most recent application.

(15) The department shall not refund the payment for a guide license if the license holder's guide license is suspended or revoked.

Section 4. Guide License Prohibitions, Denials, Suspension, and Revocation.

(1) A guide shall not participate in the taking of fish or game beyond the daily limit of the person or persons being guided, except that a guide may take a daily limit of fish or game, as applicable, while guiding.

(2) The department shall revoke and not renew the guide license for a period of three (3) years, of a person who:

- (a) Is convicted of any state or federal fish, boat, or game violation;
- (b) Knowingly aides a client in the illegal take of fish or wildlife;
- (c) Intentionally falsifies the license application; or
- (d) Intentionally falsifies the Guiding Activity Report.

(3) The department shall deny or permanently revoke the guide license of a person convicted of a felony.

(4) The department shall deny a guide license to a person who:

- (a) Fails to meet the eligibility requirements;
- (b) Fails to properly complete the application process;
- (c) Has not yet submitted all required reporting information from a prior license year; or
- (d) Otherwise meets the grounds for revocation or suspension of a guide license.

(5) The department shall suspend a guide license upon notification of the removal of a guide by the corresponding outfitter.

(6) The department may suspend a fishing outfitter or fishing guide license for failure to submit required reports as established in Section 7 of this **administrative** regulation.

Section 5. Requirements for Specific Guiding Activities.

(1) While guiding for a species that requires a permit for take, outfitters and guides shall possess all required licenses and permits to take the fish or wildlife being pursued, except an outfitter or guide need not possess an elk permit while guiding for elk.

(2) Outfitters and guides performing guiding activities while on a boat shall possess and present to a game warden upon request, either:

- (a) Proof of completion of boater education course; or
- (b) A valid United States Coast Guard Captain's License or Six-pack.

(3) While guiding on private land, an outfitter or guide shall provide at the request of a game warden a name and phone number of the person granting the outfitter or guide permission to be on the private property.

Section 6. Fishing Helper.

- (1) A fishing outfitter or fishing guide may utilize a fishing helper~~[(s)]~~.
- (2) A fishing helper shall have in possession while assisting a fishing outfitter or fishing guide a valid Kentucky fishing license and applicable permits for the fish their clients are taking, or attempting to take.
- (3) A fishing outfitter or the fishing guide shall be responsible for any violation of this administrative regulation by a fishing helper who is registered by the fishing outfitter or fishing guide.
- (4) A fishing helper shall be registered on the Outfitter License or Guide License Application as established in Section 1 and Section 3 of this administrative regulation.
- (5) A fishing helper shall not participate in the taking of fish beyond the daily limit of the person or persons being guided, except that a fishing helper may take a daily limit of fish, as applicable, while guiding.

Section 7. Reporting Requirements.

- (1) Outfitter license holders and guide license holders shall report their guiding activities using the online Guiding Activity Reporting portal at <https://app.fw.ky.gov/commReport>:
 - (a) By the 15th day of every month for the previous month's guiding, for all Fishing Guide or Fishing Outfitter license holders, even if no guiding occurred for fishing;
 - (b) Within thirty (30) days after closure of the hunting season for a species in which the Hunting Outfitter or Hunting Guide was approved to take or attempt to take, even if no guiding occurred for hunting; or
 - (c) Within thirty (30) days after the end of the license year for a species that can be hunted year-round in which the Hunting Outfitter or Hunting Guide was approved to take or attempt to take, even if no guiding occurred for hunting.
- (2) **Using the online Guide Activity Reporting portal,** the outfitter or guide conducting the guiding shall submit all the following information~~[, using the online Guide Activity Reporting portal,]~~ by each of the applicable deadlines established in subsection (1) of this section:
 - (a) For guiding for fishing:
 1. Outfitter or guide name;
 2. Outfitter or guide license number;
 3. Whether guiding for fishing occurred during the month, and if so:
 - a. Dates fished or bowfished;
 - b. Waterbody fished per day fished or bowfished;
 - c. Fish species targeted each day;
 - d. Number of anglers or bowfishers guided per trip;
 - e. Hours fished or bowfished per trip; and
 - f. Fish species caught or shot and the number of each species that were:
 - (i) Released with number of fish below legal harvest size and at or above legal harvest size; and

(ii) Harvested.

(b) For guiding for hunting:

1. Outfitter or guide name;
2. Outfitter or guide license number;
3. Species targeted;
4. Total number of guided resident and nonresident clients per species targeted;
5. Number of animals harvested per species by sex of the animal;
6. Number of animals shot, but not recovered by sex of the animal for black bear, bobcat, deer, elk, and turkey;
7. Name of each county where guiding occurred per species;
8. Name of each public land area where guiding occurred per species; and
9. Indicate whether any guiding was performed for any pen-raised animals or at facilities that are permitted as a shooting facility.

(3) Failure to submit the required reporting information by the deadline established in subsection (1) of this section for guiding conducted by a fishing outfitter or fishing guide **shall [will]** result in:

- (a) Issuance of a courtesy reminder letter to a fishing guide or fishing outfitter who has once failed to properly submit the reporting information during the license year.
- (b) Issuance of a warning letter to a fishing guide or fishing outfitter who has twice failed to properly submit the reporting information during the license year.
- (c) Suspension of the fishing guide or fishing outfitter license of a fishing guide or fishing outfitter who has failed to properly submit the reporting information for three (3) or more months in a given license year until the fishing guide or fishing outfitter submits to the department all required reporting information.
- (d) Suspension of the fishing guide or fishing outfitter license for a period of three (3) months for failure to properly submit the reporting information four (4) or more times in a license year.
- (e) Additional three (3) month suspension of the fishing guide or fishing outfitter license if a prior year's three (3) month suspension extends into a new license year and subsequent failures to properly submit the reporting information occur.

(4) Failure to submit the required reporting information by the deadline established in subsection (1) of this section for guiding conducted by a hunting outfitter or hunting guide **shall [will]** result in denial of future license applications or renewals until all required reporting has been completed.

Section 8. Administrative Hearings.

- (1) An individual whose outfitter or guide license has been denied or revoked may request an administrative hearing pursuant to KRS Chapter 13B.
- (2) A request for a hearing shall be in writing and postmarked or delivered in person to the department no later than thirty (30) days after notification of the denial or the revocation.
- (3) Upon receipt of the request for a hearing, the department shall proceed according to the provisions of KRS Chapter 13B.
- (4) The hearing officer's recommended order shall be considered by the department's commissioner, and the department's commissioner shall issue a final order, pursuant to KRS Chapter 13B.

Section 9. Incorporation by Reference.

(1) **The following material is incorporated by reference:**

(a) "Fishing Outfitter License Application", 2025 edition;~~[, is incorporated by reference.]~~

(b) [(2)] "Fishing Guide License Application", 2025 edition;~~[, is incorporated by reference.]~~

(c) [(3)] "Hunting Outfitter License Application", 2025 edition; **and**~~[, is incorporated by reference.]~~

(d) [(4)] "Hunting Guide License Application", 2025 edition~~[, is incorporated by reference.]~~.

(2) [(5)] This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Department of Fish and Wildlife Resources, #1 Sportsman's Lane, Frankfort, Kentucky 40601, Monday through Friday, 8 a.m. to 4:30 p.m. or online at:

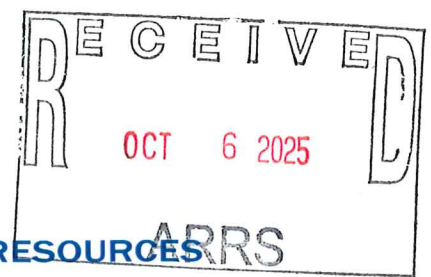
(a) <https://fw.ky.gov/Licenses/Documents/Fishing-Outfitter-License-App.pdf> for the "Fishing Outfitter License Application";

(b) <https://fw.ky.gov/Licenses/Documents/Fishing-Guide-License-App.pdf> for the "Fishing Guide Application";

(c) <https://fw.ky.gov/Licenses/Documents/Hunting-Outfitter-License-App.pdf> for the "Hunting Outfitter Application"; **and**

(d) <https://fw.ky.gov/Licenses/Documents/Hunting-Guide-License-App.pdf> for the "Hunting Guide Application".

CONTACT PERSON: Jenny Gilbert, Legislative Liaison, Kentucky Department of Fish and Wildlife Resources, 1 Sportsman's Lane, (502) 564-3400, fax: (502) 564-0506, email: fwpubliccomments@ky.gov.



KENTUCKY DEPARTMENT OF FISH & WILDLIFE RESOURCES

Rich Storm
Commissioner

#1 Sportsman's Lane
Frankfort, Kentucky 40601
Phone (502) 564-3400
Fax (502) 564-0506

Gabe Jenkins
Deputy Commissioner

October 6, 2025

Senator Stephen West, Co-Chair
Representative Derek Lewis, Co-Chair
c/o Emily Caudill, Regulation Compiler
Administrative Regulation Review Subcommittee
Legislative Research Commission
Rm 083, Capitol Annex
Frankfort KY 40601

Re: 301 KAR 5:001. Definitions for 301 KAR Chapter 5., 301 KAR 5:022. License, tag, registration, and permit fees.

Dear Co-Chairs:

After discussions with Administrative Regulation Review Subcommittee staff of the issues raised by 301 KAR 5:001 and 5:022, the Kentucky Department of Fish and Wildlife Resources proposes the attached suggested substitute to 301 KAR 5:001 and 5:022 to this ordinary regulation.

Sincerely,

Jenny Gilbert
Legislative Liaison
Commissioner's Office
Kentucky Department of Fish and Wildlife Resources
1 Sportsmen's Lane
Frankfort, KY 40601

TOURISM, ARTS AND HERITAGE CABINET
Department of Fish and Wildlife Resources
(Amendment)

301 KAR 5:001. Definitions for 301 KAR Chapter 5.

RELATES TO: KRS 150.010, 150.195, 235.010(4)

STATUTORY AUTHORITY: KRS 150.195

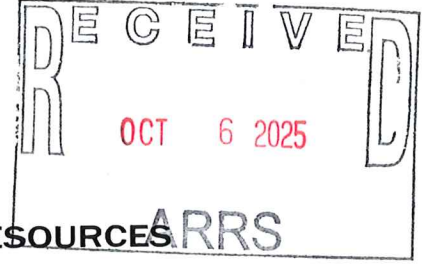
CERTIFICATION STATEMENT: The Kentucky Department of Fish and Wildlife Resources, pursuant to statutory authority to promulgate administrative regulations to carry out the provisions of KRS Chapter 150 as established in KRS 150.025 and as an independent department of state government within the meaning of KRS Chapter 12 as established in KRS 150.021(1), promulgated by the Commissioner with approval of the Commission in accordance with KRS 150.010(1), does hereby certify this administrative regulation is promulgated in compliance with Section 8 of 2025 RS HB6.

NECESSITY, FUNCTION, AND CONFORMITY: KRS 150.195 requires the department to promulgate administrative regulations. This administrative regulation establishes definitions for terms used in 301 KAR Chapter 5.

Section 1. Definitions.

- (1) "Agent commission" means the fee an agent is permitted to charge in addition to the product price that represents the agent's profit for the transaction.
- (2) "Agent fees" means all fees established in administrative regulation that a license agent may charge in a transaction in addition to the product price for the licenses, permits, items, or services purchased.
- (3) "Class A" means vessels less than sixteen (16) feet in length or a personal watercraft as defined by KRS 235.010(4).
- (4) "Class 1" means vessels sixteen (16) feet or **more, but~~over and~~** less than twenty-six (26) feet in length.
- (5) "Class 2" means vessels twenty-six (26) feet or **more, but~~over and~~** less than forty (40) feet in length.
- (6) "Class 3" means vessels forty (40) feet or more in length.
- (7) "Commission" is defined by KRS 150.010(6).
- (8)~~(4)~~ "Commissioner" is defined by KRS 150.010(7).
- (9)~~(5)~~ "Department" is defined by KRS 150.010~~(10)~~~~(11)~~.
- (10)~~(6)~~ "License agent" means a person, government entity including the department, business, or organization authorized to sell and issue licenses and conduct other transactions for the department.
- (11)~~(7)~~ "License stock" means the blank paper upon which licenses are printed.
- (12)~~(8)~~ "Operational Cost" means the fees charged for the operation, storage, security, maintenance, and support of the applicable sales solutions.
- (13)~~(9)~~ "Payment processing fee" means a fee charged for the processing of payments.
- (14)~~(10)~~ "Product price" means the price of a license, permit, item, or service without any agent fees.
- (15)~~(11)~~ "Transaction" means the application for a hunt or the purchase or sale of a license, permit, item, product, or service.

(16)~~(12)~~ "Vendor" means a person, organization, or business under contract with the department to provide the operation, storage, security, maintenance, and support of the solutions required to deliver department-defined goods and services.



KENTUCKY DEPARTMENT OF FISH & WILDLIFE RESOURCES

Rich Storm
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Gabe Jenkins
Deputy Commissioner

October 6, 2025

Senator Stephen West, Co-Chair
Representative Derek Lewis, Co-Chair
c/o Emily Caudill, Regulation Compiler
Administrative Regulation Review Subcommittee
Legislative Research Commission
Rm 083, Capitol Annex
Frankfort KY 40601

Re: 301 KAR 5:001. Definitions for 301 KAR Chapter 5., 301 KAR 5:022. License, tag, registration, and permit fees.

Dear Co-Chairs:

After discussions with Administrative Regulation Review Subcommittee staff of the issues raised by 301 KAR 5:001 and 5:022, the Kentucky Department of Fish and Wildlife Resources proposes the attached suggested substitute to 301 KAR 5:001 and 5:022 to this ordinary regulation.

Sincerely,

Jenny Gilbert
Legislative Liaison
Commissioner's Office
Kentucky Department of Fish and Wildlife Resources
1 Sportsmen's Lane
Frankfort, KY 40601

TOURISM, ARTS AND HERITAGE CABINET
Department of Fish and Wildlife Resources
(Amendment)

301 KAR 5:022. License, tag, registration, and permit fees.

RELATES TO: KRS 150.025, 150.180, 150.183, 150.240, 150.275, 150.280, 150.290, 150.450, 150.485, 150.520, 150.525, 150.600, 150.603, 150.660, 150.720, 235.220, 235.040, 235.050, 235.080

STATUTORY AUTHORITY: KRS 150.175, 150.195(4)(f), 150.225(**1**), 150.620, 235.080, 235.220(1)

CERTIFICATION STATEMENT: The Kentucky Department of Fish and Wildlife Resources, pursuant to statutory authority to promulgate administrative regulations to carry out the provisions of KRS Chapter 150 as established in KRS 150.025 and as an independent department of state government within the meaning of KRS Chapter 12 as established in KRS 150.021(1), promulgated by the Commissioner with approval of the Commission in accordance with KRS 150.010(1), does hereby certify this administrative regulation is promulgated in compliance with Section 8 of 2025 RS HB6. The Kentucky Department of Fish and Wildlife Resources, pursuant to statutory authority to promulgate administrative regulations to govern the fair, reasonable, equitable, and safe use of all waters of this state and otherwise carry out the provisions of KRS Chapter 235 as established in KRS 235.280 and KRS 235.290 and as an independent department of state government within the meaning of KRS Chapter 12 as established in KRS 150.021(1) and KRS 235.030, promulgated by the Commissioner with approval of the Commission in accordance with KRS 235.280 and KRS 150.025(1)(g), does hereby certify this administrative regulation is promulgated in compliance with Section 8 of 2025 RS HB6.

NECESSITY, FUNCTION, AND CONFORMITY: KRS 150.175 authorizes the types of licenses, permits, and tags. KRS 150.195(4)(f) requires the Department of Fish and Wildlife Resources to promulgate an administrative regulation establishing the license and permit terms and the expiration date of licenses and permits. KRS 150.225(**1**) requires the department to promulgate administrative regulations establishing reasonable license fees relating to hunting, fishing, and trapping. KRS 150.620 authorizes the department to charge reasonable fees for the use of lands and waters it has acquired for wildlife management and public recreation. KRS 235.080 requires the department to establish boat registration fees. KRS 235.220(**1**) authorizes the department to establish an annual registration fee for a manufacturers or dealers of motorboats in the state of Kentucky. This administrative regulation establishes fees and terms for licenses, permits, registrations, and tags.

Section 1. License, **tag, permit**[~~tags, permits~~], and registration fee adjustments.

(1) Excluding Section 9 of this regulation, all fees listed in this administrative regulation shall be adjusted on every year ending in an even number by summing the 12-month percentage change of the Consumer Price Index for All Urban Consumers (CPI-U), as reported by the U.S. Bureau of Labor and Statistics, from the two previous years and rounding the two (2) year sum to the nearest tenth of a percentage point.

(2) The starting base amount for **license, tag, permit**, [~~all licenses, tags, permits~~] and registration fees are listed in this administrative regulation and **shall**[~~will~~] be increased additively every year ending on an even number effective January 1, 2026.

(3) Current license, tag, permit, and registration fees shall be found at <https://fw.ky.gov/Licenses/Pages/Fees.aspx>.

Section 2. Licenses, tags, and permits listed in this section shall be valid from March 1 through the last day of February the following year, except the senior lifetime sportsman's license shall be valid for the life of the license holder while the license holder maintains Kentucky residency.

(1) Sport fishing licenses:

- (a) Statewide annual fishing license (resident): twenty-three (23) dollars;
- (b) Statewide annual fishing license (nonresident): fifty-five (55) dollars;
- (c) Joint married couple statewide fishing license (resident): forty-two (42) dollars;
- (d) Statewide three (3) year fishing license (resident): fifty-five (55) dollars; and
- (e) Trout permit: ten (10) dollars.

(2) Commercial fishing licenses:

- (a) Commercial fishing license (resident), plus ten (10) resident commercial gear tags: \$150;
- (b) Commercial fishing license (nonresident), plus ten (10) nonresident commercial gear tags: \$600; and
- (c) Commercial fishing license for invasive carp and scaled rough fish (nonresident), plus ten (10) nonresident gear tags: \$150.

(3) Commercial fishing gear tags (shall not be sold singly):

- (a) Commercial fishing gear tags (resident) block of ten (10) tags: fifteen (15) dollars;
- (b) Commercial fishing gear tags (nonresident) block of ten (10) tags: \$100; and
- (c) Commercial fishing gear tags for invasive carp and scaled rough fish (nonresident), block of ten (10) tags: fifteen (15) dollars.

(4) Hunting licenses:

- (a) Statewide hunting license (resident): twenty-seven (27) dollars;
- (b) Statewide hunting license (nonresident): \$160;
- (c) Statewide youth hunting license (resident): six (6) dollars;
- (d) Statewide youth hunting license (nonresident): ten (10) dollars;
- (e) Shooting preserve hunting license: five (5) dollars; and
- (f) Migratory bird and waterfowl permit: fifteen (15) dollars.

(5) Combination hunting and fishing license (resident): forty-two (42) dollars.

(6) Sportsman's licenses:

- (a) Sportsman's license (resident), which includes a resident hunting and fishing license, spring turkey permit, fall turkey permit, trout permit, state migratory bird and waterfowl permit, and statewide deer permit: ninety-five (95) dollars;
- (b) Youth sportsman's license (resident), which may be issued to a person before he or she has reached his or her sixteenth birthday and for which the privileges remain valid through the end of the applicable license year, and which includes a statewide hunting license, a statewide deer permit, a spring turkey permit, fall turkey permit, migratory game bird and waterfowl permit, statewide annual fishing license, and a Ballard WMA waterfowl hunt permit valid for all days the license holder lawfully waterfowl hunts at Ballard WMA: thirty (30) dollars;
- (c) Senior sportsman's **license[licenses]**, which include a resident hunting and fishing license, spring turkey permit, fall turkey permit, trout permit, state migratory bird and waterfowl permit, and statewide deer permit. Senior licenses shall not be valid unless the holder carries proof of their Kentucky residency and proof of age on the holder's person while performing an act authorized by the license:
 - 1. Annual senior sportsman's license (resident): twelve (12) dollars; and

2. Senior lifetime sportsman's license (resident): \$180;

(d) Disabled sportsman's license (resident), which includes a resident hunting and fishing license, spring turkey permit, fall turkey permit, trout permit, state migratory bird and[-] waterfowl permit, and statewide deer permit: twelve (12) dollars; and[-]

(e) First time ~~buyer~~[license-buyer's] sportsman's license (resident), which includes a resident hunting and fishing license, spring turkey permit, fall turkey permit, trout permit, state migratory bird and waterfowl permit, and statewide deer permit: thirty-five (35) dollars.

(7) Trapping licenses:

(a) Trapping license (resident): twenty (20) dollars;

(b) Trapping license (resident landowner – tenant): ten (10) dollars;

(c) Trapping license (nonresident): \$130; and

(d) Youth trapping license (resident): five (5) dollars.

(8) Game permits:

(a) Bear permit (resident): thirty (30) dollars;

(b) Youth bear permit (resident): ten (10) dollars;

(c) Bear chase permit (resident): thirty (30) dollars;

(d) Youth bear chase permit (resident): ten (10) dollars;

(e) Combination bear permit (resident), which includes a bear permit and a bear chase permit: fifty (50) dollars;

(f) Bear permit (nonresident): \$250;

(g) Youth bear permit (nonresident): \$100;

(h) Bear chase permit (nonresident): fifty (50) dollars;

(i) Youth bear chase permit (nonresident): fifteen (15) dollars;

(j) Quota cow elk permit (resident): sixty (60) dollars;

(k) Quota cow elk permit (nonresident): \$400;

(l) Quota bull elk permit (resident): \$100;

(m) Quota bull elk permit (nonresident): \$550;

(n) Quota either sex archery and crossbow elk permit (resident): \$100;

(o) Quota either sex archery and crossbow elk permit (nonresident): \$550;

(p) Out-of-zone elk permit (resident): thirty (30) dollars;

(q) Out-of-zone elk permit (nonresident): \$400;

(r) Statewide deer permit (resident): thirty-five (35) dollars;

(s) Statewide deer permit (nonresident): \$235;

(t) Statewide youth deer permit (resident), valid for taking four (4) deer: ten (10) dollars;

(u) Statewide youth deer permit (nonresident), valid for taking four (4) deer: fifteen (15) dollars;

(v) Additional deer permit: fifteen (15) dollars;

(w) Spring turkey permit (resident): thirty (30) dollars;

(x) Spring turkey permit (nonresident): \$110;

(y) Fall turkey permit (resident): thirty (30) dollars;

(z) Fall turkey permit (nonresident): \$110;

(aa) Youth turkey permit (resident), valid for taking one (1) wild turkey during spring or fall seasons: ten (10) dollars;

(bb) Youth turkey permit (nonresident), valid for taking one (1) wild turkey during spring or fall seasons: fifteen (15) dollars;

(cc) Quota youth elk permit (resident): thirty (30) dollars; and

(dd) Quota youth elk permit (nonresident): \$200.

- (9) Peabody WMA user permit: fifteen (15) dollars.
- (10) Land Between the Lakes hunting permit: as stated at landbetweenthelakes.us.
- (11) Conservation permit: five (5) dollars.
- (12) Bobcat hunting permit: ten (10) dollars~~[Free]~~.
- (13) Guide~~[Commercial guide]~~ licenses:
 - (a) Fishing guide license (resident): \$100;~~[Commercial guide license (resident): \$150; and]~~
~~[(b)] [Commercial guide license (nonresident): \$400;]~~
 - (b) Fishing guide license (nonresident): \$400;
 - (c) Hunting guide license (resident): \$100; and
 - (d) Hunting guide license (nonresident): \$400.
- (14) Outfitter licenses:
 - (a) Fishing Outfitter Tier 1 (resident): \$250;
 - (b) Fishing Outfitter Tier 1 (nonresident): \$1,000;
 - (c) Fishing Outfitter Tier 2 (resident): \$750;
 - (d) Fishing Outfitter Tier 2 (nonresident): \$1,500;
 - (e) Hunting Outfitter Tier 1 (resident): \$500;
 - (f) Hunting Outfitter Tier 1 (nonresident): \$1,000;
 - (g) Hunting Outfitter Tier 2 (resident): \$1,000;
 - (h) Hunting Outfitter Tier 2 (nonresident): \$2,000;
 - (i) Hunting Outfitter Tier 3 (resident): \$1,500;
 - (j) Hunting Outfitter Tier 3 (nonresident): \$3,000;
 - (k) Hunting Outfitter Tier 4 (resident): \$2,000; and
 - (l) Hunting Outfitter Tier 4 (nonresident): \$4,000.
- (15) Experimental commercial fishing methods program permits:
 - (a) Tier I experimental commercial fishing methods program permit (resident): \$800;
 - (b) Tier I experimental commercial fishing methods program permit (nonresident): \$1,600;
 - (c) Tier II experimental commercial fishing methods program permit (resident): \$1,200; and
 - (d) Tier II experimental commercial fishing methods program permit (nonresident): \$2,400.
- (16) Annual shooting range permit:
 - (a) Purchaser does not hold **a valid**~~[an]~~ annual hunting or fishing license: twenty-five (25) dollars; or
 - (b) Purchaser holds a valid annual hunting or fishing license: Free.

Section 3.~~[Section 2.]~~ Licenses, tags, and permits listed in this section shall be valid for the calendar year issued.

- (1) Live fish and bait dealer's licenses:
 - (a) Live fish and bait dealer's license (resident): fifty (50) dollars; and
 - (b) Live fish and bait dealer's license (nonresident): \$150.
- (2) Commercial taxidermist license: \$150.
- (3) Shooting area permit: \$150.
- (4) Dog training area permit: fifty (50) dollars.
- (5) Collecting permits:
 - (a) Educational wildlife collecting permit: twenty-five (25) dollars; and
 - (b) Scientific wildlife collecting permit: \$100.
- (6) Wildlife~~[Nuisance wildlife]~~ control operator's permit: \$100.
- (7) Pay lake license:
 - (a) Pay lakes obtaining all fish from private hatcheries only:

1. Lakes with two (2) acres or less: \$250; and
2. Each additional acre or part of an acre: ~~fifty~~~~[Fifty]~~ (50) dollars; and
- (b) Pay lakes obtaining all or a portion of catfish from public waters:
 1. Lakes with two (2) acres or less: \$600; and
 2. Each additional acre or part of an acre: fifty (50) dollars.
- (8) Commercial captive wildlife permit: \$150.
- (9) Commercial fish propagation permit: fifty (50) dollars.
- (10) Wildlife rehabilitator's permit: twenty-five (25) dollars.
- (11) Annual wildlife transportation permit: \$250.
- (12) Peabody Wildlife Management Area annual event permit: \$250.

Section 4.~~[Section 3.]~~ Licenses, tags, and permits listed in this section shall be valid for three (3) years from the date of issue.

- (1) Falconry permit: seventy-five (75) dollars.
- (2) Noncommercial captive wildlife permit: seventy-five (75) dollars.

Section 5.~~[Section 4.]~~ Licenses, tags, and permits listed in this section shall be valid for the date or dates specified on each.

- (1) Short-term licenses:
 - (a) One (1) day fishing license (resident): seven (7) dollars;
 - (b) One (1) day fishing license (nonresident): fifteen (15) dollars;
 - (c) Seven (7) day fishing license (nonresident): thirty-five (35) dollars;
 - (d) One (1) day hunting license (resident) (not valid for deer, elk, bear, or turkey hunting): seven (7) dollars;
 - (e) One (1) day hunting license (nonresident) (not valid for deer, elk, bear, or turkey hunting): twenty-five (25) dollars;~~[-and]~~
 - (f) Seven (7) day hunting license (nonresident) (not valid for deer, elk, bear, or turkey hunting): sixty-five (65) dollars;~~[-and]~~
 - (g) Three (3) day fur buyers license (nonresident): fifty (50) dollars; ~~and~~[-]
 - (h) One (1) day shooting range permit: five (5) dollars.
- (2) Individual wildlife transportation permit: twenty-five (25) dollars.
- (3) Special resident commercial fishing permit: \$600.
- (4) Special nonresident commercial fishing permit: \$900.
- (5) ~~[Commercial waterfowl shooting area permit: \$150.]~~
- ~~[(6)]~~ Shoot-to-retrieve field trial permits:
 - (a) Per trial (maximum four (4) days): seventy-five (75) dollars; and
 - (b) Single day: twenty-five (25) dollars.
- ~~[(6)]~~~~[(7)]~~ Boat dock permit: \$100 per ten (10) year permit period beginning January 1, 2008, except that the fee shall be pro-rated for the number of years remaining in the ten (10) year period.
- ~~[(7)]~~~~[(8)]~~ Shoreline use permit: Valid for a fifteen (15) year permit period beginning January 1, 2010, pro-rated to the nearest five (5) year interval remaining in the fifteen (15) year period, and containing three (3) tiers, including:
 - (a) Tier I: \$100;
 - (b) Tier II: \$200; and
 - (c) Tier III: \$300.
- ~~[(8)]~~~~[(9)]~~ Peabody individual event permit: twenty-five (25) dollars.
- ~~[(9)]~~~~[(10)]~~ Commercial roe-bearing fish buyer's permit:

- (a) Commercial roe-bearing fish buyer's permit (resident): \$500; and
- (b) Commercial roe-bearing fish buyer's permit (nonresident): \$1,000.
- (10)~~[(44)]~~ Commercial roe-bearing fish harvester's permit:
 - (a) Commercial roe-bearing fish harvester's permit (resident): \$500; and
 - (b) Commercial roe-bearing fish harvester's permit (nonresident): \$1,500.
- (11)~~[(42)]~~ Otter Creek Outdoor Recreation Area:
 - (a) Daily Entry Permit: three (3) dollars, with children under twelve (12) free; and
 - (b) Daily Special Activities Permit: seven (7) dollars.
- (12)~~[(43)]~~ Commercial foxhound training enclosure permit: \$150.
- (13)~~[(44)]~~ Noncommercial foxhound training enclosure permit: twenty-five (25) dollars.
- (14)~~[(45)]~~ Fish transportation permit: twenty-five (25) dollars.

Section 6.~~[Section 5.]~~ Licenses, tags, and permits listed in this section shall be valid on a per-unit basis as specified.

- (1) Ballard WMA waterfowl hunt permit (per person, per day; youths under age sixteen (16) exempted): fifteen (15) dollars.
- (2) Pheasant hunt permit (per person, per day): twenty-five (25) dollars.
- ~~[(3)] [Horse stall rental (per space, per day): two (2) dollars.]~~
- ~~[(4)] [Dog kennel rental (per dog, per day): fifty (50) cents.]~~
- (3)~~[(5)]~~ Captive cervid permit (per facility, per year): \$150.
- (4)~~[(6)]~~ Noncommercial captive cervid permit (per facility, per three (3) years): seventy-five (75) dollars.

Section 7.~~[Section 6.]~~ The following licenses listed in this section shall be valid from April 1 through March 31 of the following year:

- (1) Fur processor's license (resident): \$150;
- (2) Fur buyer's license (resident): fifty (50) dollars; and
- (3) Fur buyer's license (nonresident): \$300.

Section 8.~~[Section 7.]~~ The following Otter Creek Outdoor Recreation Area permits shall be valid from July 1 through June 30 of the following year:

- (1) Annual Entry Permit: thirty (30) dollars, with children under twelve (12) free; and
- (2) Annual Special Activities Permit: seventy (70) dollars.

Section 9.~~[Section 8.]~~ The following non-refundable application fees listed in this section shall be valid for the application to hunt in a department administered quota hunt or for a chance to be drawn for permits as specified.

- (1) Pheasant quota hunt application fee: three (3) dollars.
- (2) Antlered elk firearms quota hunt application fee: ten (10) dollars.
- (3) Antlerless elk firearms quota hunt application fee: ten (10) dollars.
- (4) Either-sex elk archery and crossbow quota hunt application fee: ten (10) dollars.
- (5) Youth quota elk hunt application fee: ten (10) dollars.
- (6) Deer quota hunt application fee: three (3) dollars.
- (7) Waterfowl quota hunt application fee: three (3) dollars.
- (8) Sandhill crane quota hunt application fee: three (3) dollars.
- (9) Elk hunt sweepstakes and premium combination big game permit application fee:
 - (a) Five (5) dollars for residents and ten (10) dollars for one (1) application;

- (b) Ten (10) dollars for residents and twenty (20) dollars for nonresidents per bundle of three (3) applications; and
 - (c) Twenty-five (25) dollars for residents and fifty (50) dollars for nonresidents per bundle of ten (10) applications.
- (10) Standard combination big game permit application fee:
- (a) Three (3) dollars for residents and six (6) dollars for nonresidents for one (1) application;
 - (b) Eight (8) dollars for residents and sixteen (16) dollars for nonresidents per bundle of three (3) applications; and
 - (c) Twenty (20) dollars for residents and forty (40) dollars for nonresidents per bundle of ten (10) applications.

Section 10. Motorboat, Boat Manufacturer, and Boat Dealer Registration Fees.

- (1) The annual registration fee for motorboats shall be:
 - (a) Class A: twenty-one (21) dollars;
 - (b) Class 1: forty (40) dollars;
 - (c) Class 2: fifty (50) dollars; and
 - (d) Class 3: sixty-five (65) dollars.
- (2) Boat Manufacturer or Boat Dealer Registration: \$100.
- (3) Boat Manufacturer or Boat Dealer Additional Plate: two (2) dollars.