

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, 2026

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

Re: 301 KAR 1:410. Taking of fish by nontraditional fishing methods.

Dear Co-Chairs:

After discussions with Administrative Regulation Review Subcommittee staff of the issues raised by 301 KAR 1:410, the Kentucky Department of Fish and Wildlife Resources proposes the attached suggested substitute to 301 KAR 1:410 to this ordinary regulation.

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

FINALIZED: 10/6/26

SUGGESTED AMENDMENT
Tourism, Arts, & Heritage Cabinet
Department of Fish & Wildlife Resources

301 KAR 1:410. Taking of fish by nontraditional fishing methods.

Page 2

Section 1(1)

Line 9

After "(1)", insert the following:

In accordance with KRS 150.170(5)(a),

Page 2

Section 1(1)(a)

Lines 12-13

After "regulation", delete the following:

for daily limit, possession, size, or method of take for the fish in the private
landowner's private lake or pond

After semicolon, insert "and".

Page 2

Section 1(1)(b)

Lines 14-15

After "of this section", delete the following:

in written or electronic form

After "fishing license;", insert the following:

, in accordance with KRS 150.170(5)

Delete the following:

; and

(c) Include the bona fide landowner's address and telephone number in
any written or electronic permission extended to another person under
subsection (2) of this section

Pages 2-3

Section 1(2)

Lines 18-19, 1-2

After "(2)", insert the following:

If a bona fide landowner extends privileges to another person pursuant to subsection (1)(b) of this section, that person shall be required to furnish the permission to a game warden upon request, in accordance with KRS 150.170(5)(b)2.

Delete the remainder of subsection (2) in its entirety.

Page 8

Section 5(2)

Line 7

After "(2)", insert "Upon request,".

After "shall", insert "approve".

Delete the following:

be authorized to establish

After "the", delete "exact".

Line 8

After "pools", insert the following:

left as a result of flooding



KENTUCKY DEPARTMENT OF FISH & WILDLIFE RESOURCESARRS

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Administrative Regulation Review Subcommittee
Legislative Research Commission
Rm 083, Capitol Annex
Frankfort KY 40601

Re: 301 KAR 2:176. Wildlife causing damage and landowner designee process.

Dear Co-Chairs:

After discussions with Administrative Regulation Review Subcommittee staff of the issues raised by 301 KAR 2:176, the Kentucky Department of Fish and Wildlife Resources proposes the attached suggested substitute to 301 KAR 2:176 to this ordinary regulation.

Sincerely,

A handwritten signature in black ink that reads "Jenny Gilbert". The signature is written in a cursive, flowing style.

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

FINALIZED: 10/6/26

SUGGESTED SUBSTITUTE

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

301 KAR 2:176. Wildlife causing damage and landowner designee process.

RELATES TO: KRS ~~13B~~, 150.010, 150.170, 150.175, 150.360, 150.390, 150.400, 150.410, 150.990

STATUTORY AUTHORITY: KRS 150.025(1), 150.105[, ~~150.170(7)~~, ~~150.186~~]

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 of Fish and Wildlife Resources 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 to a limited area. KRS 150.105 authorizes the commissioner, with the approval of the commission, to destroy or bring under control wildlife causing damage. KRS 150.170(8)~~[150.170(7)]~~ authorizes landowners, their spouses or dependent children, or a designee to destroy wildlife causing damage. KRS 150.170(10)(b)~~[It also]~~ authorizes the department to promulgate administrative regulations that establish procedures for the designee appointment process. This administrative regulation establishes the requirements for~~[the issuance of]~~ wildlife control tags, ~~[and]~~ destruction tags, and~~[establishes the requirements for]~~ the landowner designee appointment process.

Section 1. Definitions.

- (1) "Carcass tag" means a tag affixed to the carcass that allows the individual who legally takes the animal to move the carcass, utilize the edible parts of the same, or transfer possession to another individual.
- (2) "Control tag" means a tag issued by the department that authorizes an individual to take wildlife during an open hunting or trapping season for the species causing damage.
- (3) ~~["Destruction tag" means an authorization issued by the department that authorizes a landowner or designee to take wildlife outside of an open hunting or trapping season for the species causing damage.~~
- ~~(4)~~ "Department representative" means a department employee who is a wildlife biologist or game warden.

~~(4)~~~~(5)~~ "Designee" means a person who has been designated by a landowner and approved by the commissioner to remove wildlife causing damage on the landowner's property.

(5) "Destruction tag" means an authorization issued by the department that authorizes a landowner or designee to take wildlife outside of an open hunting or trapping season for the species causing damage.

(6) "Food plot" means a crop or cultivated plants grown to attract and feed wildlife.

(7) "Landowner" means the person who has title to a particular property.

Section 2. Qualifying for Control Tags.

(1) A landowner shall qualify for control tags if:

- (a) Hunting or trapping for the species occurred on the property during the previous season;
- (b) Standard deterrent measures recommended by a department representative have proven ineffective or are impractical;

(c) A department representative certifies wildlife damage to crops, gardens, property, or wildlife habitat; or

(d) Hunting or trapping seasons and bag limits are determined by a department representative to be inadequate to control wildlife populations on the property.

(2) A department representative shall make an on-site inspection of each property for which a request for control tags has been made, unless the property:

(a) Has been previously inspected by a department representative and the landowner affirms that wildlife damage still exists; or

(b) Is immediately adjacent to property assessed by a department representative as having severe wildlife damage.

(3) The department shall not issue control tags to a landowner whose only damage is to a food plot.

Section 3. Applying for Control Tags.

(1) A landowner shall request control tags by contacting the department through:

(a) A game warden; or

(b) The wildlife biologist for the county in which the property is located.

(2) If required by Section 2 of this administrative regulation, a department representative shall visit the property and assess the nature and extent of wildlife damage.

Section 4. Number of Control Tags Issued.

(1) The Wildlife Division shall determine the number of control tags to be issued for each property based on the recommendation of the department representative.

(2) The department shall not issue a control tag if:

(a) The county hunting or trapping season is adequate to achieve the desired reduction in wildlife numbers; or

(b) Crop, property, or environmental damage is not present.

Section 5. Transfer of Control Tags.

(1) Control tags shall be issued in the landowner's name.

(2) A landowner:

- (a) May transfer a control tag to another person; and
- (b) Shall require hunters or trappers to sign a control tag after an animal has been taken.

Section 6. Use of Control Tags.

- (1) A control tag shall not be valid except on the property for which it was issued.
- (2) A control tag shall expire after the license year for which it was issued.
- (3) A person who uses a control tag:
 - (a) Shall have in possession a valid:
 - 1. Control tag; and
 - 2. Hunting or trapping license, as applicable for the method of take, and permit for the species causing damage, if applicable, unless exempt from license or permit requirements pursuant to KRS 150.170 or 301 KAR 3:120; and
 - 3. Proof of hunter education if required by 301 KAR 2:185~~;~~^[1]
 - (b) May use control tags during any open hunting or trapping season for the species;
 - (c) Shall comply with weapon and season requirements as established in 301 KAR 2:132, 2:142, 2:144, 2:172, 2:251, or 2:300, except that antlered deer or elk may not be taken; and
 - (d) Shall submit the head of harvested deer or elk to the department as determined by a department representative for Chronic Wasting Disease testing if the animal was taken inside of a Chronic Wasting Disease Surveillance Zone.
 - (e) Shall telecheck the animal by midnight on the day it was recovered if telecheck is normally required for the species taken.
- (4) Wildlife taken with a control tag shall not count toward the zone or statewide bag limit as established in 301 KAR 2:132, 2:142, 2:144, 2:172, 2:251, or 2:300.
- (5) Traps used to take wildlife with a control tag shall:
 - (a) Be tagged and checked as established in KRS 150.400 and 150.410; and
 - (b) Comply with trap requirements as established in 301 KAR 2:251.

Section 7. Destruction Tags.

- (1) Unless otherwise prohibited from receiving destruction tags under Section 8 of this administrative regulation, the~~[The]~~ Wildlife Division may issue destruction tags~~[tag]~~:
 - (a) To a person authorized by the commissioner to remove wildlife that are or may become a public safety or environmental threat or that have entered a permitted captive cervid facility;
 - (b) To a landowner or the designee who requests the same from a department representative;
~~[1:]~~
 - ~~[1:] [Who continues to experience damage after using control tags; or]~~
 - ~~[2:] [Whose property cannot be hunted legally and wildlife are posing a public safety or environmental threat;]~~
 - (c) To a captive cervid facility permit holder or applicant:
 - 1. Whose fence meets the fencing and holding requirements in 301 KAR 2:083; and
 - 2. Who has attempted to remove wild deer using nonlethal methods or statewide deer seasons as established in 301 KAR 2:172; or

(d) If a department representative determines that out of season take is warranted to curtail damage after conducting the initial site visit as established in Section 3 of this administrative regulation.

(2) For wildlife species other than white-tailed deer causing damage, a [A] destruction tag shall specify the:

- (a) Number and sex of wildlife to be destroyed if the species causing damage is sexually dimorphic;
- (b) Method of destruction;
- (c) Name of the person who will destroy the wildlife; and
- (d) Dates during which the destruction will take place.

(3) For white-tailed deer causing damage:

- (a) The Wildlife Division shall issue a minimum of five (5) destruction tags to the landowner or approved designee that are valid for antlerless deer only for two (2) consecutive years; and
- (b) Each destruction tag issued ~~shall~~**will** be valid for two (2) years.

(4) A destruction tag shall not be issued without the recommendation of a department representative and the approval of the commissioner.

(5)[(4)] A person who uses a destruction tag shall:

- (a) Have in possession a valid:
 - 1. Destruction tag;
 - 2. Hunting or trapping license for the species causing damage[], unless exempt from license or permit requirements pursuant to KRS 150.170 or 301 KAR 3:120;
 - 3. Proof of hunter education if required by 301 KAR 2:185; and
 - 4. Completed Wildlife Damage Designee Form for the property in which wildlife are being removed;
- (b) Attach to each carcass a carcass tag that contains the confirmation number, hunter's name, and telephone number;
- (c) Not remove the carcass tag until the carcass is processed or disposed of;
- (d) Relinquish to the department, destroy, or leave afield all inedible parts;
- (e) Telecheck the animal by midnight on the day the animal was recovered if telecheck is ordinarily required for the species taken;
- (f) Submit the head of harvested deer or elk to the department as determined by a department representative for Chronic Wasting Disease testing if the animal was taken inside of a Chronic Wasting Disease Surveillance Zone; and
- (g) Not take wildlife causing damage at night unless specified by a department representative and approved by the commissioner in writing on the Wildlife Damage Designee Form.

(6)[(5)] A destruction tag shall not be used except as established on the authorization.

(7)[(6)] A person who receives a destruction tag for species other than bear, bobcat, deer, elk, river otter, or turkey shall:

- (a) Complete **an Out-of-Season[a]** Wildlife Destruction Tag Reporting Form issued by the department; and

(b) Submit the completed form to the department at # 1 Sportsman's Lane, Frankfort, Kentucky 40601, ATTN: Wildlife Destruction Tag Report, within fourteen (14) days after the expiration date designated on the destruction tag.

Section 8. Designee Procedures, Requirements and Denial Process.

(1) A landowner may appoint a designee to kill wildlife causing damage on the landowner's land as follows:[:]

(a) ~~[(1)]~~ There shall be no limit to the number of designees that a landowner may have in Zone 1 counties;

(b) A landowner may appoint up to five (5) designees per 100 acres of property in Zone 2 counties;

(c) A landowner may appoint up to three (3) designees per 100 acres of property in Zone 3 counties;

(d) A landowner may appoint one (1) designee per 100 acres of property in Zone 4 counties; and

(e) **The Commissioner may authorize** a landowner ~~[- may be authorized]~~ to appoint additional designees if ~~[- it is deemed]~~ necessary ~~[- by the Commissioner]~~ to prevent further damage, pursuant to **KRS 150.105.**

(2) The landowner and designee shall complete and submit to the department a Wildlife Damage Designee Form.

(3) The department shall have thirty (30) days upon receipt of the Wildlife Damage Designee Form to approve or deny a designee.

(4) The department shall deny a designee that:

(a) Has received a felony conviction; or

(b) Has been convicted of any state or federal wildlife violation during the previous three (3) years.

Section 9. Denial or Revocation of Control Tags or Destruction Tag and Appeal Procedures.

(1) The department shall revoke a control tag or destruction tag or deny a future tag to a person who fails to comply with the requirements of this administrative regulation.

(2) An individual whose request for a tag has been denied or revoked may request an administrative hearing, which shall be conducted 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 the 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 10. Taking of Wildlife in the Act of Causing Damage

(1) A landowner, tenant, or approved designee may take wildlife in the act of causing damage as established in KRS **150.170(8)**~~[150.170 (7)]~~.

(2) Individuals established in KRS **150.170(8)**~~[150.170 (7)]~~ who take wildlife in the act of causing damage shall electronically report the take to the department at <https://app.fw.ky.gov/reprint/krs150170.aspx> within 24 hours of take.

(3) Individuals established in **KRS 150.170(8)**~~[150.170 (7)]~~ who have taken an animal causing damage shall request and obtain a carcass tag to remove the animal from the property or utilize the edible portions of the same via the electronic submission form as established in this section.

Section 11.~~[Section 10.]~~ Incorporation by Reference.

(1) The following material is incorporated by reference:

(a) "Wildlife Damage Designee Form", 2026~~[2025]~~ edition; and

(b) "Out-of-Season Wildlife Destruction Reporting Form", 2026~~[2025]~~ edition.

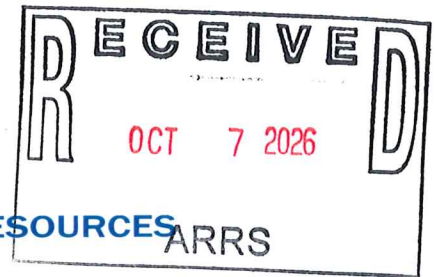
(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Department of Fish and Wildlife Resources, #1 Sportsman's Lane, Frankfort, Kentucky 40601, Monday through Friday, 8:00 a.m. to 4:30 p.m. Eastern Time or online at:

(a) Wildlife Damage Designee Form: <https://fw.ky.gov/Wildlife/Documents/Wildlife-Damage-Designee-Form.pdf>; **or**

(b) Out-of-Season Wildlife Destruction Reporting Form:

<https://fw.ky.gov/Wildlife/Documents/Out-Season-Wildlife-Destr-Rpt-Form.pdf>.

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: fw.publicaffairs@ky.gov



KENTUCKY DEPARTMENT OF FISH & WILDLIFE RESOURCES

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October 6, 2026

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

Re: 301 KAR 5:210. Special agency fundraising permits.

Dear Co-Chairs:

After discussions with Administrative Regulation Review Subcommittee staff of the issues raised by 301 KAR 5:210, the Kentucky Department of Fish and Wildlife Resources proposes the attached suggested amendment to 301 KAR 5:210 to this ordinary regulation.

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

FINALIZED: 10/6/26

SUGGESTED AMENDMENT
Tourism, Arts, & Heritage Cabinet
Department of Fish & Wildlife Resources

301 KAR 5:210. Special agency fundraising permits.

Page 1

RELATES TO

Line 5

After "150.025,", insert "150.170".

Page 1

NECESSITY, FUNCTION, AND CONFORMITY

Line 17

After "KRS 150.175 requires the department to", insert the following:

promulgate administrative regulations establishing

Delete "establish".

Page 3

Section 2(2)(a)

Line 9

After "department's", insert "website".

Delete "Web site".

Page 3

Section 2(2)(b)

Line 11

After "(b)", insert "1".

Page 3

Section 2(2)(c)

Line 13

Before "(c)", insert "2".

Delete "(c)".

Page 4

Section 2(2)(c)1.

Line 8

Before "1.", insert "a".

Delete "1."

Page 4

Section 2(2)(c)2.

Line 10

Before "2.", insert b..

Delete "2."

Page 4

Section 2(2)(c)3.

Line 12

Before "3.", insert c..

Delete "3."

Page 6

Section 3(1)

Line 9

After "on the agency", insert "website".

Delete "Web site".

Page 8

Section 5

Line 8

After "on the agency", insert "website".

Delete "Web site".



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 12, 2026

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

Re: 301 KAR 11:002. Fish and Wildlife Commission Member selection process.

Dear Co-Chairs:

After discussions with Administrative Regulation Review Subcommittee staff of the issues raised by 301 KAR 11:002, the Kentucky Department of Fish and Wildlife Resources proposes the attached suggested amendment to 301 KAR 11:002 to this ordinary regulation.

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

Final: 10/12/2026

Suggested Amendment

301 KAR 11:002. Fish and Wildlife Commission Member selection process.

Page 8

Section 7(1)(a)

Line 10

After " Application", ", insert "October".
Delete "July".

MATERIAL INCORPORATED BY REFERENCE:

Top Right of Form

Before "July", insert "October".
Delete "July".

Page 1

License History paragraph

Line 2

After "does not", insert "count".
Delete "county".

Page 2

Paragraph before mailing address box

Line 3

After "date of receipt, not", insert "postmark".
Delete "post mark".

Page 3

Statement of Fact

Parenthetical phrase after signature line

After "witnessed by a Notary", insert "Public".
Delete "Republic".

Statement of Fact:

I, the undersigned, hereby state that I am an experienced hunter, angler, trapper or biologist and that I have held a hunting and fishing license in Kentucky for at least the previous five (5) consecutive years; and I do hereby attest that I am well informed on the subject of wildlife conservation and restoration.

Furthermore, I, the undersigned, hereby state that upon signing this instrument, the Kentucky Department of Fish and Wildlife Resources (KDFWR) and all of its employees shall be released of any liability that might occur as a result of the approval or denial of my nomination. I certify that I have read and understand [KRS 150.022](#). Further, I certify that I am eighteen (18) years of age or older, of sound mind, and under no constraint or undue influence. To the best of my knowledge, the information herein is correct and true.

Signature: _____ Date: _____

(Signature required to be witnessed by a Notary Public)

NOTARY ACKNOWLEDGMENT

COMMONWEALTH OF KENTUCKY**COUNTY OF** _____

Subscribed and sworn before me, I _____, a Notary Public, in and for the County and State above, do hereby declare that the Affiant, _____ did appear personally before me and furnish to me adequate identification of providing their identity and stated that _____ (he/she) did sign this document of their own free will, on this the _____ day of _____ 20____.

Notary Public

My Commission expires: _____

(AFFIX SEAL)

Statement of Fact:

I, the undersigned, hereby state that I am an experienced hunter, angler, trapper or biologist and that I have held a hunting and fishing license in Kentucky for at least the previous five (5) consecutive years; and I do hereby attest that I am well informed on the subject of wildlife conservation and restoration.

Furthermore, I, the undersigned, hereby state that upon signing this instrument, the Kentucky Department of Fish and Wildlife Resources (KDFWR) and all of its employees shall be released of any liability that might occur as a result of the approval or denial of my nomination. I certify that I have read and understand [KRS 150.022](#). Further, I certify that I am eighteen (18) years of age or older, of sound mind, and under no constraint or undue influence. To the best of my knowledge, the information herein is correct and true.

Signature: _____ Date: _____

(Signature required to be witnessed by a Notary **Public** [~~Republic~~])

NOTARY ACKNOWLEDGMENT

COMMONWEALTH OF KENTUCKY

COUNTY OF _____

Subscribed and sworn before me, I _____, a Notary Public, in and for the County and State above, do hereby declare that the Affiant, _____ did appear personally before me and furnish to me adequate identification of providing their identity and stated that _____ (he/she) did sign this document of their own free will, on this the _____ day of _____ 20____.

Notary Public

My Commission expires: _____

(AFFIX SEAL)