

## CHAPTER 92

( HB 261 )

AN ACT relating to taken wildlife.

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

➔SECTION 1. A NEW SECTION OF KRS CHAPTER 150 IS CREATED TO READ AS FOLLOWS:

- (1) *As used in this section, "mounted wildlife specimen" means:*
  - (a) *A legally taken animal, including the skin of the head, cape, or the entire skin, mounted in a lifelike representation of the animal or any part thereof; or*
  - (b) *A European mount in which the horns or antlers and the skull or a portion of the skull are mounted for display.*
- (2) *Notwithstanding KRS 150.180 and no later than January 1, 2014, the department shall promulgate administrative regulations to allow any person or entity to sell or buy mounted wildlife specimens, except as prohibited by federal law.*
- (3) *The administrative regulations promulgated under this section shall establish a means by which each transaction for the sale of mounted wildlife specimens for white-tailed deer, elk, bears, turkeys, and bobcats shall be recorded by the department. The department shall make the recording of each transaction as reasonably convenient for all parties to the transaction as possible, which may include but not be limited to allowing telephone and Internet recording of sales.*
- (4) *Mounted wildlife specimens purchased from or sold to a licensed taxidermist under KRS 150.4111 shall be exempt from the requirements of this section.*

➔SECTION 2. A NEW SECTION OF KRS CHAPTER 150 IS CREATED TO READ AS FOLLOWS:

- (1) *As used in this section, "gross score" means the Boone and Crockett score derived by calculating the measurements of the antlers of a white-tailed deer or elk in accordance with subsection (2) of this section.*
- (2) *The gross score of an antlered white-tailed deer or elk shall be calculated in accordance with the Boone and Crockett Club's "Measuring and Scoring North American Big Game Trophies, Third Edition, 2009" and shall be taken by an official Boone and Crockett Club scorer. Measurements taken for the purpose of calculating the gross score may be taken at any time, with no drying time being required.*
- (3) *A person found guilty of a violation of the provisions of this chapter regarding the taking, buying, selling, transporting, or possessing of an antlered white-tailed deer with a gross score of more than one hundred twenty-five (125) inches shall pay to the department an additional restitution value calculated by squaring the difference between the gross score and one hundred (100) and multiplying the resulting number by one dollar and sixty-five cents (\$1.65).*
- (4) *A person found guilty of a violation of the provisions of this chapter regarding the taking, buying, selling, transporting, or possessing of an antlered elk with a gross score of more than two hundred eighty (280) inches shall pay to the department an additional restitution value calculated by squaring the difference between the gross score and two hundred fifty-five (255) and multiplying the resulting number by one dollar and sixty-five cents (\$1.65).*
- (5) *A person found guilty of a violation of the provisions of this chapter regarding the taking, buying, selling, transporting, or possessing of a bear shall pay to the department an additional restitution value of one thousand dollars (\$1,000).*
- (6) *A person found guilty of a violation of the provisions of this chapter regarding the taking, buying, selling, transporting, or possessing of a turkey shall pay to the department an additional restitution value of five hundred dollars (\$500).*
- (7) *A person found guilty of a violation of the provisions of this chapter regarding the taking, buying, selling, transporting, or possessing of a bobcat shall pay to the department an additional restitution value of five hundred dollars (\$500).*
- (8) *The commissioner or designee may bring a civil action to recover the restitution value owed to the department under subsections (3), (4), (5), (6), or (7) of this section. A person who owes restitution to the*

*department under subsections (3), (4), (5), (6), or (7) of this section shall forfeit his or her hunting license or, if license-exempt, the privilege to perform the hunting acts authorized by the license until the restitution owed has been paid.*

- (9) *The restitution required by this section shall be in addition to all other restitution, replacement costs, and civil or criminal penalties authorized by this chapter and the administrative regulations promulgated hereunder.*

**Signed by Governor March 22, 2013.**