

CHAPTER 19

(HB 448)

AN ACT relating to destruction of crops on farms by wildlife.

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

➔Section 1. KRS 150.170 is amended to read as follows:

- (1) Except as provided in the following subsections of this section, and subject to administrative regulations promulgated under this chapter, no person, resident or nonresident, shall do any act authorized by any kind of license or permit, or assist in any way any person in doing any act provided for in this chapter with respect to wildlife unless he holds the kind of license or permit, resident or nonresident, that authorizes the act. It shall be the specific purpose of this chapter to prohibit the taking or pursuing of any wildlife, protected or unprotected, or the fishing in any stream or body of water whether public or private, without first procuring the license provided for in KRS 150.175, except to the extent as may be otherwise provided in this section.
- (2) A person under sixteen (16) years of age may, without a sport fishing license, take fish by angling, or take minnows by the use of a minnow seine, minnow trap, or dip net.
- (3) A person under twelve (12) years of age shall be exempt from being required to obtain a sport hunting or sport trapping license as required by this chapter.
- (4) The resident owner of farmlands, his *or her* spouse, or dependent children, shall, without procuring any sport hunting or sport fishing licenses, have the right to take fish or hunt during the open season, except trapping, on the farmlands of which they are bona fide owners. Tenants or their dependent children residing upon these farmlands shall have the same privilege.
- (5) Residents or nonresidents observing and participating in field trials, training exercises, or other competitions as authorized by the department may observe and participate without obtaining a hunting or guide's license so long as game is not taken.
- (6) Any resident serviceman on furlough of more than three (3) days in this state may, without any Kentucky sport hunting or sport fishing licenses, do any act authorized by the licenses, but while so doing he shall carry on his person proper identification and papers showing his furlough status.
- (7) ~~Resident~~ Landowners, their spouses, ~~for~~ dependent children, ***or their designee who must be approved by the commissioner*** who kill or trap on their lands any wildlife causing damage to the lands or any personal property situated thereon shall not be required to have a hunting or trapping license and may do so during periods other than the open season for the particular species ***without a tag and dispose of the carcass on-site***. Tenants, ***their spouses,*** ~~or~~ their dependent children ~~residing upon the lands~~, or other persons approved by the commissioner, shall also have the same privilege. Upon destruction of any wildlife by the above-specified individuals, the act shall be reported to ***a*** ~~the department or the resident~~ conservation officer ***within twenty-four (24) hours of the kill***. ~~For the proper disposition of the carcass.~~ Individuals wishing to ***transport*** ~~use~~ the carcass ***from the property upon which it was killed*** shall contact personnel of the department to request a disposal tag or other ***authorization*** ~~authorizing document~~. ***Inedible parts from wildlife taken under the authorization of this section shall not be utilized for any purpose and shall be destroyed or left afield. The department shall promulgate regulations establishing procedures for the designee appointment process, including request and approval deadlines.***
- (8) If a reciprocal agreement is entered into by the commissioner, with the approval of the commission, and promulgated as an administrative regulation by the department and similar action is taken by the appropriate authority in Missouri, Tennessee, Virginia, West Virginia, Indiana, Ohio, or Illinois, persons holding a resident or nonresident fishing or a resident or nonresident hunting license issued in these states shall be permitted to perform the acts authorized by the license upon certain contiguous waters and land areas adjacent to the common boundaries of the above-mentioned states and the State of Kentucky. A resident of the State of Kentucky shall purchase a proper Kentucky license to conform with the reciprocal agreement.
- (9) Any member of the Kentucky Army or Air National Guard, active duty or Reserve Component, in any branch in the United States Armed Forces that is based in the Commonwealth of Kentucky, shall have the right to take fish or hunt on any military property belonging to the Commonwealth without procuring any sport hunting or sport fishing license.

Signed by Governor April 2, 2014.