

1 AN ACT relating to fishing in privately-owned lakes and ponds.

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

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

4 (1) Except as provided in the following subsections of this section, and subject to  
5 administrative regulations promulgated under this chapter, no person, resident, or  
6 nonresident shall do any act authorized by any kind of license or permit or assist in  
7 any way any person in doing any act provided for in this chapter with respect to  
8 wildlife unless he or she holds the kind of license or permit, resident or nonresident,  
9 that authorizes the act. It shall be the specific purpose of this chapter to prohibit the  
10 taking or pursuing of any wildlife, protected or unprotected, or the fishing in any  
11 stream or body of water whether public or private, without first procuring the  
12 license provided for in KRS 150.175, except to the extent as may be otherwise  
13 provided in this section.

14 (2) A person under sixteen (16) years of age may, without a sport fishing license, take  
15 fish by angling, or take minnows by the use of a minnow seine, minnow trap, or dip  
16 net.

17 (3) A person under twelve (12) years of age shall be exempt from being required to  
18 obtain a sport hunting or sport trapping license as required by this chapter.

19 (4) The resident owner~~[of farmlands]~~ of five (5) or more acres or his or her spouse or  
20 dependent children shall, without procuring any sport hunting~~[or sport fishing]~~  
21 licenses, have the right to~~[take fish or]~~ hunt during the open season, except ***for***  
22 trapping, on ~~[farmlands of]~~ five (5) or more acres of which they are bona fide  
23 owners. Tenants or their dependent children residing upon ***the property***~~[these~~  
24 ~~farmlands]~~ shall have the same privilege.

25 (5) ***The bona fide resident landowner shall have the right to take fish from any lake***  
26 ***or pond located on his or her property without procuring a sport fishing license***  
27 ***from the department. The resident landowner may extend the same rights***

1 conferred by this subsection relating to fishing in lakes or ponds located on his or  
2 her lands to any person in written or electronic form, specifying the permissible  
3 fishing location of the lake or pond. The resident landowner at his or her  
4 discretion may restrict the permissible fishing dates. Neither the resident  
5 landowner nor any person to whom the resident owner has given written or  
6 electronic permission to fish on the resident owner's property shall be subject to  
7 any limits or restrictions established by this chapter or the administrative  
8 regulations promulgated under this chapter for creel, possession, size, or method  
9 of take for the fish in the resident landowner's lake or pond. Except for  
10 restrictions on the stocking of invasive fish, the resident landowner shall not be  
11 subject to any state requirements regarding the stocking of lakes or ponds located  
12 on the resident landowner's property.

13 **(6)** Residents or nonresidents observing and participating in field trials, training  
14 exercises, or other competitions as authorized by the department may observe and  
15 participate without obtaining a hunting or guide's license so long as game is not  
16 taken.

17 ~~(7)~~~~(6)~~ Any resident serviceman on furlough of more than three (3) days in this state  
18 may, without any Kentucky sport hunting or sport fishing licenses, do any act  
19 authorized by the licenses, but while so doing he or she shall carry on his or her  
20 person proper identification and papers showing his or her furlough status.

21 ~~(8)~~~~(7)~~ Landowners, their spouses or dependent children, or their designee who must  
22 be approved by the commissioner, who kill or trap on their lands any wildlife  
23 causing damage to the lands or any personal property situated thereon shall not be  
24 required to have a hunting or trapping license and may do so during periods other  
25 than the open season for the particular species without a tag and dispose of the  
26 carcass on-site. Tenants, their spouses, their dependent children, or other persons  
27 approved by the commissioner, shall also have the same privilege. Upon destruction

1 of any wildlife by the above-specified individuals, the act shall be reported to a  
2 conservation officer within twenty-four (24) hours of the kill. Individuals wishing  
3 to transport the carcass from the property upon which it was killed shall contact  
4 personnel of the department to request a disposal tag or other authorization.  
5 Inedible parts from wildlife taken under the authorization of this section shall not be  
6 utilized for any purpose and shall be destroyed or left afield. The department shall  
7 promulgate administrative regulations establishing procedures for the designee  
8 appointment process, including request and approval deadlines.

9 ~~(9)~~<sup>(8)</sup> If a reciprocal agreement is entered into by the commissioner, with the  
10 approval of the commission, and promulgated as an administrative regulation by the  
11 department and similar action is taken by the appropriate authority in Missouri,  
12 Tennessee, Virginia, West Virginia, Indiana, Ohio, or Illinois, persons holding a  
13 resident or nonresident fishing or a resident or nonresident hunting license issued in  
14 these states shall be permitted to perform the acts authorized by the license upon  
15 certain contiguous waters and land areas adjacent to the common boundaries of the  
16 above-mentioned states and the State of Kentucky. A resident of the State of  
17 Kentucky shall purchase a proper Kentucky license to conform with the reciprocal  
18 agreement.

19 ~~(10)~~<sup>(9)</sup> Any member of the Kentucky Army or Air National Guard, active duty or  
20 Reserve Component, in any branch in the United States Armed Forces that is based  
21 in the Commonwealth of Kentucky, shall have the right to take fish or hunt on any  
22 military property belonging to the Commonwealth without procuring any sport  
23 hunting or sport fishing license.

24 ~~(11)~~<sup>(10)</sup> A person not otherwise exempted from hunter safety education or from  
25 procuring any sport hunting or sport fishing license shall be exempt from the  
26 department-sanctioned live-fire exercise component of the hunter education course  
27 requirement if he or she:

- 1           (a) Is a current member of the Armed Forces of the United States;
- 2           (b) Has served in the Armed Forces of the United States and was discharged or
- 3                 released therefrom under conditions other than dishonorable; or
- 4           (c) Is a peace officer certified pursuant to KRS 15.380 to 15.404.