

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 ***private land***~~[farmlands]~~ or ***the resident owner's***~~[his or her]~~
20 spouse or dependent children shall, without procuring any sport hunting~~[or sport~~
21 ~~fishing]~~ licenses, have the right to ~~[take fish or]~~hunt during the open season, except
22 trapping, on ***the privately owned land***~~[farmlands]~~ of which they are bona fide
23 owners. Tenants or their dependent children residing upon these ***privately owned***
24 ***lands***~~[farmlands]~~ shall have the same privilege.

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

1 same rights conferred in this subsection relating to fishing in lakes or ponds
2 located on his or her lands to any person in written or electronic form, specifying
3 the permissible fishing location of the lake or pond. The resident landowner at
4 his or her discretion may restrict the permissible fishing dates. The resident
5 landowner and any person to whom the resident owner has given written or
6 electronic permission to fish on the resident owner's property shall not be subject
7 to any limits or restrictions established in this chapter or 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 game warden within twenty-four (24) hours of the kill. Individuals wishing to
3 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)~~⁽⁸⁾ 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)~~⁽⁹⁾ 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)~~⁽¹⁰⁾ 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.