

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 or his or her spouse or dependent children shall,
20 without procuring any sport hunting or sport fishing licenses, have the right to take
21 fish or hunt during the open season, except trapping, on farmlands of which they are
22 bona fide owners. Tenants or their dependent children residing upon these
23 farmlands shall have the same privilege.

24 (5) ***(a) A bona fide owner of private land shall not be subject to any limits or***
25 ***restrictions established in this chapter or the administrative regulations***
26 ***promulgated under this chapter for creel, possession, size, or method of take***
27 ***for the fish in the private landowner's private lake or pond. The private***

1 landowner may extend the same rights conferred in this subsection relating
 2 to fishing in lakes or ponds located on his or her lands to any person in
 3 written or electronic form, specifying the permissible fishing dates and the
 4 location of the lake or pond. Any person found in violation of administrative
 5 regulations promulgated under this chapter for creel, possession, size, or
 6 method of take when checked by a game warden on public lakes, rivers, or
 7 streams shall not claim as a defense any right or privilege conferred by a
 8 landowner for fishing in a private lake or pond on the landowner's private
 9 land.

10 (b) Except for restrictions on the stocking of invasive fish, a bona fide owner of
 11 private land shall not be subject to any state requirements regarding the
 12 stocking of lakes or ponds located on the private landowner's property.

13 (c) With respect to the stocking of private lakes and ponds:

- 14 1. All largemouth bass (*Micropterus nigricans*), except for Alabama bass
 15 (*Micropterus henshalli*), shall not be deemed an invasive species; and
- 16 2. There shall be no restriction on the stocking of first filial (F1)
 17 largemouth bass.

18 (d) This subsection applies to resident and nonresident bona fide owners of
 19 private land in the Commonwealth.

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

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

1 ~~(8)~~~~(7)~~ Landowners, their spouses or dependent children, or their designee who must
2 be approved by the commissioner, who kill or trap on their lands any wildlife
3 causing damage to the lands or any personal property situated thereon shall not be
4 required to have a hunting or trapping license and may do so during periods other
5 than the open season for the particular species without a tag and dispose of the
6 carcass on-site. Tenants, their spouses, their dependent children, or other persons
7 approved by the commissioner, shall also have the same privilege. Upon destruction
8 of any wildlife by the above-specified individuals, the act shall be reported to a
9 game warden within twenty-four (24) hours of the kill. Individuals wishing to
10 transport the carcass from the property upon which it was killed shall contact
11 personnel of the department to request a disposal tag or other authorization.
12 Inedible parts from wildlife taken under the authorization of this section shall not be
13 utilized for any purpose and shall be destroyed or left afield. The department shall
14 promulgate administrative regulations establishing procedures for the designee
15 appointment process, including request and approval deadlines.

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

26 ~~(10)~~~~(9)~~ Any member of the Kentucky Army or Air National Guard, active duty or
27 Reserve Component, in any branch in the United States Armed Forces that is based

1 in the Commonwealth of Kentucky, shall have the right to take fish or hunt on any
2 military property belonging to the Commonwealth without procuring any sport
3 hunting or sport fishing license.

4 ~~(11)~~~~(10)~~ A person not otherwise exempted from hunter safety education or from
5 procuring any sport hunting or sport fishing license shall be exempt from the
6 department-sanctioned live-fire exercise component of the hunter education course
7 requirement if he or she:

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

12 **(12) As used in this section, "private lake or pond" means a lake or pond that is:**

13 **(a) Not connected by surface water to any public waters; and**

14 **(b) Not accessible to fish from other public bodies of water.**