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MEMORANDUM

To: House Committee on Agriculture
From: Kyle Hamilton, Assistant Revisor of Statutes
Date: February 15, 2017
Subject: Bill Brief on HB 2207

HB 2207 would require a person wanting to hunt, fish, fur harvest or pursue any bird or animal on private land or water to get written permission from the landowner or person in possession of the property before doing so.

Section 1 would amend the definition of criminal hunting so a hunter would be required to receive written permission from a landowner before hunting on that landowner's property, even when pursuing a wounded animal or bird.

Section 2 would be amended to expressly state which penalties could apply to a hunter entering private land without written permission: (1) hunters who enter private property without written permission could be charged with class C misdemeanor criminal hunting; (2) hunters who enter or remain on private property without written permission, in defiance of an order by the owner to leave or not enter, could be charged with class B misdemeanor criminal hunting and trespassing; and (3) hunters who enter or remain on posted private property could be charged with class B misdemeanor criminal hunting. Subsection (b) would be amended to state that a hunter with written permission could not stay on the private property if subsequently instructed by the owner to leave. In subsection (d), an exception for pursuing a wounded animal or bird without written permission, which is currently in statute, would be removed.

Throughout the text of the bill, the phrase, "of another" has been replaced by the word "private". A reference in section 2 to "taking" wildlife, has been replaced with the phrase "hunt, shoot, fish, fur harvest or pursue any bird or animal" to make it uniform with the language in the criminal

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hunting statute. Likewise, the word “premises” has been replaced with “any private land or non-navigable body of water” to make the language of the bill more uniform.

HB 2207 would become effective upon publication in the statute book.