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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-SECOND SESSION

H. F. No. **2290**

03/17/2021 Authored by Franson

The bill was read for the first time and referred to the Committee on Environment and Natural Resources Finance and Policy

- 1.1 A bill for an act
- 1.2 relating to game and fish; modifying restrictions on hunting with artificial lights
- 1.3 and night vision; amending Minnesota Statutes 2020, sections 97B.081, subdivision
- 1.4 3; 97B.086.
- 1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:
- 1.6 Section 1. Minnesota Statutes 2020, section 97B.081, subdivision 3, is amended to read:
- 1.7 Subd. 3. **Exceptions.** (a) It is not a violation of this section for a person to:
- 1.8 (1) cast the rays of a spotlight, headlight, or other artificial light to take raccoons
- 1.9 according to section 97B.621, subdivision 3, or tend traps according to section 97B.931;
- 1.10 (2) hunt fox or coyote ~~from January 1 to March 15~~ while using a handheld artificial
- 1.11 light, provided that the person is:
- 1.12 (i) on foot;
- 1.13 ~~(ii) using a shotgun;~~
- 1.14 ~~(iii)~~ (ii) not within a public road right-of-way;
- 1.15 ~~(iv)~~ (iii) using a handheld or electronic calling device; and
- 1.16 ~~(v)~~ (iv) not within 200 feet of a motor vehicle; or
- 1.17 (3) cast the rays of a handheld artificial light to retrieve wounded or dead big game
- 1.18 animals, provided that the person is:
- 1.19 (i) on foot; and
- 1.20 (ii) not in possession of a firearm or bow.

2.1 (b) It is not a violation of subdivision 2 for a person to cast the rays of a spotlight,
2.2 headlight, or other artificial light to:

2.3 (1) carry out any agricultural, safety, emergency response, normal vehicle operation, or
2.4 occupation-related activities that do not involve taking wild animals; or

2.5 (2) carry out outdoor recreation as defined in section 97B.001 that is not related to
2.6 spotting, locating, or taking a wild animal.

2.7 (c) Except as otherwise provided by the game and fish laws, it is not a violation of this
2.8 section for a person to use an electronic range finder device from one-half hour before
2.9 sunrise until one-half hour after sunset while lawfully hunting wild animals.

2.10 (d) It is not a violation of this section for a licensed bear hunter to cast the rays of a
2.11 handheld artificial light to track or retrieve a wounded or dead bear while possessing a
2.12 firearm:

2.13 (1) if the person:

2.14 (i) has the person's valid bear-hunting license in possession;

2.15 (ii) is on foot; and

2.16 (iii) is following the blood trail of a bear that was shot during legal shooting hours; or

2.17 (2) as provided in section 97B.207.

2.18 (e) It is not a violation of this section for a licensed deer hunter to cast the rays of a
2.19 handheld artificial light to track or retrieve a wounded deer as provided in section 97B.207.

2.20 (f) For purposes of this subdivision, "handheld artificial light" means an artificial light
2.21 that is carried in the hand or attached to the person.

2.22 Sec. 2. Minnesota Statutes 2020, section 97B.086, is amended to read:

2.23 **97B.086 POSSESSING NIGHT VISION OR THERMAL IMAGING EQUIPMENT.**

2.24 (a) A person may not possess night vision or thermal imaging equipment while taking
2.25 wild animals or while having in possession, either individually or as one of a group of
2.26 persons, a firearm, bow, or other implement that could be used to take wild animals.

2.27 (b) This section does not apply to a firearm that is:

2.28 (1) unloaded;

3.1 (2) in a gun case expressly made to contain a firearm that fully encloses the firearm by
3.2 being zipped, snapped, buckled, tied, or otherwise fastened without any portion of the
3.3 firearm exposed; and

3.4 (3) in the closed trunk of a motor vehicle.

3.5 (c) This section does not apply to a bow that is:

3.6 (1) completely encased or unstrung; and

3.7 (2) in the closed trunk of a motor vehicle.

3.8 (d) If the motor vehicle under paragraph (b) or (c) does not have a trunk, the firearm or
3.9 bow must be placed in the rearmost location of the vehicle.

3.10 (e) This section does not apply to night vision, night vision enhanced with an infrared
3.11 illuminator, or thermal imaging equipment possessed by:

3.12 (1) peace officers or military personnel while exercising their duties; or

3.13 (2) a person taking coyote or fox as provided under section 97B.075 and rules adopted
3.14 under section 97B.605.