

ASSEMBLY BILL NO. 142—ASSEMBLYMAN HANSEN

FEBRUARY 11, 2015

Referred to Committee on Natural Resources,  
Agriculture, and Mining

SUMMARY—Revises provisions governing the administration and enforcement of wildlife laws. (BDR 45-402)

FISCAL NOTE: Effect on Local Government: No.  
Effect on the State: Yes.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to wildlife; eliminating, under certain circumstances, the authority of the Board of Wildlife Commissioners and the Department of Wildlife to suspend or revoke a license, tag, permit, certificate or other document or privilege relating to wildlife; authorizing a court, under certain circumstances, to order the suspension or revocation of a license, tag, permit, certificate or other document or privilege relating to wildlife; eliminating the authority of the Commission to establish a system of assessing demerit points for wildlife convictions; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

1 Existing law requires the Board of Wildlife Commissioners to establish a  
2 system of assessing demerit points for a person who is convicted of violating  
3 certain laws and regulations in this State relating to wildlife. (NRS 501.1812-  
4 501.1818) Pursuant to the system, a person accumulates demerit points if the  
5 person is convicted of violating certain provisions of law. If a person accumulates  
6 12 demerit points, the Department of Wildlife is required to suspend or revoke any  
7 license, permit or privilege that the Department has issued to the person. With  
8 limited exception, a license, permit or privilege may not be suspended for more  
9 than 3 years. (NRS 501.1816) In addition to the authority of the Department to  
10 suspend or revoke a license pursuant to the demerit system, existing law authorizes  
11 a court to require the surrender of a license issued by the Department to a person if  
12 the person is found guilty of violating any provision of title 45 of NRS. (NRS  
13 501.387) **Section 14** of this bill eliminates the authority of the Commission to  
14 establish a system of demerit points, thereby eliminating the system. **Section 5** of



\* A B 1 4 2 \*

15 this bill provides that, except as otherwise provided by specific statute, a court may  
16 not suspend or revoke a license for a period of more than 3 years.

17 Existing law requires the Commission to: (1) establish policies for the  
18 revocation of licenses issued pursuant to title 45 of NRS to any person who is  
19 convicted of a violation of a law relating to wildlife; and (2) adopt regulations  
20 governing the revocation of a permit required to develop or maintain certain  
21 artificial or artificially created bodies of water. (NRS 501.181) **Section 1** of this bill  
22 provides that no such policy or regulation may authorize the Commission or the  
23 Department to suspend or revoke such a license or permit unless a court orders the  
24 suspension or revocation.

25 Existing law authorizes, under certain circumstances, the Commission or the  
26 Department to revoke or suspend a license, tag, permit, certificate or other  
27 document or privilege issued to a person by the Department. (NRS 501.3855,  
28 501.3865, 501.388, 502.370, 503.185, 503.310, 504.380, 504.390, 504.395)  
29 **Sections 2-4 and 6-12** of this bill eliminate such authority of the Commission and  
30 the Department and grant the authority to a court of competent jurisdiction.

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THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN  
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** NRS 501.181 is hereby amended to read as follows:

2 501.181 The Commission shall:

3 1. Establish broad policies for:

4 (a) The protection, propagation, restoration, transplanting,  
5 introduction and management of wildlife in this State.

6 (b) The promotion of the safety of persons using or property  
7 used in the operation of vessels on the waters of this State.

8 (c) The promotion of uniformity of laws relating to policy  
9 matters.

10 2. Guide the Department in its administration and enforcement  
11 of the provisions of this title and of chapter 488 of NRS by the  
12 establishment of such policies.

13 3. Establish policies for areas of interest including:

14 (a) The management of big and small game mammals, upland  
15 and migratory game birds, fur-bearing mammals, game fish, and  
16 protected and unprotected mammals, birds, fish, reptiles and  
17 amphibians.

18 (b) The control of wildlife depredations.

19 (c) The acquisition of lands, water rights and easements and  
20 other property for the management, propagation, protection and  
21 restoration of wildlife.

22 (d) The entry, access to, and occupancy and use of such  
23 property, including leases of grazing rights, sales of agricultural  
24 products and requests by the Director to the State Land Registrar for  
25 the sale of timber if the sale does not interfere with the use of the  
26 property on which the timber is located for wildlife management or  
27 for hunting or fishing thereon.



- 1 (e) The control of nonresident hunters.  
2 (f) The introduction, transplanting or exporting of wildlife.  
3 (g) Cooperation with federal, state and local agencies on wildlife  
4 and boating programs.  
5 (h) The revocation of licenses issued pursuant to this title to any  
6 person who is convicted of a violation of any provision of this title  
7 or any regulation adopted pursuant thereto. *No such policy may*  
8 *authorize the Commission or the Department to suspend or revoke*  
9 *a license issued pursuant to this title unless a court orders the*  
10 *suspension or revocation.*
- 11 4. Establish regulations necessary to carry out the provisions of  
12 this title and of chapter 488 of NRS, including:
- 13 (a) Seasons for hunting game mammals and game birds, for  
14 hunting or trapping fur-bearing mammals and for fishing, the daily  
15 and possession limits, the manner and means of taking wildlife,  
16 including, but not limited to, the sex, size or other physical  
17 differentiation for each species, and, when necessary for  
18 management purposes, the emergency closing or extending of a  
19 season, reducing or increasing of the bag or possession limits on a  
20 species, or the closing of any area to hunting, fishing or trapping.  
21 The regulations must be established after first considering the  
22 recommendations of the Department, the county advisory boards to  
23 manage wildlife and others who wish to present their views at an  
24 open meeting. Any regulations relating to the closure of a season  
25 must be based upon scientific data concerning the management of  
26 wildlife. The data upon which the regulations are based must be  
27 collected or developed by the Department.
- 28 (b) The manner of using, attaching, filling out, punching,  
29 inspecting, validating or reporting tags.
- 30 (c) The delineation of game management units embracing  
31 contiguous territory located in more than one county, irrespective of  
32 county boundary lines.
- 33 (d) The number of licenses issued for big game and, if  
34 necessary, other game species.
- 35 5. Adopt regulations requiring the Department to make public,  
36 before official delivery, its proposed responses to any requests by  
37 federal agencies for its comment on drafts of statements concerning  
38 the environmental effect of proposed actions or regulations affecting  
39 public lands.
- 40 6. Adopt regulations:
- 41 (a) Governing the provisions of the permit required by NRS  
42 502.390 and for the issuance, renewal and revocation of such a  
43 permit. *No such regulation may authorize the Commission or the*  
44 *Department to revoke such a permit unless a court orders the*  
45 *revocation.*



1 (b) Establishing the method for determining the amount of an  
2 assessment, and the time and manner of payment, necessary for the  
3 collection of the assessment required by NRS 502.390.

4 7. Designate those portions of wildlife management areas for  
5 big game mammals that are of special concern for the regulation of  
6 the importation, possession and propagation of alternative livestock  
7 pursuant to NRS 576.129.

8 8. Adopt regulations governing the trapping of fur-bearing  
9 mammals in a residential area of a county whose population is  
10 100,000 or more.

11 **Sec. 2.** NRS 501.376 is hereby amended to read as follows:

12 501.376 1. Except as otherwise provided in this section, a  
13 person shall not intentionally kill or aid and abet another person to  
14 kill a bighorn sheep, mountain goat, elk, deer, pronghorn antelope,  
15 mountain lion or black bear:

16 (a) Outside of the prescribed season set by the Commission for  
17 the lawful hunting of that animal;

18 (b) Through the use of an aircraft or helicopter in violation of  
19 NRS 503.010;

20 (c) By a method other than the method prescribed on the tag  
21 issued by the Department for hunting that animal;

22 (d) Knowingly during a time other than:

23 (1) The time of day set by the Commission for hunting that  
24 animal pursuant to NRS 503.140; or

25 (2) If the Commission has not set such a time, between  
26 sunrise and sunset as determined pursuant to that section; or

27 (e) Without a valid tag issued by the Department for hunting  
28 that animal. A tag issued for hunting any animal specified in this  
29 subsection is not valid if knowingly used by a person:

30 (1) Other than the person specified on the tag;

31 (2) Outside of the management area or other area specified  
32 on the tag; or

33 (3) If the tag was obtained by a false or fraudulent  
34 representation.

35 2. The provisions of subsection 1 do not prohibit the killing of  
36 an animal specified in subsection 1 if:

37 (a) The killing of the animal is necessary to protect the life or  
38 property of any person in imminent danger of being attacked by the  
39 animal; or

40 (b) The animal killed was not the intended target of the person  
41 who killed the animal and the killing of the animal which was the  
42 intended target would not violate the provisions of subsection 1.

43 3. A person who violates the provisions of subsection 1 shall  
44 be punished for a category E felony as provided in NRS 193.130 or,  
45 if the court reduces the penalty pursuant to this subsection, for a



1 gross misdemeanor. In determining whether to reduce the penalty,  
2 the court shall consider:

- 3 (a) The nature of the offense;
- 4 (b) The circumstances surrounding the offense;
- 5 (c) The defendant's understanding and appreciation of the  
6 gravity of the offense;
- 7 (d) The attitude of the defendant towards the offense; and
- 8 (e) The general objectives of sentencing.

9 4. A person shall not willfully possess any animal specified in  
10 subsection 1 if the person knows the animal was killed in violation  
11 of subsection 1 or the circumstances should have caused a  
12 reasonable person to know that the animal was killed in violation of  
13 subsection 1.

14 5. A person who violates the provisions of subsection 4 is  
15 guilty of a gross misdemeanor.

16 **6. In addition to any other penalty, if a person is convicted**  
17 **pursuant to this section of:**

18 **(a) A gross misdemeanor, the court may order the suspension**  
19 **or revocation of any license, tag, permit, certificate or other**  
20 **document or privilege issued to the person pursuant to this title for**  
21 **a period of not more than 5 years.**

22 **(b) A felony, the court may order the suspension or revocation**  
23 **of any license, tag, permit, certificate or other document or**  
24 **privilege issued to the person pursuant to this title for a period of**  
25 **not more than 10 years.**

26 **(c) Two or more felonies arising from separate events, the**  
27 **court shall order the permanent revocation of all licenses, tags,**  
28 **permits, certificates or other documents or privileges issued to the**  
29 **person pursuant to this title.**

30 **Sec. 3.** NRS 501.3855 is hereby amended to read as follows:

31 501.3855 1. In addition to the penalties provided for the  
32 violation of any of the provisions of this title, every person who:

33 (a) Unlawfully kills or possesses a trophy big game mammal is  
34 liable for a civil penalty of not less than \$5,000 nor more than  
35 \$30,000; or

36 (b) Except as otherwise provided in paragraph (a), unlawfully  
37 kills or possesses a big game mammal, moose, bobcat, swan or  
38 eagle is liable for a civil penalty of not less than \$250 but less than  
39 \$5,000.

40 2. For the unlawful killing or possession of fish or wildlife not  
41 included in subsection 1, a person is liable for a civil penalty of not  
42 less than \$25 nor more than \$1,000.

43 3. For hunting, fishing or trapping without a valid license, tag  
44 or permit, a person is liable for a civil penalty of not less than \$50



1 nor more than the amount of the fee for the license, tag or permit  
2 required for the activity in which the person engaged.

3 4. Every court, before whom a defendant is convicted of  
4 unlawfully killing or possessing any wildlife, shall order the  
5 defendant to pay the civil penalty in the amount stated in this section  
6 for each mammal, bird or fish unlawfully killed or possessed. The  
7 court shall fix the manner and time of payment.

8 5. The Department may attempt to collect all penalties and  
9 installments that are in default in any manner provided by law for  
10 the enforcement of a judgment.

11 6. If a person who is ordered to pay a civil penalty pursuant to  
12 this section fails to do so within 90 days after the date set forth in  
13 the order, the *court may order the* Department ~~may~~ to suspend ~~it~~  
14 *or* revoke ~~it, or refuse~~ *and not* to issue or renew any license, tag,  
15 permit, certificate or other document or privilege otherwise  
16 available to the person pursuant to this title or chapter 488 of NRS.

17 7. Each court that receives money pursuant to the provisions of  
18 this section shall forthwith remit the money to the Department  
19 which shall deposit the money with the State Treasurer for credit to  
20 the Wildlife Fund Account in the State General Fund.

21 8. As used in this section, "trophy big game mammal" means a  
22 mule deer with an outside antler measurement of at least 24 inches,  
23 a bighorn sheep of any species with at least one horn exceeding a  
24 half curl, a Rocky Mountain elk with at least six antler points on one  
25 antler, a pronghorn antelope with at least one horn which is more  
26 than 14 inches in length, a mountain goat or a black bear. As used in  
27 this subsection:

28 (a) "Antler" means any bony growth originating from the  
29 pedicle portion of the skull of a big game mammal that is annually  
30 cast and regenerated as part of the annual life cycle of the big game  
31 mammal.

32 (b) "Antler point" means a projection which is at least 1 inch in  
33 length with the length exceeding the width of its base, excluding the  
34 first point on the main beam commonly known as the eye guard on  
35 mule deer.

36 (c) "Horn exceeding a half curl" means a horn tip that has grown  
37 at least through 180 degrees of a circle determined by establishing a  
38 parallel reference line from the base of the horn and measuring the  
39 horn tip to determine whether the horn tip has grown at least to the  
40 projection of the reference line.

41 (d) "Outside antler measurement" means the perpendicular  
42 measurement at right angles to the center line of the skull of a deer  
43 at the widest point between the main antler beams or the antler  
44 points off the main antler beams.



1 **Sec. 4.** NRS 501.3865 is hereby amended to read as follows:  
2 501.3865 1. If a person who holds:

3 (a) A license, tag or permit issued by the Department to engage  
4 in any activity authorized or regulated by this title or by a regulation  
5 adopted pursuant thereto; or

6 (b) A certificate of number issued by the Department,  
7 ~~↪~~ violates a written promise to appear pursuant to a citation that  
8 was prepared manually or electronically for a violation of a  
9 provision of this title, chapter 488 of NRS or any regulation adopted  
10 pursuant thereto, the clerk of the court shall immediately notify the  
11 Department on a form approved by the Department.

12 2. Upon receipt of notice from a court in this State of a failure  
13 to appear, the Department shall notify the person by certified mail  
14 that the person's license, tag, permit or certificate of number is  
15 subject to suspension *by order of the court* and allow the person 30  
16 days after the date of mailing the notice to:

17 (a) Appear in court and obtain a dismissal of the citation or  
18 complaint as provided by law; *or*

19 (b) Appear in court and, if permitted by the court, make an  
20 arrangement acceptable to the court to satisfy a judgment of  
21 conviction. ~~†; or~~

22 ~~—(c) Make a written request to the Department for a hearing.†~~

23 3. If ~~†notified by a court within 30 days after the notice of a~~  
24 ~~failure to appear that a person has been allowed to make†~~, *within*  
25 *the time provided by subsection 2, the person:*

26 (a) *Fails to appear in court;*

27 (b) *Appears in court but is unable to obtain a dismissal of the*  
28 *citation or complaint as provided by law and does not immediately*  
29 *satisfy a judgment of conviction; or*

30 (c) *Appears in court and makes* an arrangement for the  
31 satisfaction of a judgment of conviction ~~†; the Department shall~~  
32 ~~remove the suspension from the record of the person. If the person†~~  
33 *but* subsequently defaults on his or her arrangement with the court,  
34 ~~↪~~ the court shall ~~†notify the Department which shall immediately~~  
35 ~~suspend†~~ *order the suspension of* the *person's* license, tag, permit  
36 or certificate of number until the ~~†court notifies the Department that~~  
37 ~~the suspension may be removed.~~

38 ~~—4. The Department shall suspend the license, tag, permit or~~  
39 ~~certificate of number of a person 31 days after the Department mails~~  
40 ~~the person the notice provided for in subsection 2, unless within that~~  
41 ~~period the Department receives a written request for a hearing from~~  
42 ~~the person or notice from the court on a form approved by the~~  
43 ~~Department that the person has appeared or the citation or complaint~~  
44 ~~has been dismissed. A license, tag, permit or certificate of number~~  
45 ~~so suspended remains suspended until further notice is received~~



1 ~~from the court that the person has appeared or that the case has~~  
2 ~~been~~ *person satisfies a judgment of conviction or the case is*  
3 otherwise disposed of as provided by law. *If a judgment of*  
4 *conviction is satisfied or the case is otherwise disposed of, the*  
5 *clerk of the court shall so notify the Department on a form*  
6 *approved by the Department and the Department shall reinstate*  
7 *the license, tag, permit or certificate of number.*

8 **Sec. 5.** NRS 501.387 is hereby amended to read as follows:

9 501.387 1. Except as otherwise provided by specific statute,  
10 upon a conviction of a violation of any provision of this title, or any  
11 regulation adopted pursuant to this title, in addition to the penalty  
12 provided for the violation, the court may ~~require~~ :

13 *(a) Order that any license issued under the provisions of this*  
14 *title and held by the convicted person be suspended or revoked for*  
15 *a period of not more than 3 years; and*

16 *(b) Require* the immediate surrender of all licenses issued under  
17 the provisions of this title and held by the convicted person. Upon  
18 receipt of a surrendered license, the court shall forward it to the  
19 Commission.

20 2. In addition to the penalty provided for the violation of any of  
21 the provisions of this title, the court may cause to be confiscated all  
22 wildlife taken or possessed by the convicted person. All confiscated  
23 wildlife must be disposed of as directed by the court.

24 3. A convicted person shall not, during the time the person's  
25 license is revoked or suspended:

26 (a) Engage in any activity for which the license was issued; or

27 (b) Purchase or otherwise obtain a license which has been  
28 suspended or revoked.

29 4. Any person who is convicted of violating the provisions of  
30 subsection 3 shall be punished by a fine of not more than \$1,000 or  
31 by imprisonment in a county jail for a period not to exceed 6  
32 months, or by both a fine and imprisonment. In addition, the *court*  
33 *may order that the* revocation or suspension of the license of the  
34 convicted person ~~may~~ be extended by an amount of time equal to  
35 the original period of revocation or suspension.

36 **Sec. 6.** NRS 501.388 is hereby amended to read as follows:

37 501.388 1. ~~The Commission~~ *A court of competent*  
38 *jurisdiction* may, in addition to any suspension, revocation or other  
39 penalty imposed pursuant to any other provision of this title:

40 (a) ~~Revoke~~ *Order the revocation of* any license of any person  
41 who is convicted of a violation of NRS 503.050, and ~~may refuse to~~  
42 *order that the Department not* issue any new license to the  
43 convicted person for any period not to exceed 5 years after the date  
44 of the conviction; and





(b) ~~Revoke~~ *Order the revocation of* any license of any person who is convicted of unlawfully killing or possessing a bighorn sheep, mountain goat, elk, deer, pronghorn antelope, mountain lion or black bear in violation of NRS 501.376, and may:

(1) ~~Refuse to~~ *Order that the Department not* issue any new license to the convicted person for any period not to exceed 3 years; and

(2) Revoke that person’s privilege to apply for any big game tag for a period not to exceed 10 years.

2. The court in which the conviction is had shall require the immediate surrender of all such licenses and shall forward them to the Commission.

**Sec. 7.** NRS 502.370 is hereby amended to read as follows:

502.370 1. A license to practice taxidermy is required before any person may perform taxidermal services for others on any wildlife or their parts, nests or eggs.

2. Annual licenses must be issued by the Department to applicants who satisfy the requirements established by the Department and pay a fee of:

Fee to practice commercial taxidermy .....	\$44
Fee to practice noncommercial taxidermy .....	20

3. Any person who wishes to obtain a license to practice taxidermy must apply for the license on an application form provided by the Department. The applicant must provide such information on the form as the Commission may require by regulation.

4. The Commission may adopt regulations governing the licensing of taxidermists and the practice of taxidermy, including:

(a) The receipt, possession, transportation, identification, purchase and sale of wildlife or parts thereof to be or which have been processed by a taxidermist;

(b) The maintenance and submission of written records; and

(c) Any other matter concerning the practice, conduct and operating procedures of taxidermists as the Commission may deem necessary.

5. A person who is authorized to enforce the provisions of this title may enter the facilities of a licensee at any reasonable hour and inspect the licensee’s operations and records.

6. If a licensee is convicted of a violation of any provision of this title or the regulations adopted by the Commission, ~~the Commission~~ *a court of competent jurisdiction* may ~~revoke~~ *order the revocation of* his or her license and ~~may refuse to~~ *order the*



1 *Department not to* issue another license to him or her for a period  
2 not to exceed 5 years.

3 7. The provisions of this section do not apply to institutions of  
4 learning of this State or of the United States, or to research activities  
5 conducted exclusively for scientific purposes, or for the  
6 advancement of agriculture, biology or any of the sciences.

7 **Sec. 8.** NRS 503.185 is hereby amended to read as follows:

8 503.185 1. Every person involved in a hunting accident  
9 where damage to property results, or which involves the injury of or  
10 death to another person, shall file a report of the accident with the  
11 Department within 30 days after the accident. The report must be on  
12 the form prescribed by the Department.

13 2. ~~{The Department}~~ *A court of competent jurisdiction* shall  
14 ~~{revoke}~~ *order the revocation of* any hunting license held by a  
15 person convicted of violating NRS 503.165 or 503.175, if the  
16 violation results in an injury to or the death of another person. The  
17 Department shall not issue another such license to the person sooner  
18 than 2 years after the revocation.

19 **Sec. 9.** NRS 503.310 is hereby amended to read as follows:

20 503.310 1. The Commission may regulate or prohibit the use  
21 of live bait in fishing so that no undesirable species are introduced  
22 into the public waters of this State.

23 2. Any person engaged in the sale of live bait must first obtain  
24 a permit from the Department for the fee provided in NRS 502.240.  
25 ~~{The permit may be revoked}~~ *A court of competent jurisdiction*  
26 *may order the revocation of the permit* for any violation of  
27 regulations.

28 3. The Commission may prescribe the species which may be  
29 held or sold by the permittee.

30 **Sec. 10.** NRS 504.380 is hereby amended to read as follows:

31 504.380 The violation of any of the provisions of NRS 504.300  
32 to 504.370, inclusive, or the rules and regulations prescribed by the  
33 Commission is punishable in accordance with the provisions of  
34 NRS 501.385, and in addition thereto any license issued under the  
35 provisions of NRS 504.300 to 504.370, inclusive, may be revoked  
36 by ~~{the Commission or by}~~ *order of* a court of competent  
37 jurisdiction for the balance of the license term, and no new license  
38 may be issued during the same license year.

39 **Sec. 11.** NRS 504.390 is hereby amended to read as follows:

40 504.390 1. As used in this section, unless the context  
41 otherwise requires:

42 (a) "Compensation" means any remuneration given in exchange  
43 for providing guide service which is predicated on a business  
44 relationship between the parties. The term does not include any  
45 reimbursement for shared trip expenses, including, without



1 limitation, expenses for gasoline, food or any other costs that are  
2 generally associated with persons who are engaging in recreational  
3 hunting or fishing together.

4 (b) "Guide" means to assist another person for compensation in  
5 hunting wild mammals or wild birds and fishing and includes the  
6 transporting of another person or the person's equipment to hunting  
7 and fishing locations within a general hunting and fishing area  
8 whether or not the guide determines the destination or course of  
9 travel.

10 2. Each person who provides guide service for compensation or  
11 provides guide service as an incidental service to customers of any  
12 commercial enterprise, whether a direct fee is charged for the guide  
13 service or not, must obtain a master guide license from the  
14 Department. Such a license must not be issued to any person who  
15 has not reached 21 years of age.

16 3. Except as otherwise provided in this subsection, each person  
17 who assists a person who is required to have a master guide license  
18 and acts as a guide in the course of that activity must obtain a  
19 subguide license from the Department. Such a license must not be  
20 issued to any person who has not reached 18 years of age. The  
21 provisions of this subsection do not apply to a person who:

22 (a) Is employed by or assists a person who holds a master guide  
23 license solely for the purpose of cooking, cutting wood, caring for,  
24 grooming or saddling livestock, or transporting a person by motor  
25 vehicle to or from a public facility for transportation, including,  
26 without limitation, a public airport.

27 (b) Holds a master guide license which authorizes the person to  
28 provide services for the same species and in the same areas as the  
29 guide who employs him or her or requests the person's assistance  
30 and has submitted to the Department a notarized statement which  
31 indicates that the person is employed by or provides assistance to  
32 the guide. The statement must be signed by both guides.

33 4. Fees for master guide and subguide licenses must be as  
34 provided in NRS 502.240.

35 5. Any person who desires a master guide license must apply  
36 for the license on a form prescribed and furnished by the  
37 Department. The application must contain the social security  
38 number of the applicant and such other information as the  
39 Commission may require by regulation. If that person was not  
40 licensed as a master guide during the previous licensing year, the  
41 person's application must be accompanied by a nonrefundable fee of  
42 \$1,500.

43 6. Any person who desires a subguide license must apply for  
44 the license on a form prescribed and furnished by the Department. If  
45 that person was not licensed as a subguide during the previous



1 licensing year, the person's application must be accompanied by a  
2 nonrefundable fee of \$50.

3 7. It is unlawful for the holder of a master guide license to  
4 operate in any area where a special use permit is required without  
5 first obtaining a permit unless the holder is employed by or  
6 providing assistance to a guide pursuant to subsection 3.

7 8. The holder of a master guide license shall maintain records  
8 of the number of hunters and anglers served, and any other  
9 information which the Department may require concerning fish and  
10 game taken by such persons. The information must be furnished to  
11 the Department on request.

12 9. If any licensee under this section, or person served by a  
13 licensee, is convicted of a violation of any provision of this title or  
14 chapter 488 of NRS, ~~{the Commission}~~ *a court of competent*  
15 *jurisdiction* may ~~{revoke}~~ *order the revocation of* the license of the  
16 licensee and may ~~{refuse issuance of}~~ *order the Department not to*  
17 *issue* another license to the licensee for a period not to exceed 5  
18 years.

19 10. The Commission may adopt regulations covering the  
20 conduct and operation of a guide service.

21 11. The Department may issue master guide and subguide  
22 licenses that are valid only in certain management areas,  
23 management units or administrative regions in such a manner as  
24 may be determined by the regulations of the Commission.

25 **Sec. 12.** NRS 504.395 is hereby amended to read as follows:

26 504.395 1. Any person who purposefully or knowingly acts  
27 as a master guide or as a subguide without first obtaining a license  
28 pursuant to NRS 504.390 is guilty of:

29 (a) For a first offense, a gross misdemeanor.

30 (b) For a second or subsequent offense, a category E felony and  
31 shall be punished as provided in NRS 193.130.

32 2. Any vessel, vehicle, aircraft, pack or riding animal or other  
33 equipment used by a person operating in violation of subsection 1 is  
34 subject to forfeiture upon the conviction of that person of a gross  
35 misdemeanor or felony if that person knew or should have known  
36 that the vessel, vehicle, aircraft, animal or equipment would be used  
37 in violation of subsection 1.

38 3. In addition to any penalty imposed pursuant to subsection 1,  
39 if a person is convicted of violating a provision of that subsection,  
40 ~~{the Commission}~~ *a court of competent jurisdiction* shall:

41 (a) ~~{Revoke}~~ *Order the revocation of* any license, permit or  
42 privilege issued to that person pursuant to this title; and

43 (b) ~~{Refuse}~~ *Order the Department not to* issue any new  
44 license, permit or privilege to the person for 5 years after the date of  
45 the conviction.



1     **Sec. 13.** Any regulations adopted by the Board of Wildlife  
2 Commissioners pursuant to NRS 501.1814, as that section existed  
3 before July 1, 2015, related to a system of assessing demerit points  
4 for wildlife convictions are void. The Legislative Counsel shall  
5 remove those regulations from the Nevada Administrative Code as  
6 soon as practicable after July 1, 2015.

7     **Sec. 14.** NRS 501.1812, 501.1814, 501.1816, 501.1817 and  
8 501.1818 are hereby repealed.

9     **Sec. 15.** This act becomes effective on July 1, 2015.

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**LEADLINES OF REPEALED SECTIONS**

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**501.1812 System of assessing demerit points for wildlife convictions: Definitions.**

**501.1814 System of assessing demerit points for wildlife convictions: Establishment and administration of system; assessment and deletion of points.**

**501.1816 System of assessing demerit points for wildlife convictions: Reduction of accumulated points; suspension or revocation of licenses, permits or privileges.**

**501.1817 System of assessing demerit points for wildlife convictions: Judicial review of suspension or revocation of license, permit or privilege.**

**501.1818 System of assessing demerit points for wildlife convictions: Regulations.**







