

HOUSE BILL 2540

By Casada

AN ACT to amend Tennessee Code Annotated, Section 70-2-204, relative to the sport of hunting and fishing on farmland.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 70-2-204, is amended by deleting the section in its entirety and by substituting instead the following:

Section 70-2-204.

(a) The owners and tenants of farmlands, and their spouses and children, along with the owners' grandchildren and great-grandchildren under the age of sixteen (16), have the right to engage in the sport of hunting and fishing, subject to all the provisions of all laws or regulations concerning wildlife, upon such lands and waters on the land of which they or their spouses or parents are the bona fide owners or tenants, or in the case of qualified grandchildren or qualified great-grandchildren, their grandparent or great-grandparent or grandparents or great-grandparents are the bona fide owners, with the permission of the landowner, during the season when it is lawful to do so, without procuring a hunting and sport fishing license. Tenants and their spouses and their dependent children must be bona fide residents of the state and must actually reside on the land. Owners and their spouses and children and qualified grandchildren and qualified great-grandchildren must be bona fide residents of the state. Ownership of the farmland for which the license exemption is being claimed shall be evidenced by the deed to the property filed with the register for the county in which the property is located. "Family" means any combination of

kinship within the third degree, including any spouse who has an interest in the property. "Tenant" means an individual who receives compensation, such as free rent or money, for acting either in the place of or at the direction of the landowner in tending to the requirements needed to care for the farmland. The primary purpose of the tenancy shall be agricultural in nature.

(b) Upon the request by an officer of the wildlife agency or upon presenting any game to a check station, each person claiming a license exemption under subsection (a) shall provide identification, and shall submit a signed statement attesting to the exempt status described in the statement along with a copy of the deed to the property as filed with the register for the county in which the property is located containing a description of the land and the name of the land owner. The commission shall prepare a preprinted form for the submission of such statements for convenience of use. Submission of false information in a signed statement is a Class C misdemeanor.

(c) A violation of this section is a Class C misdemeanor.

SECTION 2. This act shall take effect July 1, 2010, the public welfare requiring it.