

SENATE FILE NO. SF0022

Hunting penalties.

Sponsored by: Senator(s) Driskill

A BILL

for

1 AN ACT relating to game and fish; creating a new hunting  
 2 prohibition; requiring revocation of hunting licenses, loss  
 3 of preference points and forfeiture of devices and  
 4 equipment for hunting violations as specified; specifying  
 5 prima facie evidence of hunting; and providing for an  
 6 effective date.

7

8 *Be It Enacted by the Legislature of the State of Wyoming:*

9

10 **Section 1.** W.S. 23-3-305 by creating new subsections  
 11 (f) and (g), 23-6-206(a)(intro), by creating a new  
 12 paragraph (v) and by creating a new subsection (f) and  
 13 23-6-208 are amended to read:

14

1           **23-3-305. Hunting from highway; entering enclosed**  
2 **property without permission; penalty; hunting at night**  
3 **without permission prohibited; hunting in closed area.**

4  
5           (f) No person shall hunt any species of wildlife in  
6 an area in which hunting for that species has been closed  
7 by commission order as specified in W.S. 23-1-303(c).

8  
9           (g) It is prima facie evidence that a person is  
10 hunting in violation of subsection (a), (b), (e) or (f) of  
11 this section if he is in possession of any hunting license  
12 and has in his possession and control a firearm, weapon,  
13 ammunition or other device for hunting wildlife.

14  
15           **23-6-206. Revocation of license; hunting after**  
16 **suspended license; revocation of preference points.**

17  
18           (a) The court may, in its discretion, revoke any  
19 license issued under this act to any person convicted of a  
20 violation of this act, for the remainder of the year in  
21 which the conviction occurs, and may suspend the person's  
22 privilege to purchase or receive any other license under  
23 this act, or to take any wildlife for the following time

1 periods provided in paragraphs (i) through (iii) and shall  
2 suspend the person's privilege to purchase or receive any  
3 other license under this act for the time period provided  
4 in paragraph (iv) or (v) of this subsection:

5  
6 (v) Five (5) years for a conviction of a hunting  
7 violation under W.S. 23-3-305(a), (b), (e) or (f).

8  
9 (f) The court shall revoke all preference points for  
10 all species accumulated by a person convicted of a hunting  
11 violation under W.S. 23-3-305(a), (b), (e) or (f).

12  
13 **23-6-208. Forfeiture of devices and equipment used in**  
14 **taking game illegally; procedure.**

15  
16 (a) Devices and equipment, including any firearm,  
17 weapon, ammunition, trap, snare, ~~vessel, motorized vehicle,~~  
18 ~~aircraft, explosive, poisonous substance,~~ electronic device  
19 or optical equipment, used in, or in aid of, a violation of  
20 W.S. 23-3-102(d) or 23-3-107 may be seized by any law  
21 enforcement officer of the state after hearing and upon  
22 order issued by the court of original jurisdiction when the  
23 value of the devices or equipment is one thousand dollars

1 (\$1,000.00) or less or by the district court for the county  
2 in which the offense was charged when the value of the  
3 devices or equipment is more than one thousand dollars  
4 (\$1,000.00).

5  
6 (b) Devices and equipment, including any firearm,  
7 weapon, ammunition, vessel, motorized vehicle, aircraft,  
8 explosive, poisonous substance, electronic device or  
9 optical equipment, used in, or in aid of, a hunting  
10 violation under W.S. 23-3-305(a), (b), (e) or (f) shall be  
11 seized by any law enforcement officer of the state after  
12 hearing and upon order issued by the court of original  
13 jurisdiction when the value of the devices or equipment is  
14 one thousand dollars (\$1,000.00) or less or by the district  
15 court for the county in which the offense was charged when  
16 the value of the devices or equipment is more than one  
17 thousand dollars (\$1,000.00).

18  
19 (c) Any device or equipment seized under this section  
20 shall be forfeited to the state in accordance with W.S.  
21 7-2-105, provided the device or equipment is not subject to  
22 forfeiture under this section by reason of any unlawful act  
23 committed without the knowledge or consent of the owner. A

1 device or equipment seized under this section shall not be  
2 forfeited as provided under this section until after the  
3 person has been convicted under W.S. 23-3-102(d), ~~or~~  
4 23-3-107 or of a hunting violation under W.S. 23-3-305(a),  
5 (b), (e) or (f) and the time for appeal has expired.

6

7 **Section 2.** This act is effective July 1, 2016.

8

9

(END)