

SENATE FILE NO. SF0085

Game and fish violations-penalties.

Sponsored by: Senator(s) Burns and Representative(s)
McOmie

A BILL

for

1 AN ACT relating to game and fish; specifying penalties for
2 convictions of taking specified big game animals without a
3 license and for wanton destruction of big game animals;
4 providing an exception to a firearms criminal statute as
5 specified; and providing for an effective date.

6

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

8

9 **Section 1.** W.S. 23-3-102(d) and 23-3-107(d) are
10 amended to read:

11

12 **23-3-102. Taking certain game animals without license**
13 **or during a closed season prohibited.**

14

15 (d) Any person who knowingly takes any antlered elk,
16 antlered deer, antlered moose, horned antelope, bighorn

1 sheep, mountain goat, mountain lion, grizzly bear or black
2 bear without the proper license or during a closed season
3 except as otherwise permitted by this act is guilty of a
4 misdemeanor punishable by a fine of not less than five
5 thousand dollars (\$5,000.00) nor more than ten thousand
6 dollars (\$10,000.00), imprisonment for not more than one
7 (1) year, or both. A third or subsequent conviction within
8 ten (10) years for a violation of this subsection shall
9 constitute a felony punishable by a fine of not less than
10 five thousand dollars (\$5,000.00) nor more than ten
11 thousand dollars (\$10,000.00), imprisonment for not more
12 than two (2) years, or both. For the purposes of
13 determining whether a violation of this subsection is a
14 felony, convictions resulting from occurrences on the same
15 date shall be considered a single conviction even if the
16 result of the occurrence is more than one (1) misdemeanor
17 conviction. The provisions of W.S. 6-8-101(a) shall not
18 apply to convictions under this section.

19

20 **23-3-107. Wanton destruction of big game animal;**
21 **reward.**

22

23 (d) Violation of this section constitutes a high
24 misdemeanor punishable as provided in W.S. 23-6-202(a)(ii).

1 A third or subsequent conviction within ten (10) years for
2 a violation of this section shall constitute a felony
3 punishable by a fine of not less than five thousand dollars
4 (\$5,000.00) nor more than ten thousand dollars
5 (\$10,000.00), imprisonment for not more than two (2) years,
6 or both. For the purposes of determining whether a
7 violation of this subsection is a felony, convictions
8 resulting from occurrences on the same date shall be
9 considered a single conviction even if the result of the
10 occurrence is more than one (1) misdemeanor conviction. The
11 provisions of W.S. 6-8-101(a) shall not apply to
12 convictions under this section.

13

14 **Section 2.** This act is effective July 1, 2011.

15

16

(END)