

SUMMARY—Revises provisions relating to wildlife. (BDR 45-113)

FISCAL NOTE: Effect on Local Government: No.

Effect on the State: Yes.

AN ACT relating to wildlife; revising provisions governing the establishment of a program which authorizes a person to transfer his or her tag to hunt a big game mammal to any person who is under 18 years of age; revising provisions relating to the exhibition or possession of certain licenses, permits or related items while engaged in certain activities concerning wildlife; authorizing a person to take or gather a skull or head of a wildlife species without a tag for non-commercial purposes; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

Existing law authorizes the Board of Wildlife Commissioners to adopt regulations establishing a program that allows a person to transfer his or her tag to hunt a big game mammal to any person who is under 18 years of age. (NRS 502.102) **Section 1** of this bill makes the adoption of the regulations mandatory.

Under existing law, a person is guilty of a misdemeanor if the person: (1) is required to have a license or permit to engage in activities regulated by the provisions relating to wildlife; and (2) while engaged in any such activity, refuses, upon the demand of an officer authorized to enforce



the fish and game laws of this State, to exhibit the license or permit, any wildlife in the person's possession or any weapon, ammunition, device or apparatus in the person's possession that may be used for any such activity. (NRS 502.120) Under existing law, this crime is punishable by: (1) a fine of not less than \$50 nor more than \$500; (2) imprisonment in the county jail for not more than 6 months; or (3) both fine and imprisonment. (NRS 501.385) **Section 2** of this bill eliminates the criminal penalty for refusing to exhibit any of the items other than the license or permit.

Subject to the same criminal penalty, a person is also guilty of a misdemeanor under existing law if the person: (1) is required to have a license or permit to engage in activities regulated by the provisions relating to wildlife; and (2) while engaged in any such activity, fails to have the license or permit in his or her possession. (NRS 502.120) **Section 2** clarifies that, for purposes of this crime, the license or permit may be possessed in physical or electronic form.

In addition to regular licenses or permits to hunt, fish or trap, existing law provides for additional licenses, known as tags, to hunt, trap or fish designated species of wildlife. (NRS 502.130) Under existing law, whenever tags are required for any species of wildlife, it is unlawful to possess any of that species without the correct tag. (NRS 502.150) **Section 3** of this bill authorizes a person, for non-commercial purposes and without the required tag, to take or gather a skull or head of any wildlife species for which a tag is required, with or without antlers or horns attached.

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

**Section 1.** NRS 502.102 is hereby amended to read as follows:

502.102 The Commission ~~may~~ *shall* adopt regulations establishing a program which authorizes a person to transfer his or her tag to hunt a big game mammal to any person who is under 18 years of age.

**Sec. 2.** NRS 502.120 is hereby amended to read as follows:

502.120 1. Each person required to have a license or permit as provided in this title who, while engaged in any activity regulated by this title, refuses to exhibit the license or permit, ~~any wildlife which the person may have in his or her possession, or any weapon, ammunition, device or apparatus in his or her possession which may be used for any activity regulated by this title,~~ upon the demand of any officer authorized to enforce the fish and game laws of this State, is guilty of a misdemeanor.

2. Each person required to have a license or permit as provided in this chapter who, while engaged in any activity regulated by this title, fails to have the license or permit in his or her possession *in physical or electronic form* is guilty of a misdemeanor. A person charged with violating this subsection may not be convicted if the person produces in court *in physical or electronic form* a license or permit previously issued to the person and valid at the time of his or her arrest.

**Sec. 3.** NRS 502.150 is hereby amended to read as follows:



502.150 1. ~~Whenever~~ *Except as otherwise provided in subsection 4, whenever* tags are required for any species of wildlife, it is unlawful to have any of that species in possession without the correct tag. Before transporting any species of wildlife, or parts thereof, for which a tag is required, the holder of:

(a) A paper tag must attach the tag to the animal; or

(b) An electronic tag must validate the tag in accordance with the regulations adopted by the Commission pursuant to NRS 502.160.

↳ Possession of any species of wildlife, or parts thereof, for which a tag is required without an attached or validated tag, as applicable, is prima facie evidence that the game is illegally taken and possessed.

2. It is unlawful to remove any tag from any wildlife for reuse or to be in possession of excess tags or used tags.

3. Whenever tags are required for any species of fur-bearing mammal, possession of a pelt of that species without the tag attached thereto or validated, as applicable, is prima facie evidence that such pelt is illegally taken and possessed.

*4. A person may, for non-commercial purposes and without obtaining the required tag, take or gather a skull or head of any species of wildlife for which a tag is required, with or without antlers or horns attached.*

