
ASSEMBLY BILL NO. 59—COMMITTEE ON NATURAL RESOURCES

(ON BEHALF OF THE DEPARTMENT OF WILDLIFE)

PREFILED NOVEMBER 20, 2024

Referred to Committee on Natural Resources

SUMMARY—Revises provisions relating to governmental administration. (BDR 45-300)

FISCAL NOTE: Effect on Local Government: Increases or Newly Provides for Term of Imprisonment in County or City Jail or Detention Facility.
Effect on the State: No.

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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 governmental administration; revising provisions relating to the authority of game wardens to enforce laws; revising provisions governing the prohibition against intentionally feeding certain animals; prohibiting, with certain exceptions, a person or any agent or employee of a person from knowingly bringing into or possessing in this State the excrement or bodily fluid of certain animals; revising provisions governing certain civil penalties for unlawfully killing or possessing certain big game mammals; revising provisions relating to the importation, possession and propagation of certain fallow deer or reindeer; providing penalties; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law creates the Department of Wildlife and requires the Department to
2 administer the laws governing wildlife and the Nevada Boat Act under the guidance
3 of and regulations adopted by the Board of Wildlife Commissioners. (NRS
4 488.015, 501.181, 501.331) Existing law requires the Director of the Department of
5 Wildlife to designate a number of employees and, if the need exists, other persons
6 outside of the Department as game wardens. (NRS 501.337, 501.339) Existing law
7 provides such game wardens with the powers of a peace officer for the purposes of:
8 (1) the service of such legal process as may be required in the enforcement of the
9 laws governing wildlife and the Nevada Boat Act; and (2) the enforcement of all
10 laws of the State of Nevada while they are performing their duties relating to the



11 enforcement of laws governing wildlife and the Nevada Boat Act. (NRS 289.280)
12 Under existing law, such game wardens have a duty to enforce laws governing
13 wildlife and the Nevada Boat Act. (NRS 501.349) **Section 4** of this bill makes
14 enforcement of such laws a power instead of a duty. **Sections 4 and 16** of this bill
15 expand the scope of this enforcement authority and the peace officer powers of a
16 game warden to include the enforcement of all laws of the State of Nevada
17 regardless of whether the game wardens are enforcing the laws governing wildlife
18 or the Nevada Boat Act. **Section 16** also expands the peace officer powers of a
19 game warden to apply to the service of any legal process. **Sections 2 and 16** of this
20 bill make conforming changes relating to the authority for designating game
21 wardens.

22 Under existing law, the Board of Wildlife Commissioners is required to classify
23 all wildlife by regulation. (NRS 501.110) Existing law also, with certain
24 exceptions, prohibits a person from intentionally feeding a big game mammal
25 without written authorization from the Department. For the purpose of this
26 prohibition, "big game mammal" is defined to include a pronghorn antelope, black
27 bear, mule deer, mountain goat, mountain lion, Rocky Mountain elk and certain
28 subspecies of bighorn sheep. The penalties for violating this prohibition are: (1) a
29 written warning for a first offense; (2) a fine of not more than \$250 for a second
30 offense; and (3) a fine of not more than \$500 for a third or subsequent offense.
31 (NRS 501.382) **Section 7** of this bill expands this prohibition to apply to the
32 intentional feeding of any wildlife that is classified as a wild mammal or game bird
33 by regulations adopted by the Board of Wildlife Commissioners. **Section 1** of this
34 bill makes a conforming change as a result of the expansion of the prohibition to
35 additional animals.

36 With certain exceptions, existing law prohibits a person or the person's agent or
37 employee from knowingly bringing into or possessing in this State the carcass or
38 part of the carcass of certain animals. (NRS 501.3845) A person who violates this
39 prohibition is: (1) guilty of a misdemeanor, which is punished by a fine of not less
40 than \$50 nor more than \$500, or by imprisonment in the county jail for not more
41 than 6 months, or by both fine or imprisonment; and (2) liable for certain civil
42 penalties. (NRS 501.385, 501.3855) **Section 8** of this bill also prohibits knowingly
43 bringing into or possessing in this State the excrement or bodily fluid of such
44 animals. **Section 8** authorizes the seizure, destruction or removal from this State of
45 such excrement or bodily fluid in the same manner as a carcass or part of a carcass.

46 With certain exceptions and in addition to certain authorized penalties, existing
47 law establishes a civil penalty of not less than \$5,000 nor more than \$30,000 for
48 unlawfully killing or possessing a trophy big game mammal. For the purpose of this
49 civil penalty, a trophy big game mammal is defined as a mule deer with an outside
50 antler measurement of at least 24 inches, a bighorn sheep of any species with at
51 least one horn exceeding a half curl, a Rocky Mountain elk with at least six antler
52 points on one antler, a pronghorn antelope with at least one horn which is more
53 than 14 inches in length, a mountain goat or a black bear. Also, with certain
54 exceptions and in addition to certain authorized penalties, existing law establishes a
55 civil penalty of not less than \$250 and not more than \$5,000 for unlawfully killing
56 or possessing certain other animals, including a moose. (NRS 501.3855) **Section 9**
57 of this bill makes unlawfully killing or possessing a moose subject to the higher
58 civil penalty for trophy big game mammals of not less than \$5,000 nor more than
59 \$30,000. For the purposes of identifying a trophy big game mammal for imposition
60 of the higher civil penalty, existing law defines the term "antler point" to exclude
61 the first point on the main beam, commonly known as the eye guard, on mule deer.
62 (NRS 501.3855) Existing regulations interpret the exclusion to apply only to mule
63 deer. (NAC 502.1175) **Section 9** codifies this interpretation in the Nevada Revised
64 Statutes.



65 Existing law: (1) prohibits any person without a permit from importing,
66 possessing or propagating alternative livestock, which is defined as any species or
67 subspecies of fallow deer or reindeer, if such animals are born and reared in
68 captivity and raised on private property to produce meat or other by-products or for
69 breeding stock; and (2) requires the State Board of Agriculture to adopt regulations
70 governing the permit program for alternative livestock. In adopting such
71 regulations, existing law requires the State Board of Agriculture to consult with the
72 Department of Wildlife and the Board of Wildlife Commissioners concerning the
73 provisions that are necessary to protect wildlife in this State and in certain areas of
74 special concern. (NRS 501.003, 576.129; NAC 576.100-576.260) A person who
75 violates this prohibition: (1) is guilty of a misdemeanor, which is punished by a fine
76 of not more than \$1,000 or imprisonment in the county jail for not more than 6
77 months, or by both a fine and imprisonment; and (2) may be liable for a civil
78 penalty of not more than \$5,000 for each violation. (NRS 193.150, 576.150)
79 Existing law, with certain exceptions, authorizes a person to bring an animal that is
80 not under special quarantine into this State in compliance with regulations adopted
81 by the State Quarantine Officer. (NRS 571.210) **Section 25** of this bill eliminates
82 the permit program for alternative livestock, thereby making it a misdemeanor to
83 import, possess or propagate such fallow deer or reindeer in this State, unless
84 pursuant to the regulations adopted by the State Quarantine Officer that authorize
85 certain restricted entry of animals from outside this State. **Sections 3, 6, 11-15, 17,**
86 **18, 20, 22-24 and 27** of this bill make conforming changes as a result of the
87 elimination of the permit program for alternative livestock by **section 25. Section**
88 **26** of this bill declares void the regulations adopted by the State Board of
89 Agriculture governing the permit program for alternative livestock. **Sections 5 and**
90 **10** of this bill make conforming changes to refer to provisions that have been
91 renumbered in **section 3. Sections 19 and 21** of this bill make conforming changes
92 by removing references to sections defining "alternative livestock" that are repealed
93 in **section 27.**

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

- 1 **Section 1.** NRS 501.005 is hereby amended to read as follows:
2 501.005 ~~[Except as otherwise provided in NRS 501.382, "big]~~
3 ~~"Big~~ game mammal" means any game mammal so classified by
4 Commission regulation.
- 5 **Sec. 2.** NRS 501.047 is hereby amended to read as follows:
6 501.047 "Game warden" means any person ~~[authorized]~~
7 ~~designated as such~~ by the Director ~~[to enforce the provisions of this~~
8 ~~title and of chapter 488 of NRS.] pursuant to NRS 501.337 or~~
9 ~~501.339.~~
- 10 **Sec. 3.** NRS 501.181 is hereby amended to read as follows:
11 501.181 The Commission shall:
12 1. Establish broad policies for:
13 (a) The protection, propagation, restoration, transplanting,
14 introduction and management of wildlife in this State.
15 (b) The promotion of the safety of persons using or property
16 used in the operation of vessels on the waters of this State.



1 (c) The promotion of uniformity of laws relating to policy
2 matters.

3 2. Guide the Department in its administration and enforcement
4 of the provisions of this title and of chapter 488 of NRS by the
5 establishment of such policies.

6 3. Establish policies for areas of interest including:

7 (a) The management of big and small game mammals, upland
8 and migratory game birds, fur-bearing mammals, game fish, and
9 protected and unprotected mammals, birds, fish, reptiles and
10 amphibians.

11 (b) The management and control of predatory wildlife.

12 (c) The acquisition of lands, water rights and easements and
13 other property for the management, propagation, protection and
14 restoration of wildlife.

15 (d) The entry, access to, and occupancy and use of such
16 property, including leases of grazing rights, sales of agricultural
17 products and requests by the Director to the State Land Registrar for
18 the sale of timber if the sale does not interfere with the use of the
19 property on which the timber is located for wildlife management or
20 for hunting or fishing thereon.

21 (e) The control of nonresident hunters.

22 (f) The introduction, transplanting or exporting of wildlife.

23 (g) Cooperation with federal, state and local agencies on wildlife
24 and boating programs.

25 (h) The revocation of licenses issued pursuant to this title to any
26 person who is convicted of a violation of any provision of this title
27 or any regulation adopted pursuant thereto.

28 4. Establish regulations necessary to carry out the provisions of
29 this title and of chapter 488 of NRS, including:

30 (a) Seasons for hunting game mammals and game birds, for
31 hunting or trapping fur-bearing mammals and for fishing, the daily
32 and possession limits, the manner and means of taking wildlife,
33 including, but not limited to, the sex, size or other physical
34 differentiation for each species, and, when necessary for
35 management purposes, the emergency closing or extending of a
36 season, reducing or increasing of the bag or possession limits on a
37 species, or the closing of any area to hunting, fishing or trapping. If,
38 in establishing any regulations pursuant to this subsection, the
39 Commission rejects the recommendations of a county advisory
40 board to manage wildlife with regard to the length of seasons for
41 fishing, hunting and trapping or the bag or possession limits
42 applicable within the respective county, the Commission shall
43 provide to the county advisory board to manage wildlife at the
44 meeting an explanation of the Commission's decision to reject the
45 recommendations and, as soon as practicable after the meeting, a



1 written explanation of the Commission's decision to reject the
2 recommendations. Any regulations relating to the closure of a
3 season must be based upon scientific data concerning the
4 management of wildlife. The data upon which the regulations are
5 based must be collected or developed by the Department.

6 (b) The manner of using, attaching, filling out, punching,
7 inspecting, validating or reporting tags.

8 (c) The delineation of game management units embracing
9 contiguous territory located in more than one county, irrespective of
10 county boundary lines.

11 (d) The number of licenses issued for big game and, if
12 necessary, other game species.

13 5. Adopt regulations requiring the Department to make public,
14 before official delivery, its proposed responses to any requests by
15 federal agencies for its comment on drafts of statements concerning
16 the environmental effect of proposed actions or regulations affecting
17 public lands.

18 6. Adopt regulations:

19 (a) Governing the provisions of the permit required by NRS
20 502.390 and for the issuance, renewal and revocation of such a
21 permit.

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

25 7. ~~Designate those portions of wildlife management areas for~~
26 ~~big game mammals that are of special concern for the regulation of~~
27 ~~the importation, possession and propagation of alternative livestock~~
28 ~~pursuant to NRS 576.129.~~

29 ~~8.]~~ Adopt regulations governing the trapping of fur-bearing
30 mammals in a residential area of a county whose population is
31 100,000 or more.

32 ~~9.]~~ 8. Adopt regulations prescribing the circumstances under
33 which a person, regardless of whether the person has obtained a
34 valid tag issued by the Department, may assist in the killing and
35 retrieval of a wounded big game mammal by another person who:

36 (a) Is a paraplegic, has had one or both legs amputated or has
37 suffered a paralysis of one or both legs which severely impedes the
38 person's walking; and

39 (b) Has obtained a valid tag issued by the Department for
40 hunting that animal.

41 ~~10.]~~ 9. In establishing any policy or adopting any regulations
42 pursuant to this section, first consider the recommendations of the
43 Department, the county advisory boards to manage wildlife and
44 other persons who present their views at an open meeting of the
45 Commission.



1 **Sec. 4.** NRS 501.349 is hereby amended to read as follows:
2 501.349 ~~[Regular employees and others]~~ *Persons* designated
3 by the Director as game wardens ~~[shall]~~ *pursuant to NRS 501.337*
4 *or 501.339 may* enforce all ~~[provisions of this title and of chapter~~
5 ~~488 of NRS.] laws of the State of Nevada.~~

6 **Sec. 5.** NRS 501.376 is hereby amended to read as follows:
7 501.376 1. Except as otherwise provided in this section, a
8 person shall not intentionally kill or aid and abet another person to
9 kill a bighorn sheep, mountain goat, elk, deer, moose, pronghorn
10 antelope, mountain lion or black bear:

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

13 (b) Through the use of a manned or unmanned aircraft or
14 helicopter in violation of NRS 503.010;

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

17 (d) Knowingly during a time other than:

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

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

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

25 (1) Except as otherwise provided by the regulations adopted
26 by the Commission pursuant to subsection ~~9~~ 8 of NRS 501.181,
27 other than the person specified on the tag;

28 (2) Outside of the management area or other area specified
29 on the tag; or

30 (3) If the tag was obtained by a false or fraudulent
31 representation.

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

34 (a) The killing of the animal is necessary to protect the life of
35 any person, pet or livestock in imminent danger of being attacked by
36 the animal; or

37 (b) The animal killed was not the intended target of the person
38 who killed the animal and the killing of the animal which was the
39 intended target would not violate the provisions of subsection 1.

40 3. A person who violates the provisions of subsection 1 shall
41 be punished for a category E felony as provided in NRS 193.130 or,
42 if the court reduces the penalty pursuant to this subsection, for a
43 gross misdemeanor. In determining whether to reduce the penalty,
44 the court shall consider:

45 (a) The nature of the offense;



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

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

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

13 6. As used in this section:

14 (a) "Livestock" has the meaning ascribed to it in NRS 561.025.

15 (b) "Pet" has the meaning ascribed to it in NRS 202.487.

16 **Sec. 6.** NRS 501.379 is hereby amended to read as follows:

17 501.379 1. ~~{Except as otherwise provided in this section:~~

18 ~~—(a)}~~ It is unlawful for any person to sell or expose for sale, to
19 barter, trade or purchase or to attempt to sell, barter, trade or
20 purchase any species of wildlife, or parts thereof, except as
21 otherwise provided in this title or in a regulation of the Commission.

22 ~~{(b)}~~ 2. The importation and sale of products made from the
23 meat of game mammals, game birds or game amphibians raised in
24 captivity is not prohibited if the importation is from a licensed
25 commercial breeder or commercial processor.

26 ~~{2.—The provisions of this section do not apply to alternative~~
27 ~~livestock and products made therefrom.}~~

28 **Sec. 7.** NRS 501.382 is hereby amended to read as follows:

29 501.382 1. Except as otherwise provided in subsection 3, a
30 person shall not intentionally feed any ~~{big game mammal}~~ *wildlife*
31 *classified as a wild mammal or game bird by Commission*
32 *regulation* without written authorization from the Department.

33 2. A person who violates subsection 1:

34 (a) For a first offense, must not be cited or charged criminally
35 but must be informed, in writing, of the behavior that constitutes the
36 violation and the penalties prescribed by this section for any
37 subsequent violation of this section.

38 (b) For a second offense, shall be punished by a fine of not more
39 than \$250.

40 (c) For a third or subsequent offense, shall be punished by a fine
41 of not more than \$500.

42 3. The provisions of this section do not apply to any employee
43 or agent of the Department or the Animal and Plant Health
44 Inspection Service of the United States Department of Agriculture



1 who, while carrying out his or her duties, intentionally feeds ~~fa big~~
2 ~~game mammal~~ *such wildlife* for any purpose.

3 4. As used in this section ~~f~~:

4 — (a) “~~Big game mammal~~” means:

5 — (1) ~~Any pronghorn antelope, black bear, mule deer, mountain~~
6 ~~goat, mountain lion or Rocky Mountain elk; or~~

7 — (2) ~~Any of the following subspecies of bighorn sheep:~~

8 — (I) ~~Nelson bighorn sheep;~~

9 — (II) ~~California bighorn sheep; or~~

10 — (III) ~~Rocky Mountain bighorn sheep.~~

11 — (b) “~~Intentionally~~”, “*intentionally* feed” means to supply,
12 provide or otherwise make available any salt, grain, meat or other
13 form of nourishment with the intent to attract or feed ~~fa big game~~
14 ~~mammal~~ *wildlife described in subsection 1*. The term does not
15 include any incidental or unintentional feeding of ~~fa big game~~
16 ~~mammal~~ *such wildlife*, including, without limitation, any such
17 feeding associated with:

18 ~~f(1)~~ (a) Any accepted agricultural or livestock practice;

19 ~~f(2)~~ (b) Any planting or maintenance of any shrub, tree or
20 other landscaping for any residence, property or area; or

21 ~~f(3)~~ (c) Any sporting event or outdoor activity at which
22 food is served or consumed.

23 **Sec. 8.** NRS 501.3845 is hereby amended to read as follows:

24 501.3845 1. Except as otherwise provided in this section, it is
25 unlawful for a person or any agent or employee of a person to
26 knowingly:

27 (a) Bring into this State the carcass or any part of the carcass *or*
28 *any excrement or bodily fluid* of any of the following animals
29 which were obtained in another state, territory or country:

30 (1) An elk (Cervus elaphus);

31 (2) A mule deer (Odocoileus hemionus);

32 (3) A white-tailed deer (Odocoileus virginianus);

33 (4) A moose (Alces alces);

34 (5) Any alternative livestock; or

35 (6) Any other animal which the State Quarantine Officer has,
36 by regulation, declared to be susceptible to chronic wasting disease
37 and prohibited from importation into this State; or

38 (b) Possess any carcass or part of the carcass *or excrement or*
39 *bodily fluid* of any elk, deer, moose, alternative livestock or other
40 animal brought into this State in violation of paragraph (a).

41 2. A person or any agent or employee of a person may bring
42 into this State the following parts of the carcass of any elk, deer,
43 moose, alternative livestock or other animal specified in
44 subsection 1:



1 (a) The meat of the elk, deer, moose, alternative livestock or
2 other animal with no part of the spinal column, brain tissue or head
3 attached, except that one or more bones of the legs or shoulders may
4 be attached.

5 (b) The hide or cape of the elk, deer, moose, alternative
6 livestock or other animal with no part of the spinal column, brain
7 tissue or head attached.

8 (c) The clean skull plate of the elk, deer, moose, alternative
9 livestock or other animal with antlers attached and no part of the
10 brain tissue attached.

11 (d) The antlers of the elk, deer, moose, alternative livestock or
12 other animal with no meat or tissue other than antler velvet attached.

13 (e) The taxidermy mount of the elk, deer, moose, alternative
14 livestock or other animal with no meat or tissue other than antler
15 velvet attached.

16 (f) The upper canine teeth of the elk, deer, moose, alternative
17 livestock or other animal, including, without limitation, the bugler,
18 whistler and ivory teeth.

19 3. Any carcass or part of the carcass *or excrement or bodily*
20 *fluid* of an elk, deer, moose, alternative livestock or other animal
21 knowingly brought into this State or knowingly possessed in this
22 State in violation of this section may be seized, destroyed or sent out
23 of this State by a game warden or any other law enforcement officer
24 within 48 hours. The expense of seizing, destroying or removing the
25 carcass or part of the carcass *or excrement or bodily fluid* must be
26 paid by the person or his or her agent or employee who knowingly
27 brought the carcass or part of the carcass *or excrement or bodily*
28 *fluid* into this State or knowingly possessed the carcass or part of
29 the carcass *or excrement or bodily fluid* in this State.

30 **Sec. 9.** 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) or NRS
37 503.610, unlawfully kills or possesses a big game mammal,
38 ~~moose,~~ bobcat, swan or eagle is liable for a civil penalty of not less
39 than \$250 but less than \$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 Department may suspend, revoke, or refuse to issue or
14 renew any license, tag, permit, certificate or other document or
15 privilege otherwise available to the person pursuant to this title
16 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 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 moose*, a mountain goat or a black bear.
27 As used in 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]~~
34 *The term does not include* the first point on the main beam ,
35 commonly known as the eye guard , on 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. 10.** NRS 502.140 is hereby amended to read as follows:
2 502.140 1. Tags may be used as a method of enforcing a
3 limit of the number of any species which may be taken by any one
4 person in any one season or year, and may be issued in such a
5 manner that only a certain number may be used in any one
6 management area, or that one tag may be used in several
7 management areas, as designated by the Commission.

8 2. The Commission shall designate the number of tags for any
9 species which may be obtained by any one person, and it is unlawful
10 for any person to obtain tags for the person's use in excess of this
11 number. Except as otherwise provided in NRS 502.145 and the
12 regulations adopted by the Commission pursuant to subsection ~~¶~~ 8
13 of NRS 501.181, it is unlawful for any person to use or possess tags
14 issued to any other person, or to transfer or give tags issued to him
15 or her to any other person.

16 **Sec. 11.** NRS 503.590 is hereby amended to read as follows:
17 503.590 1. ~~Except as otherwise provided in this section, a~~ A
18 person may maintain a noncommercial collection of legally obtained
19 live wildlife if:

20 (a) Such a collection is not maintained for public display nor as
21 a part of or adjunct to any commercial establishment; and

22 (b) The wildlife contained in such a collection is of a species
23 which may be possessed in accordance with regulations adopted by
24 the Commission pursuant to subsection 2 of NRS 504.295.

25 2. The Commission may adopt reasonable regulations
26 establishing minimum standards for the fencing or containment of
27 any collection of wildlife.

28 ~~3. The provisions of this section do not apply to alternative~~
29 ~~livestock and products made therefrom.]~~

30 **Sec. 12.** NRS 503.597 is hereby amended to read as follows:
31 503.597 1. Except as otherwise provided in this section, it is
32 unlawful, except by the written consent and approval of the
33 Department, for any person at any time to receive, bring or have
34 brought or shipped into this State, or remove from one stream or
35 body of water in this State to any other, or from one portion of the
36 State to any other, or to any other state, any aquatic life or wildlife,
37 or any spawn, eggs or young of any of them.

38 2. The Department shall require an applicant to conduct an
39 investigation to confirm that such an introduction or removal will
40 not be detrimental to the wildlife or the habitat of wildlife in this
41 State. Written consent and approval of the Department may be given
42 only if the results of the investigation prove that the introduction,
43 removal or importation will not be detrimental to existing aquatic
44 life or wildlife, or any spawn, eggs or young of any of them.



1 3. The Commission may through appropriate regulation
2 provide for the inspection of such introduced or removed creatures
3 and the inspection fees therefor.

4 4. The Commission may adopt regulations to prohibit the
5 importation, transportation or possession of any species of wildlife
6 which the Commission deems to be detrimental to the wildlife or the
7 habitat of the wildlife in this State.

8 5. A person who knowingly or intentionally introduces, causes
9 to be introduced or attempts to introduce an aquatic invasive species
10 or injurious aquatic species into any waters of this State is guilty of:

11 (a) For a first offense, a misdemeanor; and

12 (b) For any subsequent offense, a category E felony and shall be
13 punished as provided in NRS 193.130.

14 6. A court before whom a defendant is convicted of a violation
15 of subsection 5 shall, for each violation, order the defendant to pay a
16 civil penalty of at least \$25,000 but not more than \$250,000. The
17 money must be deposited into the Wildlife Account in the State
18 General Fund and used to:

19 (a) Remove the aquatic invasive species or injurious aquatic
20 species;

21 (b) Reintroduce any game fish or other aquatic wildlife
22 destroyed by the aquatic invasive species or injurious aquatic
23 species;

24 (c) Restore any habitat destroyed by the aquatic invasive species
25 or injurious aquatic species;

26 (d) Repair any other damage done to the waters of this State by
27 the introduction of the aquatic invasive species or injurious aquatic
28 species; and

29 (e) Defray any other costs incurred by the Department because
30 of the introduction of the aquatic invasive species or injurious
31 aquatic species.

32 7. The provisions of this section do not apply to ~~f~~

33 ~~—(a) Alternative livestock and products made therefrom; or~~

34 ~~—(b) The] the~~ introduction of any species by the Department for
35 sport fishing or other wildlife management programs.

36 8. As used in this section:

37 (a) "Aquatic invasive species" means an aquatic species which
38 is exotic or not native to this State and which the Commission has
39 determined to be detrimental to aquatic life, water resources or
40 infrastructure for providing water in this State.

41 (b) "Injurious aquatic species" means an aquatic species which
42 the Commission has determined to be a threat to sensitive,
43 threatened or endangered aquatic species or game fish or to the
44 habitat of sensitive, threatened or endangered aquatic species or
45 game fish by any means, including, without limitation:



- 1 (1) Predation;
- 2 (2) Parasitism;
- 3 (3) Interbreeding; or
- 4 (4) The transmission of disease.

5 **Sec. 13.** NRS 504.185 is hereby amended to read as follows:

6 504.185 The provisions of this section and NRS 504.155 and
7 504.165 do not apply to ~~f;~~

8 ~~—1. Alternative livestock; or~~

9 ~~—2. Game} game~~ mammals not native to this State ~~f;~~

10 ~~→}~~ that are held in captivity for purposes other than as required by
11 the Department.

12 **Sec. 14.** NRS 504.245 is hereby amended to read as follows:

13 504.245 1. Any species of wildlife ~~f; including alternative~~
14 ~~livestock,}~~ that:

15 (a) Is released from confinement without the prior written
16 authorization of the Department; or

17 (b) Escapes from the possessor's control,
18 → may be captured, seized or destroyed by the Department if the
19 Department determines that such actions are necessary to protect
20 wildlife and the habitat of wildlife in this State.

21 2. The owner or possessor of such wildlife:

22 (a) Shall report its escape immediately after receiving
23 knowledge of the escape; and

24 (b) Is liable for the costs incurred by the Department to capture,
25 maintain and dispose of the wildlife and for any damage caused by
26 the wildlife.

27 3. The Department is not liable for any damage to wildlife, or
28 caused by wildlife, in carrying out the provisions of this section.

29 **Sec. 15.** NRS 504.295 is hereby amended to read as follows:

30 504.295 1. Except as otherwise provided in ~~[this section and]~~
31 NRS 503.590, or unless otherwise specified by a regulation adopted
32 by the Commission, no person may:

33 (a) Possess any live wildlife unless the person is licensed by the
34 Department to do so.

35 (b) Capture live wildlife in this State to stock a commercial or
36 noncommercial wildlife facility.

37 (c) Possess or release from confinement any mammal for the
38 purposes of hunting.

39 2. The Commission shall adopt regulations for the possession
40 of live wildlife. The regulations must set forth the species of wildlife
41 which may be possessed and propagated, and provide for the
42 inspection by the Department of any related facilities.

43 3. In accordance with the regulations of the Commission, the
44 Department may issue commercial and noncommercial licenses for
45 the possession of live wildlife upon receipt of the applicable fee.



1 ~~[4. The provisions of this section do not apply to alternative~~
2 ~~livestock and products made therefrom.]~~

3 **Sec. 16.** NRS 289.280 is hereby amended to read as follows:

4 289.280 A person designated as a game warden pursuant to
5 NRS ~~[501.349]~~ **501.337 or 501.339** is a peace officer for the
6 purposes of:

7 1. The service of ~~[such]~~ legal process, including warrants and
8 subpoenas . ~~[, as may be required in the enforcement of title 45 of~~
9 ~~NRS and chapter 488 of NRS.]~~

10 2. The enforcement of all laws of the State of Nevada . ~~[while~~
11 ~~they are performing their duties pursuant to title 45 of NRS and~~
12 ~~chapter 488 of NRS.]~~

13 **Sec. 17.** NRS 564.010 is hereby amended to read as follows:

14 564.010 As used in this chapter:

15 1. "Animals" means:

16 (a) All cattle or animals of the bovine species.

17 (b) All horses, mules, burros and asses or animals of the equine
18 species.

19 (c) All swine or animals of the porcine species.

20 (d) All sheep and goats.

21 ~~[(e) Alternative livestock as defined in NRS 501.003.]~~

22 2. "Department" means the State Department of Agriculture.

23 3. "Director" means the Director of the Department.

24 **Sec. 18.** NRS 565.010 is hereby amended to read as follows:

25 565.010 As used in this chapter, unless the context otherwise
26 requires:

27 1. "Agricultural police officer" means a person appointed by
28 the Director pursuant to NRS 561.225 who has the powers of a
29 peace officer pursuant to NRS 289.290.

30 2. "Animals" means:

31 (a) All cattle or animals of the bovine species except dairy breed
32 calves under the age of 1 month.

33 (b) All horses, mules, burros and asses or animals of the equine
34 species.

35 (c) All swine or animals of the porcine species.

36 ~~[(d) Alternative livestock as defined in NRS 501.003.]~~

37 3. "Brand inspection" means a careful visual examination of
38 each animal offered for such inspection and a visual examination of
39 any brands, marks or other characteristics thereon.

40 4. "Department" means the State Department of Agriculture.

41 5. "Director" means the Director of the Department.

42 **Sec. 19.** NRS 569.005 is hereby amended to read as follows:

43 569.005 As used in NRS 569.005 to 569.130, inclusive, unless
44 the context otherwise requires, the words and terms defined in



1 NRS ~~569.006~~ **569.0065** to 569.0085, inclusive, have the meanings
2 ascribed to them in those sections.

3 **Sec. 20.** NRS 569.0085 is hereby amended to read as follows:

4 569.0085 "Livestock" means:

- 5 1. All cattle or animals of the bovine species;
- 6 2. All horses, mules, burros and asses or animals of the equine
7 species;
- 8 3. All swine or animals of the porcine species;
- 9 4. All goats or animals of the caprine species;
- 10 5. All sheep or animals of the ovine species; *and*
- 11 6. All poultry or domesticated fowl or birds . ~~;~~ *and*

12 ~~7. All alternative livestock.]~~

13 **Sec. 21.** NRS 571.015 is hereby amended to read as follows:

14 571.015 As used in this chapter, unless the context otherwise
15 requires, the words and terms defined in NRS ~~571.016~~ **571.017** to
16 571.023, inclusive, have the meanings ascribed to them in those
17 sections.

18 **Sec. 22.** NRS 571.022 is hereby amended to read as follows:

19 571.022 "Livestock" means:

- 20 1. All cattle or animals of the bovine species.
- 21 2. All horses, mules, burros and asses or animals of the equine
22 species.
- 23 3. All swine or animals of the porcine species.
- 24 4. All goats or animals of the caprine species.
- 25 5. All sheep or animals of the ovine species.
- 26 6. All poultry or domesticated fowl or birds.
- 27 7. All dogs, cats or other animals domesticated or under the
28 restraint or control of humans.

29 ~~[8. All alternative livestock.]~~

30 **Sec. 23.** NRS 571.210 is hereby amended to read as follows:

31 571.210 1. Except as otherwise provided in this section, a
32 person, or the person's agent or employee may bring into this State
33 any animal not under special quarantine by the State of Nevada, the
34 Federal Government, or the state, territory or district of origin in
35 compliance with regulations adopted by the State Quarantine
36 Officer.

37 2. Notice that an animal is in transit is not required unless the
38 animal remains in this State, or is to be unloaded in this State to feed
39 and rest for longer than 48 hours.

40 3. A person, or the person's agent or employee shall not bring
41 any animal into this State unless he or she has obtained a health
42 certificate showing that the animal is free from contagious,
43 infectious or parasitic diseases or exposure thereto. This requirement
44 does not apply to any animal whose accustomed range is on both
45 sides of the Nevada state line and which is being moved from one



1 portion to another of the accustomed range merely for pasturing and
2 grazing thereon. The State Quarantine Officer shall adopt
3 regulations concerning the form of the certificate.

4 4. A person, or the person's agent or employee shall not:

5 (a) Alter a health certificate; or

6 (b) Divert any animal from the destination described on the
7 health certificate without notifying the State Quarantine Officer
8 within 72 hours after the diversion of the animal.

9 5. To protect this State from the effects of chronic wasting
10 disease, a person, or the person's agent or employee shall not
11 knowingly bring into this State any live:

12 (a) Elk (Cervus elaphus);

13 (b) Mule deer (Odocoileus hemionus);

14 (c) White-tailed deer (Odocoileus virginianus);

15 (d) Moose (Alces alces); *or*

16 (e) ~~Alternative livestock, unless in accordance with a permit
17 obtained pursuant to NRS 576.129; or~~

18 ~~(f)~~ Other animal that the State Quarantine Officer has, by
19 regulation, declared to be susceptible to chronic wasting disease and
20 prohibited from importation into this State.

21 6. Any animal knowingly brought into this State in violation of
22 this section may be seized, destroyed or sent out of this State by the
23 State Quarantine Officer within 48 hours. The expense of seizing,
24 destroying or removing the animal must be paid by the owner or the
25 owner's agent in charge of the animal and the expense is a lien on
26 the animal, unless it was destroyed, until paid.

27 **Sec. 24.** NRS 573.010 is hereby amended to read as follows:

28 573.010 As used in this chapter:

29 1. "Annual sale of livestock" means any sale of livestock:

30 (a) To which any member of the public may consign livestock
31 for sale or exchange through public bidding at the sale of the
32 livestock; and

33 (b) Which is conducted for not more than 2 consecutive days
34 during a calendar year.

35 2. "Consignor" means any person consigning, shipping or
36 delivering livestock to a public livestock auction for sale, resale or
37 exchange.

38 3. "Department" means the State Department of Agriculture.

39 4. "Director" means the Director of the Department.

40 5. "Livestock" means ~~f~~

41 ~~(a) Cattle,} cattle, sheep, goats, horses, mules, asses, burros,
42 swine or poultry . f; and~~

43 ~~(b) Alternative livestock as defined in NRS 501.003.}~~

44 6. "Operator of a public livestock auction" means any person
45 holding, conducting or carrying on a public livestock auction.



1 7. "Public livestock auction" means any sale or exchange of
2 livestock held by any person at an established place of business or
3 premises where the livestock is assembled for sale or exchange, and
4 is exchanged or sold at auction or upon a commission basis at
5 regular or irregular intervals. The term does not include an annual
6 sale of livestock.

7 **Sec. 25.** NRS 576.129 is hereby amended to read as follows:

8 576.129 ~~[1.—It]~~ *Except as otherwise provided in NRS*
9 *571.210, it* is unlawful for any person to import, possess or
10 propagate any alternative livestock . ~~[unless the person first obtains~~
11 ~~from the State Board of Agriculture a permit that authorizes the~~
12 ~~person to do so.~~

13 ~~—2. The State Board of Agriculture shall adopt regulations for~~
14 ~~the importation, possession and propagation of alternative livestock.~~
15 ~~The regulations must set forth requirements for:~~

16 ~~—(a) Facilities used to confine alternative livestock, including~~
17 ~~minimum requirements for fencing to prevent the escape of~~
18 ~~alternative livestock.~~

19 ~~—(b) The genetic testing of alternative livestock.~~

20 ~~—(c) Keeping and maintaining records related to the importation,~~
21 ~~transfer, possession and propagation of alternative livestock.~~

22 ~~—(d) Identifying and marking alternative livestock.~~

23 ~~—(e) Marketing alternative livestock.~~

24 ~~—(f) The filing of any bonds which may be required by the State~~
25 ~~Board of Agriculture.~~

26 ~~—3. In adopting the regulations required by subsection 2, the~~
27 ~~State Board of Agriculture shall consult with the Department of~~
28 ~~Wildlife and the Board of Wildlife Commissioners concerning the~~
29 ~~provisions that are necessary to protect wildlife in this state and in~~
30 ~~the areas designated as areas of special concern by the Board of~~
31 ~~Wildlife Commissioners pursuant to NRS 501.181.~~

32 ~~—4. The State Board of Agriculture shall establish by regulation~~
33 ~~a schedule of fees required to be paid for a permit issued pursuant to~~
34 ~~this section. The fees established must not exceed the approximate~~
35 ~~cost to the Board of carrying out the provisions of this section.]~~

36 **Sec. 26.** Any regulations adopted by the State Board of
37 Agriculture pursuant to NRS 576.129, as that section existed before
38 the effective date of section 25 of this act, are void. The Legislative
39 Counsel shall remove those regulations from the Nevada
40 Administrative Code as soon as practicable after the effective date
41 of this section.

42 **Sec. 27.** NRS 503.242, 569.006, 571.016 and 576.131 are
43 hereby repealed.

44 **Sec. 28.** This act becomes effective upon passage and
45 approval.



LEADLINES OF REPEALED SECTIONS

- 503.242 Unlawful to hunt alternative livestock.**
569.006 “Alternative livestock” defined.
571.016 “Alternative livestock” defined.
576.131 Alternative livestock: Recapture of escaped livestock; impoundment; liability of owner.



