

15 water. Any untagged lines when found in use shall be confiscated by
16 any officer appointed by the commission.

1 SEC. 2. Section one hundred nine point seventy-five (109.75),
2 Code 1973, is repealed.

Approved March 4, 1974

CHAPTER 1125

WILDLIFE PENALTIES AND CIVIL DAMAGES

H. F. 160

AN ACT relating to liability for the unlawful destruction, taking, or possession of wild-life owned by the state and imposing civil damages.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Chapter one hundred nine (109), Code 1973, is
2 amended by adding sections two (2) and three (3) of this Act.

1 SEC. 2. NEW SECTION. In addition to the penalties for violations
2 of this chapter, any person convicted of unlawfully taking, catching,
3 killing, injuring, destroying, or having in possession any game, shall
4 reimburse the state for the value of such game as follows:

5 1. For each deer, three hundred dollars.

6 2. For each wild turkey, one hundred dollars.

7 3. For each game bird or game animal or the raw pelt or plumage of
8 such game for which damages are not otherwise prescribed, twenty-
9 five dollars.

1 SEC. 3. NEW SECTION. In each case of conviction of unlawfully
2 taking, catching, killing, injuring, destroying, or having in possession
3 any game, the court shall enter a judgment in favor of the state of
4 Iowa for liquidated damages in an amount as provided in section two
5 (2) of this Act, and it shall be the duty of the state conservation com-
6 mission, with the assistance of the prosecuting attorney, to collect the
7 liquidated damages by execution or otherwise. If two or more persons
8 who have acted together are convicted of the unlawful taking, catch-
9 ing, killing, injuring, destroying, or having possession of any game,
10 the judgment shall be entered against them jointly. Any liquidated
11 damages received under this Act shall be remitted to the treasurer of
12 state who shall credit such damages to the state fish and game pro-
13 tection fund.

14 The return of any uninjured game which has been unlawfully taken,
15 caught, or possessed, to the place where taken or caught or to any other
16 place approved by the state conservation commission, shall constitute
17 the discharge of any liquidated damages provided under section two
18 (2) of this Act.

19 Civil suits authorized by this Act may be prosecuted by the attorney
20 general or by county attorneys.

Approved April 25, 1974